

*involved, all such notices shall be served upon such railroad company in the manner provided in section 88.03 (3a).*

Approved June 9, 1947.

No. 228, A.]

[Published June 12, 1947.]

### CHAPTER 246.

AN ACT to amend 327.28 of the statutes, relating to determination of age by the court.

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

327.28 of the statutes is amended to read:

327.28 The county court of any county may upon application and satisfactory proof made, make an order or judgment determining the age, place of birth, and parentage of any resident of the county or of any person born in the county. Such order or judgment or a certified copy thereof, when filed in the office of the register of deeds shall be prima facie evidence of the facts therein stated.

Approved June 9, 1947.

No. 250, A.]

[Published June 12, 1947.]

### CHAPTER 247.

AN ACT to renumber 331.04 (1) to be 331.04 (1) (a) and to create 331.04 (1) (b) of the statutes, relating to recovery for damages in respect to death caused by wrongful act.

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

SECTION 1. 331.04 (1) of the statutes is renumbered 331.04 (1) (a).

SECTION 2. 331.04 (1) (b) of the statutes is created to read:

331.04 (1) (b) If there is a cause of action in favor of the estate of the decedent, funeral expenses may be recovered on behalf of the estate; if there is no such cause of action, funeral expenses may be recovered by or on behalf of any relative specified in this subsection who has paid or assumed liability

for such expenses. Where the wrongful death of a person creates a cause of action in favor of the decedent's estate and also a cause of action or property right in favor of a surviving spouse or relative as provided in paragraph (a), such spouse or relative may waive and satisfy the estate's cause of action in connection with or as part of a settlement and discharge of the cause of action or property right of the spouse or relative.

Approved June 9, 1947.

No. 275, A.]

[Published June 12, 1947.

### CHAPTER 248.

**AN ACT** to create 66.61 of the statutes, relating to emergency powers of cities of the first class.

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

66.61 of the statutes is created to read:

66.61 EMERGENCY POWERS, CITIES OF THE FIRST CLASS. (1) Notwithstanding any other provision of law to the contrary, the common council of any city of the first class is empowered to declare, by ordinance or resolution, an emergency existing within such city whenever conditions arise by reason of war, conflagration, flood, heavy snow storm, blizzard, catastrophe, disaster, riot or civil commotion, acts of God, and including conditions, without limitation or restriction because of enumeration, which impair transportation, food or fuel supplies, medical care, fire, health or police protection or other vital facilities of such city. The period of such emergency shall be limited by such ordinance or resolution to the time during which such emergency conditions exist or are likely to exist.

(2) The emergency power of the common council herewith conferred shall include such general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, welfare and good order of such city in such emergency and shall include such authority as is necessary and expedient without limitation or restriction because of enumeration and shall include the power to bar, restrict or remove all unnecessary traffic, both vehicular and pedestrian, from the local highways, notwithstanding any provisions of