

## CHAPTER 454—H. F. No. 269.

*An act relating to salaries for employes in the department of weights and measures, and providing for the disposition of all moneys collected by that department.*

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

Section 1. **Commissioner of weights and measures salary \$2,500 and deputies \$1,500.**—The salary of the commissioner of weights and measures shall be twenty-five hundred (\$2,500.00) dollars per annum, and all deputies not to exceed fifteen hundred dollars (\$1,500.00) per annum.

Sec. 2. **Fees to be paid into state treasury.**—All moneys collected by the department for special services, fees and penalties, shall be paid into the state treasury, and credited to a fund known as the weights and measures fund, and available for the use of the department of weights and measures.

Sec. 3. **Inconsistent acts repealed.**—All acts or parts of acts conflicting with this act are hereby repealed.

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

Approval April 25, 1919.

## CHAPTER 455—H. F. No. 667.

*An act to prohibit the manufacture, sale, disposition or transportation of, or the keeping or having in possession for sale, disposition or transportation, or the soliciting, receiving or taking any order for intoxicating liquor, except for certain purposes, and to regulate the manufacture, sale, disposition, transportation, possession and use of intoxicating liquor for such purposes and to provide for the enforcement of such prohibition and to provide for the suspension of laws inconsistent herewith in certain cases; to define nuisances and provide for the abatement thereof and the injunction of the person creating, keeping or maintaining or aiding in the same and providing penalties for violations of this act.*

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

Section 1. **Definition of intoxicating liquor.**—Wherever used in this act the terms "intoxicating liquor" and "liquor" shall include and mean ethyl alcohol and any distilled, fermented, spirituous, vinous or malt liquor or liquid of any kind potable as a beverage, whenever any of said liquors or liquid contain one-half of one per cent or more of alcohol by volume; the terms "sell" and "sale" shall include all barters, gifts, and all means of furnishing liquor in violation or evasion of law; and the word "physician" shall include and mean any physician, surgeon, dentist or veterinarian, duly licensed to practice and practicing as such within this state,

and no other person; the word "pharmacist" shall include and mean only any duly licensed and registered pharmacist or druggist actually carrying on business as such in good faith within this state; the word "person" shall include and mean natural persons and corporations whether acting by themselves or by servant, agent or employe; words of singular number shall include their plurals, and words of masculine gender shall include the feminine or neuter as the case may be. Wherever an address or location is required to be given in this act it shall be held and construed to require the giving of the state, county, town, village or city, street and street number of the residence, place or place of business, as the case may be. "Nuisance" shall include the premises and every place where liquor in any quantity is manufactured or commonly sold, or kept or had for sale, or where any order therefor is commonly taken, received or solicited contrary to the constitution or law of this state or of the United States, and all liquor found in any such place, and every bar, bar fixture and other thing apparently used for, or in connection with the sale of liquor therein. Any person, who, in any way, assists in creating, keeping or maintaining a nuisance, or who knowingly permits any premises or place owned, managed or controlled by him to become or remain a nuisance, shall be held to be aiding in such nuisance.

**Sec. 2. Manufacture, sale and transportation prohibited except under certain conditions.**—The manufacture, sale or transportation or keeping or having in possession for sale or transportation of, or the taking, receiving or soliciting of any order for intoxicating liquor of any kind in any quantity whatever is prohibited within this state; provided, that nothing in this act shall prevent the manufacture, sale or transportation of methyl or denatured alcohol, and provided further, that nothing in this act shall prevent the manufacture, sale or transportation of ethyl alcohol for chemical, mechanical, medicinal, pharmaceutical, scientific or industrial purposes, or of liquor for medicinal purposes, or of wine for sacramental purposes, or the use of so much alcohol as is necessary for legitimate purposes of extraction, solution or preservation in the manufacture of anything other than a beverage, or the sale or transportation of liquor by pharmacists or wholesale druggists, all upon the conditions and under the restrictions herein prescribed, and not otherwise; and provided, further, that nothing in this act shall prevent the manufacture of United States Pharmacopoeia or National Formulary preparations, upon the conditions and under the restrictions herein prescribed, and not otherwise. Provided, further, that the provisions of this section shall not be deemed to prohibit the importation and introduction into the state, by any regularly appointed and ordained priest, minister or pastor of any church or established religious organization, of wine for sacramental purposes purchased without the state.

