

the container by the manufacturer, wholesaler, or distributor at his place of business and before delivery to the retailer.

This act shall not be construed to apply to any building or premises operated or controlled by any sectarian corporation, society or organization.

Sec. 2. **Inconsistent Acts repealed.**—That all laws or parts of laws inconsistent herewith are hereby repealed.

Approved March 29, 1935.

CHAPTER 78—H. F. No. 496.

An act authorizing and empowering the governing body of any city of the first class in this State now or hereafter existing, and which city has increased its population 100,000 or more between the years 1900 and 1930, as shown by the United States census for said years, and which city contains within its corporate limits any territory in which sales of intoxicating liquor have been heretofore prohibited by any law of this state, to grant licenses to sell intoxicating liquors in such territory in a limited number, notwithstanding any provisions to the contrary in any city charter or law of this state and providing in certain cases for an election by the voters of any such city.

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

Section 1. **Certain cities may issue liquor licenses.**—The governing body of any city of the first class now or hereafter existing, and which city contains within its corporate limits any territory in which sales of intoxicating liquors have been heretofore prohibited by any law of this state, and which city has enjoyed such a substantial increase in business, manufacturing and population that it has increased its population 100,000 or more between the year 1900 and the year 1930, as shown by the United States census for said years, resulting in the extension into such prohibited territory aforesaid of a substantial portion of the business, commercial and industrial activities of such city, is hereby authorized and empowered by a three-fifths vote of the governing body, thereof to grant licenses to sell intoxicating liquors in such prohibited territory provided that no greater number of licenses shall be issued therein than has been heretofore issued in such territory under authority granted by Chapter 74, Laws of 1933-34, notwithstanding any provision to the contrary in any city charter or law of this state.

Sec. 2. Restrictions.—This act shall not be construed as authorizing the granting of a license to sell intoxicating liquor, within the Capitol or upon the grounds thereof, upon the State Fair grounds, or within one-half mile thereof, at any place on the east side of the Mississippi River, within one mile from the main building of the University of Minnesota, within one-half mile of the limits of the State College of Agriculture, nor within a radius of 1500 feet of any academy, college or university of higher education located within any such territory where sales of intoxicating liquors have been heretofore prohibited by any law of this state, nor in any portion of any such city which is zoned as a residence district or multiple dwelling district, excepting insofar as such business is permitted under the provisions of any zoning law.

Sec. 3. Law may be repealed by popular vote.—The powers granted by this law shall be and the same are hereby repealed and annulled as to any such city whenever the legal voters thereof express themselves in favor of such annulment in the manner hereafter provided. The question of the continuation of such powers in the governing bodies shall be submitted to the voters whenever the governing body of any such city by a three-fifths vote of the membership thereof decides so to do, or whenever a petition is filed with such governing body signed by 5 per cent in number of the legal voters of such city voting at the last general municipal election requesting such submission. The question shall be on a separate ballot and in the following form: "Shall the council continue to grant the liquor licenses authorized by Chapter — Laws 1935." If the governing body submits the question, it shall determine the day on which the question shall be submitted to the voters. If the question is submitted pursuant to petition, such petition shall set forth the day on which the submission is to be had, which shall not be less than 60 days after the date of filing such petition but in either case, whether submitted by the governing body or by petition, such question shall be submitted only on a state or municipal primary or general election day occurring in such city. The ballots of such voting shall be duly canvassed, certified and returned in the same manner and at the same time as the returns for such other election and the election officials shall be the same as provided for such other election. If a majority of those voting on the question as hereinbefore provided answer in the negative, the governing body shall thereafter have no authority to exercise the powers granted by this law, provided, however, that liquor licenses issued under authority of this act and existing at the time of such election shall

remain in full force and effect for a period of 60 days after such election.

Sec. 4. Provisions severable.—The provisions of this law are hereby declared to be severable and if any section of this law shall be declared invalid, no other section shall be affected thereby.

Approved April 1, 1935.

CHAPTER 79—H. F. No. 29.

An act to amend Mason's Minnesota Statutes of 1927, Section 4807, as amended by Laws 1927, Chapter 86, Section 1, relating to free passes.

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

Section 1. Free passes, transportation or reduced rates prohibited—exceptions.—Mason's Minnesota Statutes of 1927, Section 4807, as amended by Laws 1927, Chapter 86, Section 1, is hereby amended so as to read as follows:

"4807. It shall be unlawful for any person, association, co-partnership, or corporation or any representative thereof, to offer, give or in any manner furnish to any person, either for himself or another, any free pass or frank, or any special privilege or reduction in rate withheld from any other person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication except to persons included within the classes hereinafter designated and limited, and it shall also be unlawful for any person or persons not included within the classes hereinafter excepted or limited to solicit or receive, either for himself or another, for any person, association co-partnership or corporation, or use in any manner or for any purpose any free pass or frank or special privilege withheld from any person for the traveling accommodation or transportation of any person or property or the transmission of any message or communication; provided, however, that nothing contained in this act shall be construed to prohibit, or to make unlawful the issuing or giving of any such free ticket, free pass or free transportation to any person or persons within the classes hereinafter excepted or limited or the acceptance or use of the same by persons within such classes, that is to say, officers, bona fide agents, surgeons, physicians, attorneys and employees of such railroad or motor-bus or