

furnish records of his expenditures for expense of feeding prisoners in the county jail, he must nevertheless be able to furnish such records in order to substantiate any claim he may present to the county under 53.33, or to attack the fairness of any schedule of compensation for maintenance of prisoners adopted by the board under 59.15 (3). 39 Atty. Gen. 218.

53.34 History: 1947 c. 519; Stats. 1947 s. 53.34; 1969 c. 255 s. 64.

Comment of Interim Committee, 1947: New 53.34 restates old 55.04 without change of meaning. See also 359.06. [Bill 35-A]

If the county to which a prisoner is sent by an officer of another county pays its sheriff for maintaining him in jail, without the request of the other county, the payment is gratuitous, and an action by the county which makes it cannot be maintained against the other county. *Portage County v. Waupaca County*, 15 W 361.

53.35 History: 1947 c. 519; Stats. 1947 s. 53.35.

Comment of Interim Committee, 1947: New 53.35 is a restatement of old 55.05 without change of meaning. [Bill 35-A]

A county whose prisoners are transferred to the jail of another county for safekeeping is not liable to the latter county for damage to its jail incidental to the escape of such prisoners. 11 Atty. Gen. 102.

53.36 History: 1947 c. 519; Stats. 1947 s. 53.36.

Comment of Interim Committee, 1947: New 53.36 is from old 55.06 without change of meaning. [Bill 35-A]

53.37 History: 1947 c. 519; Stats. 1947 s. 53.37; 1953 c. 71; 1957 c. 610.

Comment of Interim Committee, 1947: Old 55.07 (except (4)) is renumbered 53.37 and restated. The provision that the county board shall fix the maximum compensation for board of prisoners is omitted. [Bill 35-A]

53.375 History: R. S. 1858 c. 187 s. 6, 7; R. S. 1878 s. 4497; Stats. 1898 s. 4497; 1919 c. 350 s. 12; 1925 c. 4; Stats. 1925 s. 346.47; 1947 c. 519; 1955 c. 696 s. 183; Stats. 1955 s. 53.375.

53.38 History: 1947 c. 519; Stats. 1947 s. 53.38.

Comment of Interim Committee, 1947: New 53.38 is a restatement of old 55.07 (4). The reference to 49.10 is corrected, as the provisions of that section were moved to 49.08 by ch. 585, laws of 1945. The limitation on liability for medical and hospital care of a prisoner held on body execution or civil arrest is omitted. * * * [Bill 35-A]

It is the duty of the county board to procure and furnish all needful medical aid and attendance to persons confined in its jail; and it may engage a physician by the year for that purpose. *Rider v. Ashland County*, 87 W 160, 58 NW 236.

53.39 History: 1947 c. 519; Stats. 1947 s. 53.39.

Comment of Interim Committee, 1947: New

53.39 replaces old 55.08. Instead of repeating that separate special provision on the furnishing of Bibles and religious ministrations in county jails, new 46.066 (in Bill 394-S revising ch. 46) is incorporated here by reference. [Bill 35-A]

53.40 History: 1947 c. 519; Stats. 1947 s. 53.40.

Comment of Interim Committee, 1947: New 53.40 is derived from old 55.09. In substance, 53.40 is like 53.10 relating to state prisons. Ten days is substituted for 20 days. [Bill 35-A]

53.41 History: 1947 c. 519; Stats. 1947 s. 53.41.

Comment of Interim Committee, 1947: 53.41 is a new and needed provision. [Bill 35-A]

There must be a matron present in the jail and awake at all times while there is a female prisoner therein. 45 Atty. Gen. 31.

53.42 History: 1947 c. 519; Stats. 1947 s. 53.42.

Comment of Interim Committee, 1947: 53.42 is a new and needed provision. [Bill 35-A]

There must be a jailer present and awake at all times while a prisoner is lodged therein. 45 Atty. Gen. 31.

53.43 History: 1947 c. 519; Stats. 1947 s. 53.43; 1959 c. 504.

Comment of Interim Committee, 1947: 53.43 is a new provision. [Bill 35-A]

53.44 History: 1961 c. 21; Stats. 1961 s. 53.44; 1969 c. 366 s. 117 (1) (c).

CHAPTER 54.

Youth Service Act.

54.01 History: 1947 c. 546, 560; Stats. 1947 s. 54.01; 1955 c. 575 s. 10.

Legislative Council Note, 1955: The amendments to this section and to other sections in ch. 54 are necessitated by the fact that all provisions relating to delinquents and community services are now covered by ch. 48. These amendments will leave ch. 54 containing only provisions on the treatment of convicted youthful offenders.

This section deals with the purposes of ch. 54 and, since that chapter, as stated above, will be restricted to convicted youthful offenders, the purpose clause must also be so restricted. The provisions deleted from this purpose section are restated in proposed s. 48.01 of section 7 of this bill. [Bill 444-S]