Sec. 3. Permit to be secured from secretary of state.—(a) Any manufacturer of liquor or any wholesale druggist having a permit therefor from the secretary of state as herein provided, may sell such liquor to any pharmacist upon affidavit of the pharmacist making the purchase as herein provided, and not otherwise. Such affidavit shall be in the form and substance substantially as follows:

State of Minnesota      } ss.  
County of.....

I, ..... being first duly sworn, on oath depose and say that I am a duly licensed and registered pharmacist, actually carrying on business as such at..... (give location), that my address is..... (give location), that I desire to purchase..... (state precisely the amount and kind of liquor) for sale for medicinal (or sacramental or other permitted purpose, as the case may be) purposes; that I will not use, nor sell, nor permit any other person to sell, such liquor for any other purpose or except upon prescription or affidavit as required by law; that I now have in my possession and under my control..... (state precisely the amount and kind of liquor on hand) and no more.

(Signed).....

Subscribed and sworn to before me this..... day of  
....., 19.....

(Signed).....

No more than one sale shall be made upon any one affidavit and then only for the amount and kind of liquor specified therein and no sale shall be made on any affidavit after two weeks from the date of such affidavit.

(b) Any manufacturer of ethyl alcohol having a permit as herein provided may at the place of manufacture designated in such permit, or any pharmacist may, at his place of business as such pharmacist, sell such alcohol for any chemical, mechanical, pharmaceutical, scientific, or industrial purpose or for use for the purpose of extraction, solution or preservation in manufacture, as provided in this act to any person having a permit to possess such alcohol upon the affidavit of the purchaser thereof as herein provided, and not otherwise. Such affidavit shall be in form and substance substantially as follows:

State of Minnesota      } ss.  
County of.....

I, ..... being first duly sworn, on oath depose and say that I reside at..... (give address); that I am more than twenty-one years of age and not of intemperate habits; that I desire to purchase..... (state amount) of alcohol to be used by.....

(give name of user), located at..... (give location of business of user) for..... (specify particular purpose) purposes in..... (state particularly the use to be made of such alcohol); that I have a permit to possess such alcohol from..... (name of officer issuing permit), a duplicate of which permit is on file in the office of..... (name officer); that I will not use any part of said alcohol for beverage purposes or sell or put the same to any unlawful use or allow any other person so to do.

(Signed).....

Subscribed and sworn to before me this..... day of  
....., 19.....

(Signed).....

**Sec. 4. Fee to be paid and permit to be issued.**—No manufacturer shall make or sell nor shall any wholesale druggist sell alcohol or liquor without a permit therefor from the secretary of state as herein provided. The secretary of state may, upon payment to him of the sum of twenty-five (\$25.00) dollars, issue a permit to manufacture and sell alcohol or liquor in accordance with the provisions of this act, and not otherwise, to any manufacturer or wholesale druggist making written application therefor as herein provided. Such application shall be in the form prescribed by the attorney general and shall state the name and address and business of the applicant, the location of his said business; that the applicant, if an individual, is a resident and citizen of the state of Minnesota, and shall be subscribed and sworn to by the applicant, or if a corporation, by an officer thereof, making the application. All such applications shall be filed and preserved by the secretary of state.

Each such permit shall be in the form prescribed by the attorney general of this state and shall state the name, address and business and business location of the person to whom the same is issued and shall designate the location at which he is thereby authorized to manufacture and sell liquor, and shall state that he is thereby authorized to manufacture and sell liquor at the location designated in such permit in accordance with the provisions of this act and not otherwise. All such permits shall expire on July 1st of each year, unless sooner annulled. Conviction of the holder of any such permit of a second offense under the provisions of this act shall operate as immediate annulment of any such permit, and thereafter for a period of two years, no such permit shall be issued to any holder so convicted. An exact duplicate of such permit so issued shall, by the secretary of state, be kept on file in his office and at all times be open to public inspection.

