

been or may be apportioned or from whom any part of the tax and any interest may be recovered to make payment of such apportioned amount to such fiduciary; and if it shall be ascertained in such proceeding that the property in the hands of the fiduciary otherwise payable to another person liable for any part of the tax and interest is insufficient to discharge the liability of such other person the probate court may direct that the balance of the apportioned amount due shall be paid to the fiduciary by such other person. If in the course of the proceeding it shall be ascertained that more than the proportionate amount of the tax and interest due from any person has been paid by him or on his behalf the probate court may by decree or order direct appropriate reimbursement of the overpayment. If the probate court shall apportion any part of the tax against any person interested in non-testamentary property or if the probate court shall make any apportionment of the tax among the respective interests created by any non-testamentary instrument, it may, in its discretion, assess against such property or interest, as the case may be, an equitable share of the expenses in connection with the determination of the tax and in connection with the apportionment thereof. The probate court may retain jurisdiction of any proceeding until the purposes of this section have been accomplished.

Sec. 8. This act shall apply to all estates of persons dying after December 31, 1961.

Approved April 20, 1961.

CHAPTER 699—H. F. No. 1707

An act relating to the sale of intoxicating liquor; amending Minnesota Statutes 1957, Section 340.72.

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

Section 1. Minnesota Statutes 1957, Section 340.72, is amended to read:

340.72 Sales, where forbidden. The sale of intoxicating liquor in any quantity whatever is also forbidden in the following places:

(1) In any town or municipality in which a majority of votes at the last election at which the question of license

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

was voted upon shall not have been in favor of license, or within one-half mile of any such municipality, except that any intoxicating liquor, manufactured within any such district, may be sold to be consumed outside of such district;

(2) Within the capitol, or upon the grounds thereof;

(3) Upon the state fair grounds, or within one-half mile thereof;

(4) At any place on the east side of the Mississippi river within one mile from the main building of the University of Minnesota;

(5) Within 1,500 feet of any state college, *except as hereinafter provided*, or, when the place of sale is not within a municipality, within 1,500 feet of any public school outside of a municipality; *as to the Valley Campus of the Mankato State College in the city of Mankato when the place of sale is within 1,000 feet from the middle of the entrance into the main building which entrance is located on the easterly side of South 5th Street at a point where said street is intersected by East Jackson Street in the city of Mankato, or between the Valley Campus and Highland Campus or within 1500 feet of the Highland Campus.*

(6) At more than five places on any one side of a block within and fronting upon the patrol limits of cities of the first class.

(7) *That part of Clause (5) herein which applies to the Mankato State College at Mankato, Minnesota, shall become effective only after the approval thereof at a regular or special meeting by a majority vote of the city council of the city of Mankato.*

Approved April 20, 1961.

CHAPTER 700—H. F. No. 1709

[Not Coded]

An act relating to clerk hire in the office of probate court in Winona county; amending Laws 1957, Chapter 479, Section 1.

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

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.