

**Licenses, Revocation of Liquor License for Sale of Liquor to Minors. Liquor License, Revoked for sale of Liquor to Minors.**

Where a person holding a liquor license sells liquor to minors, or permits minors to loiter in his place of business, and is convicted of such offense, his license is ipso facto revoked, under Section 2767, Revised Codes.

Helena, Montana, December 14, 1909.

Hon. J. M. Kennedy,

Secretary Bureau of Child and Animal Protection,  
Helena, Montana.

Dear Sir:

I am in receipt of your letter, requesting an opinion as to the effect a conviction of a saloon-keeper upon a charge of selling liquor to minors and allowing boys under age to loiter in and around his saloon has upon the license of such saloon-keeper.

This question has been fully covered in an opinion heretofore rendered to County Attorney Walrath, on January 28, 1906, construing section 2767, revised codes. (Opinions of Attorney General, 1905-06, p. 354). This opinion is applicable to the facts stated in your letter, for where a saloon-keeper sells liquor to a minor, or permits a minor to loiter or stop in a place where intoxicating liquors are sold, it constitutes a violation of the law relating to the sale of intoxicating liquors.

The saloon-keeper accepts his license subject to the provisions of said section 2757, and therefore clearly comes within the rule laid down in 21 Am. and Eng. Enc. Law, p, 826, which reads as follows:

“The statute imposing the license may provide for its revocation in certain contingencies, and by accepting and acting under a license, the licensee consents to all conditions imposed thereby, including provisions as to its revocation.”

Very truly yours,

ALBERT J. GALEN,

Attorney General.