

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

chapter 85 or any other provisions of law. The common council may provide penalties for violation of any emergency ordinance or resolution, not to exceed the maximum penalty of \$100 fine or, in lieu of payment thereof, 6 months imprisonment, for each separate offense.

(3) In the event because of such emergency conditions the common council shall be unable to meet with promptness, the mayor or acting mayor of any city of the first class shall exercise by proclamation all of the powers herewith conferred upon the common council which within the discretion of the mayor are necessary and expedient for the purposes herein set forth; but such proclamation of the mayor shall be subject to ratification, alteration, modification or repeal by the common council as soon as the common council shall be able to meet, but such ratification, alteration, modification or repeal by the common council shall not affect the prior validity or force or effect of such proclamation by the mayor.

(4) All provisions contravening the provisions of this section are hereby repealed.

Approved June 9, 1947.

No. 307, A.]

[Published June 12, 1947.

CHAPTER 249.

AN ACT to create 59.08 (55) of the statutes, relating to the regulation, control, prohibition, and licensing of horses kept for the purpose of riding; commercial stables keeping horses for hire, owners of riding horses, and providing a penalty.

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

59.08 (55) of the statutes is created to read:

59.08 (55) In counties having a population of 500,000 or more, enact an ordinance providing for the regulation, control, prohibition, and licensing of horses kept for the purpose of riding, whether by private owners for their own use or by commercial stables, riding academies or clubs for hire; for the licensing and regulation of owners of riding horses and the regulation, control, prohibition and licensing of commercial stables keeping horses for riding purposes for hire. The county