

examination before the judge of probate. That a copy of such certificate shall be attached to the other papers provided by this act, to accompany each child to this school.

SEC. 23. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved March 9, 1885.

CHAPTER 147.

AN ACT TO REGULATE THE PRACTICE OF PHARMACY, THE LICENSING OF PERSONS TO CARRY ON SUCH PRACTICE, AND THE SALE OF POISONS IN THE STATE OF MINNESOTA.

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

SECTION 1. That it shall hereafter be unlawful for any person other than a registered pharmacist, to retail, compound or dispense drugs, medicines or poisons, or to institute or conduct any pharmacy, store or shop for retailing, compounding or dispensing drugs, medicines or poisons, unless such person shall be a registered pharmacist, or shall employ and place in charge of said pharmacy, store or shop, a registered pharmacist, within the full meaning of this act, except as hereinafter provided.

Who authorized to retail or dispense drugs or poisons.

SEC. 2. In order to be registered within the full meaning of this act, all persons must be either graduates in pharmacy, graduates in medicine or shall, at the time this act takes effect, be engaged in the business of a dispensing pharmacist on their own account, in the state of Minnesota, in the preparation of physicians' prescriptions, and in the vending and compounding of drugs, medicines and poisons, or shall be licentiates in pharmacy.

Qualifications for registering.

SEC. 3. Graduates in pharmacy shall be considered to consist of such persons as have had four (4) years practical experience in drug stores where prescriptions of medicinal practitioners are compounded, and have obtained a diploma from such college or schools of pharmacy as shall be approved by the board of pharmacy as sufficient guarantee of their attainments and proficiency.

Definition of the term "graduates in pharmacy."

SEC. 4. Licentiates in pharmacy shall be such persons as have had three (3) years practical experience in drug stores wherein the prescriptions of medical practitioners are compounded, and have sustained a satisfactory examination before the state board of pharmacy, hereinafter mentioned.

Qualifications of licentiates in pharmacy.

The state board may grant certificates of registration to licentiates of such other state boards as it may deem proper, without further examination.

What to constitute a board of pharmacy—how appointed—term of office vacancy, how filled.

SEC. 5. Immediately upon the passage of this act, the Minnesota State Pharmaceutical Association shall elect fifteen (15) reputable and practicing pharmacists doing business in the state, from which number the governor shall appoint five (5). The said five (5) pharmacists, duly elected and appointed, shall constitute the board of pharmacy of the state of Minnesota, and shall hold office as respectively designated in their appointments, for the term of one (1), two (2), three (3), four (4) and five (5) years respectively, as hereinafter provided, and until their successors have been duly elected and appointed. The Minnesota State Pharmaceutical Association shall annually thereafter elect five pharmacists, from which number the governor of the state shall appoint one (1) to fill the vacancy annually occurring in said board. The term of office shall be five (5) years. In case of resignation or removal from the state of any member of said board, or of a vacancy occurring from any cause, the governor shall fill the vacancy by appointing a pharmacist from the names last submitted to serve as a member of the board for the remainder of the term.

When board to meet and select its officers.

SEC. 6. The said board shall, within sixty (60) days after its appointment, meet and organize by the selection of a president and secretary from the number of its own members, who shall be elected for the term of one (1) year, and shall perform the duties prescribed by the board. It shall be the duty of the board to examine all applications for registration submitted in proper form; to grant certificates of registration to such persons as may be entitled to the same under the provisions of this act; to cause the prosecution of all persons violating its provisions; to report annually to the governor and to the Minnesota state pharmaceutical association, upon the condition of pharmacy in the state, which said report shall also furnish a record of the proceedings of the said board for the year, as well as the names of all pharmacists duly registered under this act. The board shall hold meetings for the examination of applicants for registration, and transaction of such other business as shall pertain to its duties, at least once in three (3) months. And the said board shall give thirty (30) days public notice of the time and place of such meeting. The said board shall also have power to make by-laws for the proper execution of its duties under this act, and shall keep a book of registration, in which shall be entered the names and places of business of all persons registered under this act, which registration book shall also contain such facts as such persons claim to justify their registration. Three (3) members of said board shall constitute a quorum.

Duty of board to make report—when—what to contain.

How often to meet for the examination of applicants.

Quorum.

When applicant entitled to certificate of admission.

