

or block in such city or village or addition thereto, without first obtaining the consent of the municipal authorities thereof; nor within fifteen rods of any habitable dwelling, public building, watering place, or schoolhouse, nor within two hundred rods of the institutions for the deaf and dumb, for the blind, the hospitals for the insane, the industrial school for boys, the home for the feeble-minded, the state public school, or the state reformatory, without the consent of the state board of control; provided, that an existing cemetery in a village may be extended toward or beyond either of the two nearest village limits upon first obtaining the consent of the village board and of the owners of any dwelling or other building within fifteen rods of such addition; and provided further, that an existing cemetery in any city of the fourth class may be extended and enlarged upon first obtaining the consent of the council of such city and of the owners of any dwelling or other building within fifteen rods of such addition; and provided further, that an incorporated college of a religious order in any city of the fourth class may, with the consent of the council of said city, establish a private cemetery on land owned by said college for the interment of members of said order in such city, but no such cemetery shall be established within fifty rods of any private dwelling or building without the consent of the owner thereof.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 8, 1917.

No. 530, S.]

[Published June 13, 1917.

## CHAPTER 380

AN ACT to amend sections 1565—1, 1565—2 and 1565—4, relating to the use of intoxicating liquors on railroads, inter-urban and inter-city street railways, and providing a penalty.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Sections 1565—1, 1565—2 and 1565—4 of the statutes are amended to read: Section 1565—1. 1. No person \* \* \* while intoxicated, shall enter or be on or remain upon, as a passenger, a train of a steam railroad, \* \* \* inter-urban railroad, or a car of a street railway connecting any two or more cities in this state or any city in this state with a city or cities in any other state.

2. No person shall publicly drink any intoxicating liquor as a beverage in any smoking car, parlor car or day coach of a

steam railroad or interurban railroad, or car of a street railway included within the provisions of subsection 1, or give, or cause to be given, to any other person therein, intoxicating liquor as a beverage.

Section 1565—2. The conductor of a railway train or car on any \* \* \* railroad or street railway included within the provisions of section 1565—1 shall summarily arrest, with or without a warrant, any person violating any of the provisions of section 1565—1, and for such purpose shall have the same power and authority as any peace officer, including the power to summon assistance, and such conductor shall further have power to deliver any such person to any policeman, constable or other public officer of the county in which such offense was committed, and it shall be the duty of such officer to bring the person charged with such offense before the nearest justice of the peace or municipal court of the county where said offense was committed, and to make a complaint against such person. Provided, that if the car on which such arrest is made does not stop within the county within which such offense was committed, then such conductor shall deliver the person so arrested to some sheriff, constable or police officer of the county wherein such car shall first stop after such arrest, who shall deliver the person so arrested to some judge or justice of the peace of the county in which the offense was committed, for trial.

Section 1565—4. Persons and corporations engaged wholly, or in part, in the business of carrying passengers for hire, their agents, servants or employes, who shall knowingly permit any person to drink any intoxicating liquor as a beverage in any train of a steam railroad or interurban railroad or coach, or in any car of any street railway included in the provisions of section 1565—1, and any person violating any other provisions of sections 1565—1 to 1565—4, inclusive, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail for not less than thirty days, nor more than ninety days.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 8, 1917.