54.02 History: 1947 c. 546, 560; Stats. 1947 s. 54.02.

54.03 History: 1947 c. 546, 560; Stats. 1947 s. 54.03; 1949 c. 376; 1951 c. 245; 1955 c. 575 s. 11; 1969 c. 255, 366.

54.06 History: 1947 c. 546, 560; Stats. 1947 s. 54.06; 1949 c. 376; 1955 c. 575 s. 14.

54.08 History: 1947 c. 546, 560; Stats. 1947 s. 54.08.

54.10 History: 1947 c. 546, 560; Stats. 1947 s. 54.10; 1955 c. 575 s. 17.

54.11 History: 1947 c. 546, 560; Stats. 1947 s. 54.11; 1955 c. 575 s. 18.

54.12 History: 1947 c. 546, 560; Stats. 1947 s. 54.12.

54.13 History: 1947 c. 546, 560; Stats. 1947 s. 54.13.

54.14 History: 1947 c. 546, 560; Stats. 1947 s. 54.14.

54.15 History: 1947 c. 546, 560; Stats. 1947 s. 54.15.

54.16 History: 1947 c. 546, 560; Stats. 1947 s. 54.16.

54.17 History: 1947 c. 546, 560; Stats. 1947 s. 54.17.

54.18 History: 1947 c. 546, 560; Stats. 1947 s. 54.18.

54.19 History: 1947 c. 546, 560; Stats. 1947 s. 54.19.

54.20 History: 1947 c. 546, 560; Stats. 1947 s. 54.20.

54.21 History: 1947 c. 546, 560; Stats. 1947 s. 54.21.

54.22 History: 1947 c. 546, 560; Stats. 1947 s. 54.22.

54.23 History: 1947 c. 546, 560; Stats. 1947 s. 54.23.

Under 54.23 (3) and (4), Stats. 1947, the department of public welfare has authority to establish reception centers for delinquent children committed to it by juvenile courts. Under 59.23 (4) it is the duty of the sheriff to convey such delinquent children to the appropriate centers established by the department, upon delivery to him of the commitment. 36 Atty. Gen. 609.

54.24 History: 1947 c. 546, 560; Stats. 1947 s. 54.24.

54.25 History: 1947 c. 546, 560; Stats. 1947 s. 54.25.

54.26 History: 1947 c. 546, 560; Stats. 1947 s. 54.26.

54.27 History: 1947 c. 546, 560; Stats. 1947 s. 54.27.

54.28 History: 1947 c. 546, 560; Stats. 1947 s. 54.28.

54.29 History: 1947 c. 546, 560; Stats. 1947 s. 54.29.

54.30 History: 1947 c. 546, 560; Stats. 1947 s. 54.30; 1969 c. 276 s. 588 (1).

54.31 History: 1947 c. 546, 560, 614; Stats. 1947 s. 54.31; 1955 c. 575 s. 19.

54.32 History: 1947 c. 546, 560; Stats. 1947 s. 54.32; 1969 c. 255.

54.33 History: 1947 c. 546, 560; Stats. 1947 s. 54.33.

54.34 History: 1947 c. 546, 560; Stats. 1947 s. 54.34; 1957 c. 610.

54.35 History: 1947 c. 546, 560; Stats. 1947 s. 54.35.

54.36 History: 1947 c. 546, 560; Stats. 1947 s. 54.36; 1969 c. 255 s. 65.

54.37 History: 1947 c. 546, 560; Stats. 1947 s. 54.37.

54.38 History: 1947 c. 546, 560; Stats. 1947 s. 54.38.

CHAPTER 55.

Vocational Rehabilitation.

55.01 History: 1921 c. 534; Stats. 1921 s. 41.215; 1927 c. 425 s. 162; Stats. 1927 s. 41.71; 1937 c. 349; 1941 c. 104; 1945 c. 249, 586; 1947 c. 54; 1949 c. 536; 1955 c. 75; 1955 c. 204 s. 57; 1955 c. 652; 1965 c. 163; 1965 c. 292 s. 11 (3); 1965 c. 433; 1967 c. 26 ss. 31, 32, 33; 1967 c. 43 ss. 137, 154, 156 to 160, 181; Stats. 1967 s. 55.01; 1969 c. 55; 1969 c. 366 ss. 48, 117 (1) (c).

The state board of vocational and adult education has the duty of administering and interpreting the federal and state rehabilitation law; the industrial commission has a limited power of review under 102.61, Stats. 1953, if any; except for fraud or clear-cut abuse of power, the commission must approve the payment of rehabilitation expenses. *Massachusetts Bonding & Ins. Co. v. Industrial Comm.* 275 W 505, 82 NW (2d) 191.

The state board of vocational and adult education may pay tuition for attendance of a physically handicapped person at a school having courses especially designed for rehabilitation which is outside the district of his residence. 27 Atty. Gen. 464.

Aliens are not denied benefits of 41.71, Stats. 1943, if otherwise eligible. 32 Atty. Gen. 47.

CHAPTER 56.

Prison Labor.

56.01 History: 1913 c. 716; Stats. 1913 s. 4918m; 1919 c. 350 s. 2; Stats. 1919 s. 56.01; 1925 c. 386; 1929 c. 121; 1939 c. 501; 1943 c. 93; 1947 c. 366; 1951 c. 626 s. 2; 1953 c. 144, 501, 555; 1959 c. 113; 1967 c. 26.

Comment of Interim Committee, 1947: The prohibition against sale in the open market is omitted. It is a duplication of 56.22 [new 56.06]. The enumeration and details of objects are omitted from (2) because unnecessary. Otherwise the substance of 56.01 is not changed except to add "any tax-supported institution or agency" in the first sentence. [Bill 359-A]

A school district is a political subdivision within the meaning of 56.01 (1). 28 Atty. Gen. 674.

The department of public welfare may not, under 56.01, Stats. 1947, sell prison manufactured articles other than those named in 56.06 to such nonprofit organizations as denominational hospitals, the American Legion and the Veterans of Foreign Wars. 36 Atty. Gen. 599.

Pay for prisoners is to be fixed under 53.12 (2), Stats. 1951. 41 Atty. Gen. 199.

56.02 History: 1907 c. 574; Stats. 1907 s. 4918—1; 1911 c. 377; Stats. 1911 s. 4918—1, 4918—14, 4918—15; 1913 c. 772 s. 15; 1919 c.