

CHAPTER 75--S. F. No. 149.

An Act to limit the granting of licenses for the sale of intoxicating liquors.

Be it enacted by the Legislature of the State of Minnesota:

Liquor license to be issued not to exceed one for each 500 population or fraction.—Section 1. From and after the passage of this act the number of licenses for the sale of intoxicating liquors which may be granted by any county or municipality shall be limited to one for each five hundred of population or fraction thereof in any township, town, village or city of this state, such population to be determined by the last preceding state or national census; *Provided*, however, that in all such cities, villages, towns and townships where a greater number of licenses may have been granted or issued at the time of the passage of this act, than would be permissible under the foregoing limitation, it shall be lawful, and the local authorities are hereby authorized in their discretion, to grant and issue licenses equal in number to those granted or issued at the time of the passage of this act, but no additional licenses in number shall be granted or issued in any such city, village, town or township until the increase in population thereof brings the same within the foregoing limitation whereupon additional licenses may be granted from time to time to lawful applicants, upon compliance by such applicants with the laws of this state then in force, until the total number of licenses in force in any township, town, village or city shall equal one for each five hundred of population or fraction thereof, as ascertained by the last preceding state or national census.

Regulation for issuing licenses in municipalities where licenses do not now exist.—Sec. 2. Whenever any county or municipality in which no licenses exist, shall at any time hereafter, grant licenses for the sale of intoxicating liquors, it shall be lawful for such county or municipality to grant licenses only to the number of one for every five hundred of population or fraction thereof, in any township, town, village or city, as ascertained by the then last preceding state or national census, and no more, until the increase in population thereof brings the same within the limitation of one for each five hundred of population or fraction thereof as ascertained by the then last preceding state or national census, whereupon additional licenses may be granted from time to time, to lawful applicants upon compliance by such applicants with the law of this state, then in force; *Provided*, that the respective local authorities may grant one license in any township, town or municipality having less than five hundred of population.

Provisions to apply in municipalities now granting license hereafter voting license and following with license.—Sec. 3. Whenever any town or municipality in which licenses have been granted at the time of the passage of this act, shall at any time hereafter vote “no license,” under the provisions of the local option laws of this state, or the provisions of any municipal charter, as the case may be, and such town or municipality shall at any time, after voting “no license,” again vote “for license,” under the laws of this state, or the provisions of any municipal charter, as the case may be, the number of licenses which may then and thereafter be granted within such town or municipality, shall, at no time, exceed one for each five hundred of population or fraction thereof, as ascertained by the then last preceding state or national census; *provided*, that one license may be granted in any town or municipality having less than five hundred of population.

Existing local option laws not modified.—Sec. 4. Nothing in this act contained shall be construed as repealing or modifying existing local option laws.

Sec. 5. This act shall take effect and be in force from and after its passage.

Approved March 16, 1909.

CHAPTER 76—H. F. No. 44.

An Act to amend section three hundred and twenty-six (326) of the Revised Laws of the State of Minnesota for 1905, referring to state canvassing board.

Be it enacted by the Legislature of the State of Minnesota.

State canvassing board to meet fourth Tuesday in November.

—Section 1. That Section 326 of the Revised Laws of Minnesota for 1905 be, and the same is amended so as to read as follows:

Section 326. The Secretary of the State shall call to his assistance two or more judges of the supreme court and two disinterested judges of the district court, and they shall constitute the state canvassing board. He shall appoint a meeting of such board to be held in his office on the fourth Tuesday of November after each general election, and within thirty days after a special election. When a vacancy in the membership of said board occurs by reason of inability or failure of any such judge to attend on the day appointed, he shall fill the vacancy by selecting another disinterested judge from either court: *Provided*, that