

No. 300, S.]

[Published June 7, 1945.]

CHAPTER 255.

AN ACT to create 40.47 (4b) of the statutes, relating to high school tuition.

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

40.47 (4b) of the statutes is created to read:

40.47 (4b) The board of any school district which operates a high school may contract with flight operator schools approved by the civil aeronautics administration for courses in flight instruction approved by the state superintendent. The cost of such contract shall be paid out of school district funds and shall be included in the cost of operation and maintenance of the high schools districts which enter into such contract for the purpose of computing tuition costs.

Approved June 2, 1945.

No. 306, S.]

[Published June 7, 1945.]

CHAPTER 256.

AN ACT to amend 55.07 (3), 264.05 and 336.14 (1); and to create 55.07 (4) of the statutes, relating to medical and hospital care of prisoners.

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

SECTION 1. 55.07 (3) of the statutes is amended to read:

55.07 (3) The keeper of each prison shall furnish necessary bedding, clothing and fuel * * * for all prisoners who shall be in his custody, and shall be paid therefor as provided for the payment for the weekly support of such prisoners and in addition thereto.

SECTION 2. 55.07 (4) of the statutes is created to read:

55.07 (4) In the event that a prisoner shall need medical or hospital care the keeper of the prison shall provide such care and may transfer the prisoner to any hospital where such care may be obtained, making such provision for the security of the prisoner as he deems necessary. The costs of medical and hospital

care outside of the jail shall, if the prisoner be unable to pay for it, in the case of persons held under the state criminal laws or for contempt of court, be borne by the county and in the case of persons held under municipal ordinance by the respective municipality. The governmental unit paying any such costs of medical or hospital care may sue for and collect the value of the same against such person and against his estate in the manner and under the conditions provided for in section 49.10. In case of a prisoner held on a body execution under section 272.09, or on civil arrest under chapter 264, the liability of the keeper to furnish medical care and hospital care, in case the prisoner is unable to pay for the same, shall not exceed the unexpended amount of support money theretofore advanced by the creditor, his agent or attorney.

SECTION 3. 264.05 of the statutes is amended to read:

264.05 BOND, *LIABILITY OF PLAINTIFF FOR SUPPORT*. Before making the order for arrest the court or judge shall require a bond of the plaintiff, with or without sureties, to the effect that if the plaintiff fails to recover, he will pay all costs that may be awarded to the defendant and all damages which he may sustain by reason of the arrest, not exceeding the sum specified in the bond, which shall be at least \$100. If the bond be executed by the plaintiff without sureties he shall annex thereto an affidavit that he is a resident and householder or freeholder within the state and worth double the sum specified in the bond above all his debts and liabilities in property in this state not exempt from execution. *The plaintiff shall be liable for support of the defendant while he is in jail, as specified in section 336.14 (1).*

SECTION 4. 336.14 (1) of the statutes is amended to read:

336.14 (1) Except as hereinafter provided, whenever a person is committed to jail on execution issued on a judgment recovered in civil action, or on civil arrest under chapter 264, the creditor, his agent, or attorney shall advance to the jailer within 24 hours after such commitment, sufficient money to pay for the support of said prisoner during the time for which he may be imprisoned; and in case the money shall not be so advanced, or, if during the time the prisoner may be in confinement the money shall be expended in the support of such prisoner, the jailer shall forthwith discharge such prisoner from custody, and such discharge shall have the same effect as a discharge by order of

the court. *The word "support" as used herein shall include medical and hospital care.*

Approved June 4, 1945.

No. 414, S.]

[Published June 7, 1945.

CHAPTER 257.

AN ACT to amend 48.07 (7) (a) of the statutes, relating to commitments of children.

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

48.07 (7) (a) of the statutes is amended to read:

48.07 (7) (a) Whenever in the course of a proceeding instituted under sections 48.01 to 48.07 or otherwise, it shall appear to the court that the person or child welfare agency (other than a parent) having the care, control and custody of such child is not fitted therefor or that the parents of a child have abandoned such child or have substantially and continuously or repeatedly refused or being financially able have neglected to give such child parental care and protection, *or whenever at any time, after the expiration of one year from the date that the temporary custody of a child has been placed with some person or agency (other than a parent) by order of a court of competent jurisdiction and while said child continues in said custody, it shall appear to the court that the parents or surviving parent, or the mother of said child, if said child is illegitimate, are not fit or proper by reason of immoral debauchery, habitual use of intoxicating liquor or narcotic drugs, or repeated lewd and lascivious behavior, and said conduct is found by the court as likely to be detrimental to the health, morals, or well-being of said child; or that the parents or surviving parent of said child or the mother of said child, if said child is illegitimate, has been adjudged feeble-minded more than 2 years before by a court of competent jurisdiction and on reexamination is adjudged still to be feeble-minded,* the court shall have jurisdiction to transfer the permanent care, control and custody of such child to some other person, agency, or institution, and in the exercise of such jurisdiction the court may terminate all rights of the parents with reference to such child, and also may appoint a guardian for