

Social Clubs, Pool Tables in. Billiard and Pool Tables, in Social Clubs. License, for Billiard and Pool Tables.

A social club is not required to procure a license to operate billiard, pool or bagatelle tables.

May 8, 1915.

Hon. George A. Judson,
County Attorney,
Great Falls, Montana.

Dear Sir:

I am in receipt of your letter of the 30th ultimo, requesting my opinion upon the question as to whether social clubs must pay a license for pool and billard tables in their clubs when no profit is derived therefrom, and when no one but members can play? Section 2785, Revised Codes of 1907, provides in part:

“Each proprietor of a billiard, pool or bagatelle table not kept exclusively for family use”

must obtain a license. In *Bardon vs. Montana Club*, 10 Mont. p. 330, the Supreme Court laid down the rule that a social club is not a retail liquor seller within the purview of the Montana License Law. This decision has never been overruled, and under the doctrine therein announced, I am obliged to hold that a social club is not a proprietor in the sense in which that term is used in the license law, and hence, is not amenable to its provisions, under the facts as stated in your letter.

Yours very truly,

D. M. KELLY,

Attorney General.