

No. 318, S.]

[Published June 20, 1945.]

CHAPTER 319.

AN ACT to create 324.29 (4) of the statutes, relating to the appointment of attorneys in county court for persons in military service.

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

324.29 (4) of the statutes is created to read:

324.29 (4) **PERSONS IN MILITARY SERVICE.** At the time of making the order for the hearing of any matter in county court, the moving party shall make and file an affidavit setting forth the facts showing whether or not any of the parties interested in such matter are actively engaged in the military service of the United States. Whenever it shall appear by such affidavit or otherwise that any person in the active military service of the United States is interested in any proceeding pending in county court and is not represented by an attorney the judge shall appoint an attorney to represent such person and protect his interest and no further proceedings shall be had until such appointment has been made. An attorney appointed by the court to represent any person in the military service in any proceeding in the probate of an estate may be allowed compensation and his necessary expenditures to be fixed by the court, and paid out of the estate.

Approved June 18, 1945.

No. 334, S.]

[Published June 20, 1945.]

CHAPTER 320.

AN ACT to amend 86.07 (2) of the statutes, relating to alterations in highways by persons other than constituted highway authorities, and providing a penalty.

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

86.07 (2) of the statutes is amended to read:

86.07 (2) No person shall make any excavation or fill or install any culvert or make any other alteration in any highway or in any manner disturb any highway or bridge without a permit

therefor from the * * * highway authority *maintaining the highway*. Such permit shall contain the statement and be subject to the condition * * * that the work shall be constructed subject to such rules and regulations as may be prescribed by said authority and be performed and completed to its satisfaction, *and in the case of temporary alterations that the highway or bridge shall be restored to its former condition*, and that the permittee shall be liable to the town or county or state, as the case may be, for all damages which occur during the progress of said work or as a result thereof. Nothing herein shall abridge the right of the state highway commission or the county board or its highway committee to make such additional rules, regulations and conditions not inconsistent herewith as may be deemed necessary and proper for the preservation of highways, or for the safety of the public, and to make the granting of any such permit conditional thereon. *If any culvert is installed or any excavation or fill or any other alteration is made in violation of the provisions of this subsection, the highway may be restored to its former condition by the highway authority in charge of the maintenance thereof; and any person who violates this subsection shall be punished by a fine of not less than \$5 nor more than \$100, or by imprisonment not exceeding 6 months, or both.*

Approved June 18, 1945.

No. 338, S.]

[Published June 20, 1945.

CHAPTER 321.

AN ACT to amend 142.07 (1m) (a) of the statutes, relating to a change in charges at the Wisconsin orthopedic hospital.

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

SECTION 1. 142.07 (1m) (a) of the statutes is amended to read:

142.07 (1m) (a) The Wisconsin orthopedic hospital for children shall treat patients so admitted at rates based on actual cost as determined by the board of regents of the university, but not in excess of * * * \$5.20 per day for each certified patient. The rate of * * * \$5.20 per day set forth herein may be increased by order of the emergency board when deemed necessary