

**Liquor License, in National Park. Jurisdiction, of County.
Glacier National Park, Within Jurisdiction of County. License
to Sell Liquor in National Park.**

The State of Montana has never been divested of authority to enforce obedience to its laws in the Glacier National Park, and a license to sell liquor therein must be obtained from the county treasurer prior to the commencement of such business.

February 28th, 1914.

Hon. H. S. Magraw,
State Examiner,
Helena, Montana.

Dear Sir:

I am in receipt of your letter of the 16th instant, containing the statement that the sheriff's annual report from Flathead County conveys the information

"That one Lewis is selling liquor without a license in the Glacier National Park."

The question arising is: Has Flathead County jurisdiction in such cases? By the provisions of Chap. 33, Laws 1911, exclusive jurisdiction is ceded by the state to the United States over the territory included in "the Glacier National Park," provided, however, that such jurisdiction does not vest in the United States until the governor of this state has been notified that the United States assumes police or military jurisdiction over the said park. No such notice has been given to the governor of this state, hence the jurisdiction of the state remains the same so far as the enforcement of state law is concerned as it was prior to the enactment of said Chap. 33, and the sale of liquors within Flathead County without a license, although at a point in said county within the boundary lines of this national park, is an offense against the law of the state and prosecution may be maintained in Flathead County.

A bill is now pending in congress by the terms of which, as I am informed, the United States accepts the responsibility for the government of the park, but that bill has not yet become a law, nor has the governor received any notice.

Yours very truly,

D. M. KELLY,
Attorney General.