

**Saloon, Rooms Used in Connection With for Storage Purposes.**

Section 8383, Revised Codes, does not contemplate that rooms used in connection with a saloon for the purpose of storing stock on hand shall be left open, as is required where such rooms are used for the accommodation of patrons.

Helena, Montana, April 3rd, 1909.

Hon. R. Lee McCullough, County Attorney, Hamilton, Montana.

Dear Sir:

I am in receipt of your letter of March 31, submitting for opinion of this office the question:

“Are rooms connected with saloons by means of doors and used for the purpose of storing liquors and cigars,” prohibited by Section 8383 of the Revised Codes.

I am of the opinion that rooms used in connection with the conduct of a saloon business, which are put to the single use of storing surplus stock of the proprietor, do not fall within the prohibition contained in Section 8383 of the Revised Codes. While the section, if literally construed, would seem to include all rooms used in connection with, or as an adjunct, to a saloon, and provides that such rooms shall be left open to public view, still I believe the spirit of the law does not intend to include rooms used for storage or office purposes.

I therefore advise you that if you are satisfied that the rooms concerning which complaint has been made to you are used merely for the purpose of storing surplus stock that they do not fall within the purview of the statute referred to.

Very truly yours,

ALBERT J. GALEN,

Attorney General.