**Sec. 5. Permits to be issued.**—Permits to possess ethyl alcohol for any chemical, mechanical, pharmaceutical, scientific, or industrial purpose, or for the use for the purpose of ex-

traction, solution or preservation in manufacture as provided in this act, may be issued to any person residing in any municipality in this state by the clerk or recorder of such municipality and to any person residing outside of any municipality in any county in this state by the county auditor of such county, upon application as herein provided, and not otherwise. Each such permit shall state the name and address of the person to whom the same is issued; that such person is authorized thereby to possess ethyl alcohol for any chemical, mechanical, pharmaceutical, scientific or industrial purpose, and not otherwise, and shall be in the form prescribed by the attorney general of this state. Every such permit shall expire on July 1st of each year, unless sooner annulled. Conviction of the holder of any such permit of a second offense under the provisions of this act shall operate as an immediate annulment of any such permit, and thereafter, for a period of two years, no permit to possess ethyl alcohol shall be issued to any holder so convicted. An exact duplicate of every such permit shall be by the officer issuing the same kept on file in his office and at all times be open to public inspection. Any person desiring a permit to possess alcohol as herein provided shall file application therefor with the clerk or recorder of the municipality or with the auditor of the county authorized to issue the same. Such application shall state the name, business and business and residence location of the applicant; that the applicant desires a permit to possess ethyl alcohol for a chemical, mechanical, scientific, pharmaceutical or industrial purpose, as the case may be, and that he will not sell such alcohol or put the same to any unlawful use. Such application shall be in the form prescribed by the attorney general of this state and shall be subscribed and sworn to by the applicant, if an individual, and if a corporation, by an officer thereof making the application. A fee of two (\$2.00) dollars shall be paid by each applicant to the official issuing any such permit before the same shall be issued.

Sec. 6. Sale for sacramental purposes.—Any pharmacist may sell wine for sacramental purposes upon affidavit in writing of a priest, minister or officer of a duly organized church or established religious organization as herein provided, and not otherwise. Such affidavit shall be in form and substance substantially as follows:

State of Minnesota }  
County of..... } ss.

I, ..... , being first duly sworn, on oath depose and say that I am an..... (officer, minister or priest, as the case may be) of..... (give name of church or religious organization) located at..... (state location of church or religious organization) and reside at..... (give address of affiant); that I desire to purchase..... (state amount) of wine for the use of such church (or religious organization) for

sacramental purposes and not otherwise; that I will not use any part of said wine for any other purpose or permit any other person so to do.

(Signed) .....

Subscribed and sworn to before me this..... day of  
....., 19.....

(Signed) .....

**Sec. 7. Medicinal purposes.**—Any pharmacist may sell intoxicating liquor for medicinal purposes upon bona fide prescription of a physician, written in ink, or printed or typewritten, and not otherwise. Such prescription shall state the name and address of the person for whom the same is prescribed, the kind and quantity of liquor, directions for its use and that the illness for which said liquor is prescribed requires such prescription and such prescription shall be signed in ink by the physician issuing the same, and shall bear the date of its issuance and delivery. No more than one pint of liquor may be sold upon any one prescription and no prescription shall be filled more than once, nor after the expiration of one week from the date of its issuance and delivery.

**Sec. 8. Affidavit to be made.**—Every affidavit and every prescription upon which any sale of alcohol or liquor is made, as provided herein, shall at the time of any such sale be taken from the purchaser of the alcohol or liquor by the seller thereof and by such seller, cancelled by writing in ink across the face of such affidavit or prescription over his signature, the words: "Cancelled, the..... day of....., 19....," stating the date and such affidavits and prescriptions shall be kept by the seller until filed by him with the clerk of the district court as herein provided. All the affidavits and prescriptions so taken by any such seller shall be filed by him with the clerk of the district court of the county wherein his business is located within five days after the first day of each and every month; and it shall be the duty of such clerk to number serially each such affidavit and each such prescription with a separate number and file each thereof in a separate envelope of suitable size numbered to correspond with the number of the affidavit or prescription filed therein, and such envelope with the affidavits and prescriptions therein, respectively, shall be filed in order as numbered. It shall be the duty of such clerk of the district court to prepare an index book of suitable size, every page of which shall be lined horizontally and vertically on columns. Such clerk of the district court shall enter in such book in alphabetical order the name and address of each person selling liquor on any affidavit or prescription filed in his office. The name, address and file number of such affidavit or prescription shall in each instance be placed on one and the same line. Such clerk of the district court shall also in like manner enter in said book the name and address of the person making such affidavit or named in any such prescription and opposite such name and address

on the same line therewith, the file number of such affidavit or prescription. Such clerk of the district court shall keep and preserve in his office all such affidavits and prescriptions so filed for two years from the date of the filing thereof, and the same shall at all times be open to public inspection. The person filing such prescription or affidavit, as herein provided for, shall pay the clerk of court a fee of ten cents for each such prescription or affidavit so filed.