SEC. 7. Every person claiming the right of registration under this act, who shall, within three (3) months after the

passage of this act, forward to the board of pharmacy satisfactory proof, supported by his affidavit, that he was engaged in the business of dispensing pharmacist on his own account in the state of Minnesota at the time of the passage of this act, as provided in section two (2), shall, upon the payment of the fee hereinafter mentioned, be granted a certificate of registration; *Provided*, That in case of failure or neglect to register as herein specified, then such person shall, in order to be registered, comply with the requirements provided for registration as graduates in pharmacy or licentiates in pharmacy within the meaning of this act.

SEC. 8. Any person engaged in the position of assistant in a pharmacy at the time this act takes effect, not less than eighteen (18) years of age, who shall have had at least three (3) years practical experience in drug stores where the prescriptions of medical practitioners are compounded, and who shall furnish satisfactory evidence to that effect to the state board of pharmacy, shall, upon making application for registration and upon payment to the secretary of said board of a fee of one (1) dollar, within ninety (90) days after this act takes effect, be entitled to a certificate as "registered assistant," which certificate shall entitle him to continue in such duties as clerk or assistant; but shall not entitle him to engage in business on his own account. Thereafter he shall pay annually to the said secretary the sum of fifty (50) cents, during the time he shall continue in such duties, in return for which sum he shall receive a renewal of said certificate; *Provided*, Any applicant who has had seven (7) years experience in compounding and dispensing medicines, immediately prior to the passage of this act, may receive a certificate of "registered pharmacist."

SEC. 9. Every person claiming registration as a registered pharmacist under section seven (7) of this act shall, before a certificate is granted, pay to the secretary of the state board of pharmacy the sum of two (2) dollars, and a like sum shall be paid to said secretary by graduates in pharmacy and by such licentiates of other boards who shall apply for registration under this act. And every applicant for registration by examination shall pay to the said secretary the sum of five (5) dollars before such examination be attempted; *Provided*, That in case the applicant fails to sustain a satisfactory examination by the said board, the said five (5) dollars shall be refunded to him.

SEC. 10. Every registered pharmacist who desires to continue the practice of his profession shall annually, during the time he shall continue such practice, on such date as the board of pharmacy may determine, pay to the secretary of said board a registration fee, the amount of which shall be fixed by the board and which in no case shall exceed two (2) dollars, in return for which payment he shall receive a renewal of said registration. Every certificate of registration and every renewal of such certificate shall

When an assistant in a pharmacy entitled to admission.

What fee required.

Applicants applying for registration shall pay a fee—what amount.

Renewal of registration—how.

be conspicuously exposed in the pharmacy to which it applies.

Salary and traveling expenses of secretary of board.

SEC. 11. The secretary of the board of pharmacy shall receive a salary which shall be determined by said board; he shall also receive his traveling and other expenses incurred in the performance of his official duties. The other members of said board shall receive the sum of five (5) dollars for each day actually engaged in such service, and all the legitimate and necessary expenses incurred in attending the meetings of said board. Said expenses shall be paid from the fees and penalties received by said board under the provisions of this act; and no part of the salary or other expenses of said board shall be paid out of the public treasury. All moneys received by said board in excess of said allowances and other expenses hereinbefore provided for, shall be held by the secretary of said board as a special fund for meeting the expenses of said board, said secretary giving such bonds as the said board shall from time to time direct. The said board shall, in its annual report to the governor and to the Minnesota state pharmaceutical association, render an account of all moneys received and disbursed by them pursuant to this act.

What constituted a special fund.

When liable to a penalty.

SEC. 12. Any person not being or not having in his employ a registered pharmacist, within the full meaning of this act, who shall, after the expiration of ninety (90) days from the passage of this act, retail, compound or dispense medicines, or who shall take, use or exhibit the title of a registered pharmacist, shall for each and every such offense be liable to a penalty of fifty (50) dollars. Any registered pharmacist or other person who shall permit the compounding and dispensing of prescriptions or the vending of drugs, medicines or poisons in his store or place of business, except under the supervision of a registered pharmacist or except by a "registered assistant," or any pharmacist or "registered assistant," who, while continuing in business, shall fail or neglect to procure his annual registration, or any person who shall wilfully make any false representation to procure registration for himself or any other person, or who shall violate any other provision of this act, shall for each and every such offense be liable to a penalty of fifty (50) dollars; *Provided*, That nothing in this act shall in any manner interfere with the business of any physician in regular practice, or prevent him from supplying to his patients such articles as may seem to him proper, nor with the making of proprietary medicine or medicines placed in sealed packages with the name of the contents and of the pharmacist or physician by whom prepared or compounded, nor prevent shopkeepers whose place of business is more than one mile from a drug or apothecary shop from dealing in and selling the commonly used medicines and poisons, if such medicines and poisons are put up by a registered pharmacist, or from dealing in and selling of patent or

Not to interfere with the business of any practicing physician.

proprietary medicines, nor with the exclusively wholesale business of any dealers except as heretofore provided.

