

books of reference and works on political science and statistics, but no others, as they shall think reasonably necessary or desirable. There is hereby appropriated for the purpose of paying for such books two thousand five hundred dollars per year. The accounts for such purchases shall be audited by the secretary of state upon affidavits by the state librarian that the books have been received in the library, and upon approval thereof by the trustees, or a majority of them.

SECTION 2. There is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, a sum sufficient to carry out the provisions of this act.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1895.

No. 179, S.]

[Published April 9, 1895.

CHAPTER 137.

AN ACT to amend section 4680 of Sanborn and Berryman's statutes, relating to change of venue in criminal cases.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Change of
venue in
criminal cases

SECTION 1. Section 4680 of Sanborn and Berryman's statutes is hereby amended by adding to said section the following: "provided, that where the sentence against a defendant shall be reversed by the supreme court and the cause remanded for a new trial, said defendant may apply for a change of venue on account of the prejudice of the judge of the court in the manner provided by this section at the first term when the cause shall be called for trial after

such reversal," so that said section 4680 when so amended shall read as follows: Section 4680: Any defendant in an indictment found, or information filed in any county in this state, may apply for a change of venue on account of the prejudice of the judge of the court where such indictment is found, or information filed, in the manner provided by law for a change of venue in civil actions; and it shall be the duty of the judge or court to whom such application is made to award such change of venue; but not more than one change of venue shall be awarded in any cause; and such change shall not be awarded after the next term succeeding that at which the accused shall have been arraigned, unless such petition states facts showing the existence of prejudice on the part of the judge, unknown to the petitioner, at any term of the court prior to the making and filing of such petition; and in all cases after a trial shall have been had without a verdict, the accused shall be entitled to one change of venue, if he desire it, and make application therefor at the same term at which such trial was had; provided, that where the sentence against a defendant shall be reversed by the supreme court and the cause remanded for a new trial, such defendant may apply for a change of venue on account of the prejudice of judge of the court in the manner provided by this section at the first term when the cause shall be called for trial after such reversal.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 6, 1895.