**Sec. 9. Prosecution.**—Whenever a nuisance exists in any county of this state, the county attorney thereof or the attorney general or his assistants or any citizen of this state may, or in case such nuisance is found in any criminal action to exist, in any such county, the county attorney thereof shall maintain an action in the district court in the name of the state upon complainant's relation to perpetually enjoin and abate the same, and to enjoin the owner or agent, or any other person, creating, keeping or maintaining the same, or aiding therein, from further so doing.

**Sec. 10. Service.**—Defendants shall be served as in other actions and shall be given ten days' written notice of the hearing on the application for temporary injunction. Each defendant shall serve upon the complainant or his attorney a verified answer on or before the date fixed for said hearing, and file the same with the clerk of the court wherein the cause is triable. The court may allow additional time for answering, which, however, shall not prevent the issuing of such temporary writ. The allegations of the answer shall be deemed to be traversed without further pleading.

**Sec. 11. Proceedings in court.**—The court, or judge in vacation, upon the presentation of a verified complaint, specifically describing the premises may issue an *ex parte* order restraining, until further order of the court, the defendant and all other persons from removing, disposing of, destroying or in any way interfering with the liquor, bar fixtures, or other things apparently used for or in connection with a nuisance or the sale of liquor therein and requiring the officer serving the same to search the premises or place and make and file an inventory of such property found therein. The court or judge may, also in such proceeding allow a temporary writ of injunction without bond if the existence of a nuisance appears to the satisfaction of the court, or judge, by evidence in the form of affidavits or depositions, or oral testimony, or otherwise, as the complainant may elect, or the judge by previous order shall have directed.

If the hearing is continued at defendant's instance the temporary writ shall be granted as of course.

**Sec. 12. Restraining order.**—The restraining order, injunction, or any other order, provided for in this act may be served by handing to and leaving a copy with the defendant or any person in charge of, or any person of suitable age and discretion residing in or occupying the premises, place or apartment where such

nuisance is alleged to be maintained, or by posting a copy thereof in a conspicuous place at or, upon one or more principal doors or entrances to such premises or apartment, or by both such delivery and posting.

**Sec. 13. Trial by jury.**—The action shall be tried by the court or a judge thereof, without a jury, at a general or special term within 40 days after the commencement of said action. If no such term occurs within such time the court or judge shall appoint a term for the trial of such action; but the failure of the court so to do shall not deprive the court of jurisdiction to try such action.

**Sec. 14. Convictions.**—The conviction of any person of a nuisance shall, until reversed or set aside, be *prima facie* evidence against him in any abatement proceeding under this act.

The finding of liquor, or any bar, bar fixtures, or other things apparently used for or in connection with the sale of liquor or for or in connection with such nuisance, or any sign, advertisement indicating the sale of liquor or the creation or existence of a nuisance on such premises, shall, except in the case of a pharmacist or manufacturer or wholesale druggist having a permit to sell liquor as provided herein, be *prima facie* evidence in any civil or criminal proceedings under this act, that such place is a nuisance.

**Sec. 15. Dismissal of action.**—If the complaint is filed by a citizen, the action shall be dismissed only upon a sworn statement made by the complainant or by him and his attorney setting forth the reasons therefor, which statement shall be filed with the court. If the court is of the opinion that the action ought not to be dismissed, it may direct the county attorney to prosecute the action to judgment at the expense of the county. If the action is continued for more than one term of court, or an unreasonable length of time, in the opinion of the court, any citizen of the county or the county attorney may be substituted for the complaining party by order of the court, and prosecute the action to judgment.

The court may, upon application of a citizen, appoint an attorney to assist the county attorney and such attorney shall be recognized by the county attorney and be called his "associate counsel" and no prosecution may be dismissed over the objection of such attorney except by order of the court.

**Sec. 16. Abatement of nuisances.**—The court need not find that the premises are a nuisance at the time of the trial, but on finding that the material allegations of the complaint are true, the court shall make its injunctive order.

If the existence of a nuisance be admitted or proved, an order shall be made abating and permanently enjoining the same. Such order shall direct the removal from the premises or place of all liquor, bar, bar fixtures and other things used for or in connection with the sale of liquor therein and the destruction of all such liquor. All such other things shall be sold by the sheriff as upon execution.

