

as the head of said department and an assistant therefore and also a stenographer and provide suitable and proper offices for such persons at such place as the board of regents shall determine, who shall receive such reasonable salary as the board of regents shall determine.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 19, 1913.

CHAPTER 387—S. F. No. 174.

An Act authorizing the electors of cities of the fourth class to vote upon the question of licensing the sale of intoxicating liquor in such cities; and prohibiting the sale of liquor in any quantity either wholesale or retail in any such city or the granting of any license for such sale if a majority of the votes on such question at any election hereunder shall be against license, and not otherwise, until such vote shall be reversed at a subsequent election hereunder; and defining terms used herein and prescribing penalties for violations hereof.

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

Section 1. **Construction of words.**—In this act and in the sections and parts thereof, the terms, "intoxicating liquor" and "liquor," "sell" and "sale" shall be given the same meaning respectively as is prescribed therefor in Section 1564 of the Revised Laws of Minnesota for 1905.

Sec. 2. **Ten per cent of voters may request submission of proposition of issuing license in cities of fourth class.**—The clerk or recorder of any city of the fourth class, whether the same is incorporated under a special law or the general laws or under a home rule charter, on petition of ten per cent, and in no case less than twenty-five of the legal voters, such percentage to be determined by the number of votes cast at the last city election, filed with him at least twenty days before the regular city election, shall give notice at the same time and in the same manner as the notice of such city election that the question of granting license in such city for the sale of intoxicating liquor will be submitted for determination at such election.

Sec. 3. **Separate ballot to be provided.**—In case of vote favoring "no license" liquor not to be sold at either wholesale or retail.—At such election, when so petitioned for, said question shall be voted on by separate ballot provided by the city clerk or city recorder, which ballot shall be known as "license ballot." The said ballot shall have printed thereon the words "for license" and "against license," and each qualified elector voting upon said question, shall place a cross mark (X) in the place oppo-

site the words "for license" or in the place opposite the words "against license," which ballot shall be deposited in a separate ballot box to be provided for in each voting precinct, and such votes shall be counted for or against said question in accordance with the expressed will of the elector, as provided by the election laws of this state. The ballots so cast shall be duly canvassed, returned and certified, according to the law governing such city elections and if a majority of the votes cast upon the question shall be in favor of license then license for the sale of intoxicating liquor may be granted, but if such majority shall be against license then no license shall be granted and no liquor shall be sold in any quantity whatever, either wholesale or retail, in any such city, until such vote shall be reversed at a subsequent election at which the question of license is again in like manner submitted; provided that intoxicating liquor manufactured therein may be sold to be consumed outside of said city; and provided further that any duly licensed and practicing physician or veterinarian may prescribe or any duly licensed druggist or pharmacist actually carrying on business as such may in good faith as such druggist or pharmacist dispense, intoxicating liquor under the conditions and restrictions and subject to the penalties prescribed in such cases by Chapter 16 of the Revised Laws of Minnesota for 1905 and acts amendatory thereof.

Sec. 4. Present charter provisions and ordinances to remain in effect until after next election.—All charter provisions and ordinances of any such city authorizing or providing for a vote by the electors on the question of either license for or the prohibition of the sale of intoxicating liquor therein, or prohibiting such sale or the granting of license therefor in consequence of any such vote had on said questions shall continue and remain in full force and effect until an election shall have been held and determined under the provisions of this act in any such city; and all such provisions, ordinances and prohibitions shall be and remain suspended after said election shall have been held and determined for so long a time as this act remains in force, and no longer, except that the provisions of this act as to petitions for, procedure in, and conduct of elections shall take effect immediately.

Sec. 5. Penalty for violation.—Any person violating any provision of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars and the costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) nor more than ninety (90) days.

Sec. 6. This act shall take effect and be in force from and after June 1, 1913.

Approved April 19, 1913.