The order shall, if the owner has notice or knowledge of such nuisance prior to the commencement of the action and negligently failed to abate the same, direct the effectual closing of the premises or place against its use for any purpose for a period of one year unless released as herein provided and shall perpetually both as to the present and the future forbid the creation, keeping or maintaining anywhere within the state of the same or any nuisance within the provisions hereof or the aiding therein, by any of the defendants.

**Sec. 17. Taxation of costs.**—Costs and disbursements shall be taxed as in other civil actions. The court shall also allow as costs, a reasonable attorney's fee where a prosecution is conducted by an attorney other than the county attorney or attorney general or his deputy or assistant.

For the removal and sale of any property the officer shall be entitled to receive the same fees as for levying upon and selling like property on execution and for closing the premises and keeping them closed such reasonable sum as shall be allowed by the court.

If the action is brought by a citizen and the court finds that there was no reasonable ground or cause for the action the costs may be taxed to such citizen.

All moneys collected under this act shall be paid to the county treasurer. The proceeds of the sale of the personal property or so much thereof as may be necessary shall be used to pay the costs of this action and the abatement. The remainder thereof shall become a part of the school fund of the county.

**Sec. 18. Punishments.**—In case any order or injunction is disobeyed, the court or judge in vacation may summarily try and punish the offender. The proceedings shall be commenced by any citizen by filing with the clerk of the court a complaint under oath setting forth the facts constituting such violation upon which the court or judge shall cause a warrant to be issued under which the defendant shall be arrested and brought before the court. Trial shall be had as in other cases for contempt. A party found guilty of contempt under the provisions of this act shall be punished by a fine of not less than one hundred (\$100) dollars nor more than one thousand (\$1,000) dollars, and by imprisonment in the county jail not less than one month, nor more than six months.

**Sec. 19. Bond to be given by owner of premises.**—If the owner of the premises in which a nuisance has been created, kept or maintained appears and files a bond running to the state with sureties to be approved by the court, in such sum as the court may direct, not less than three hundred (\$300) dollars and not more than 20 per cent of the value of the property over said sum, to be ascertained by the court, or judge in vacation, conditioned that he will immediately abate such nuisance and prevent the same or any

nuisance under the provisions of this act from being created, established or kept or maintained on such premises within a period of one year thereafter, the court or judge if satisfied of his good faith may order the premises closed or sought to be closed under the order of abatement to be delivered to said owner and the said order of abatement cancelled so far as the same shall direct the closing of the place. Such release of the property shall not release the same from any judgment, lien or liability to which it may be subject by law. If the condition of said bond be broken, the entire amount thereof shall be recovered in a civil action brought in the name of the state.

**Sec. 20. Search warrant to be issued.**—Upon complaint before a magistrate charging any person with keeping a nuisance and particularly describing the premises, the magistrate, in addition to issuing a warrant for the arrest of such person, shall also issue a search warrant commanding an officer to search such premises and seize and hold subject to the orders of the court all liquors vessels or containers and all bars, bar fixtures, screens and all other things found therein apparently used in selling liquors, make an inventory of the same and serve a copy thereof forthwith on the defendant or person in charge of the premises.

**Sec. 21. Destruction of liquor.**—If the defendant in any such criminal action be convicted, the liquor found on the premises shall be destroyed by the officer seizing the liquor and all other articles taken under the warrant shall be forfeited to the school fund of the county and sold by the officer as upon execution.

**Sec. 22. Transportation and receiving prohibited.**—No person shall sell, or knowingly transport, receive or deliver any liquor within this state unless there appear on the outside of the container or package containing such liquor, a printed label in large letters, pasted on or attached to such package, or container, and visible and unconcealed, truly stating the amount and kind of liquor therein.

Every common carrier shall keep a true record of all liquors received for shipment or shipped by such carrier, the amount and kind thereof, and the names and addresses of the consignor and consignee in each case. The books, records and way bills of any such common carrier handling such liquors may be examined at any time by any sheriff or police officer for the purpose of tracing such liquors.

**Sec. 23. Prosecution by county attorney.**—Every sheriff, constable, marshal and policeman shall summarily arrest any person found committing any act forbidden by this act, and make complaint against him. Every county attorney shall prosecute all cases under this act arising in his county. The president or mayor of every municipality shall make complaint of any known violation of the provisions of this act and the chief of police and all policemen shall

make arrests and complaints as provided in this section, anything in the ordinance or by-laws of any such municipality to the contrary notwithstanding.

**Sec. 24. Officers guilty of malfeasance.**—Any official who shall wilfully refuse or neglect to perform any official duty imposed by this act shall be guilty of malfeasance in office and shall be removed therefrom and be disqualified from holding the same for and during the remainder of the term for which he was elected or appointed and shall forfeit not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, which amount may be recovered in an action against him personally or on his official bond.

**Sec. 25. Fine and imprisonment.**—(a) Any person who shall manufacture or sell liquor, or any pharmacist who shall sell liquor in violation of this act shall for a first offense be fined not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, and for a second and each subsequent offense shall be fined not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, and be imprisoned in the county jail not less than thirty days nor more than six months.

(b) Any person who shall create, keep or maintain a nuisance shall be guilty of a misdemeanor.

(c) Any physician who shall knowingly give a false prescription for intoxicating liquor or any prescription therefor containing a false statement or who shall give a prescription for liquor for any other than a medicinal purpose or to any person who is not in fact suffering from any illness shall upon conviction thereof be punished by a fine of not less than fifty (\$50) dollars nor more than three hundred (\$300) dollars.

(d) Any person who shall knowingly present any false, fraudulent, forged or altered prescription or affidavit provided for or required by this act, or who shall forge or alter any such prescription or affidavit, shall be guilty of a misdemeanor and upon conviction thereof be punished by a fine of not less than fifty (\$50) dollars and costs of prosecution and imprisonment in the county jail for not less than thirty days.

(e) Any person who shall wilfully fail or neglect to perform any duty imposed by this act or who shall violate any of the provisions thereof, for which no special penalty is prescribed herein shall upon conviction thereof be fined for a first offense not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars and for a second and each subsequent offense, shall be fined not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, and be imprisoned in the county jail for not less than thirty days nor more than six months.

It shall be the duty of the prosecuting officer to ascertain whether the defendant has been previously convicted and to plead prior conviction in any affidavit, information or indictment against him.

**Sec. 26. Statement of provisions.**—The provisions of this act, and each part thereof, and its sections and each part thereof are independent and severable and if any provisions or part thereof, or section or part thereof, be held unconstitutional, no other provision or part thereof or section or part thereof shall thereby be impaired or rendered unconstitutional.

**Sec. 27. For enforcement of amendment to constitution.**—This act is intended to provide for the enforcement of article XVIII of the constitution of the United States of America, under the concurrent power clause thereof, and the provisions of the act of congress of November 21, 1918, "commonly known as War Prohibition" and shall take effect from and after January 16, 1920, and in case the sale of intoxicating liquor shall, prior to January 16, 1920, become unlawful in this state by the terms and provisions of any act of congress, or pursuant to the proclamation of the president of the United States issued by virtue of any act of congress, then and in such case, this act shall thereupon take effect and be in force and continue in force during such time prior to January 16, 1920, as such sale of intoxicating liquor shall continue to be unlawful by reason of any such act of congress or proclamation of the president of the United States, but in any event shall be in full force and effect from and after January 16, 1920, and all laws and parts of laws, ordinances and charter provisions inconsistent herewith shall be thereafter suspended.

All laws and parts of laws, ordinances and charter provisions inconsistent herewith are hereby suspended and made inoperative during such period prior to January 16, 1920, as this act may become and remain in force by reason of the sale of intoxicating liquor being unlawful by and under the terms and provisions of any act of congress, or, pursuant to the proclamation of the president made by virtue of any act of congress, but, if prior to January 16, 1920, the sale of intoxicating liquors shall cease to be unlawful under any such act of congress or any such proclamation, then and in such case all laws or parts of laws of this state, ordinances and charter provisions suspended during such period, shall again become operative and be in force and shall so continue until January 16, 1920, and provided further, that in case the said article 18 to the constitution of the United States shall at any time become void by final decision of the supreme court of the United States, or be repealed by amendment to the constitution of the United States, then this act shall become and be suspended and inoperative, and all laws and parts of laws, ordinances and charter provisions inconsistent herewith and hereby suspended, shall again become operative and be in full force and effect.

Approved April 25, 1919.