SEC. 13. Every proprietor or conductor of a drug store shall be held responsible for the quality of all drugs, chemicals and medicines sold or dispensed by him, except those sold in the original package of the manufacturer, and except those articles or preparations known as patent or proprietary medicines. Any person who shall knowingly, wilfully, or fraudulently falsify or adulterate, or cause to be falsified or adulterated, any drug or medicinal substance, or any preparation authorized or recognized by the pharmacopœia of the United States, or used or intended to be used in medical practice; or shall mix or cause to be mixed, with any such drug or medicinal substance, any foreign or inert substance whatsoever, for the purpose of destroying or weakening its medicinal power and effect, or of lessening its cost, and shall wilfully, knowingly, or fraudulently, sell or cause the same to be sold for medicinal purposes, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a penalty not exceeding five hundred (500) dollars, and shall forfeit to the state of Minnesota all articles so adulterated.

Responsibility
of proprietors
of drug stores.

What deemed
to be a misde-
meanor.

SEC. 14. No person shall sell at retail any poisons commonly recognized as such, and especially aconite, arsenic, belladonna, biniodide of mercury, carbolic acid, chloral hydrate, chloroform, conium, corrosive sublimate, creasote, croton oil, cyanide of potassium, digitalis, hydrocyanic acid, laudanum, morphine, nux vomica, oil of bitter almonds, oil tansy, opium, oxalic acid, strychnine, sugar of lead, sulphate of zinc, white precipitate, red precipitate, without affixing to the box, bottle, vessel or package containing the same, and to the wrapper or cover thereof, a label bearing the name "poison" distinctly shown, together with the name and place of business of the seller. Nor shall he deliver any of the said poison to any person without satisfying himself that such poison is to be used for legitimate purposes: *Provided*, That nothing herein contained shall apply to the dispensing of physicians prescriptions specifying any of the poisons aforesaid. Any person failing to comply with the requirements of this section shall be deemed guilty of a misdemeanor, and shall be liable to a fine of not less than five (5) dollars for each and every such omission.

How poisonous
drugs to be dis-
posed of.

Penalty.

SEC. 15. All suits for the recovery of the several penalties prescribed in this act shall be prosecuted in the name of "The State of Minnesota," in any court having jurisdiction; and it shall be the duty of the county attorney of the county wherein such offense is committed, to prosecute all persons violating the provisions of this act upon proper complaint being made. All penalties collected under the provisions of this act shall inure one-half ($\frac{1}{2}$) to the board of pharmacy and the remainder to the school fund of the

How suits may
be brought.

county in which the suit was prosecuted and judgment obtained.

Repeal of former acts.

SEC. 16. All acts or portions of acts regulating the practice of pharmacy and the sale of poisons, or the adulteration of drugs, within this state, enacted prior to the passage of this act, are hereby repealed: *Provided*, That nothing in this act shall be so construed as to prevent any person who has once been a registered member, and may have forfeited his membership by non-payment of dues or fees, from renewing his membership within two (2) years by paying the required dues or fees without examination.

Exempt from jury duty.

SEC. 17. All persons registered under this act shall be exempt from jury duty in the state of Minnesota.

When act to take effect.

SEC. 18. This act shall take effect and be in force from and after its passage.

Approved March 5, 1885.

CHAPTER 148.

AN ACT TO ESTABLISH A BOARD OF INSPECTORS FOR STEAM VESSELS AND STEAM BOILERS, AND TO PROVIDE FOR LICENSING ENGINEERS OF STEAM ENGINES, AND TO AMEND CHAPTER ONE HUNDRED AND ELEVEN (111), OF THE GENERAL LAWS OF MINNESOTA, FOR THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-ONE (1881).

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

SECTION 1. That chapter one hundred and eleven (111) of the general laws of Minnesota, for the year one thousand eight hundred and eighty-one (1881), be and the same is hereby amended to read as follows:

Board of inspectors appointed—by whom—term of office.

SEC. 2. There shall be appointed by the governor, a board of three (3) inspectors, whose duty it shall be to inspect all steam boilers in use within the state not subject to inspection under the laws of the United States, and to examine and grant certificates of licence to all steam engineers, entrusted with the care and management of steam boilers; said inspectors shall hold their respective offices for three (3) years from the date of appointment, unless sooner removed for cause by the governor.

Qualifications for appointment.

SEC. 3. No person shall be eligible to hold the office of inspector of boilers who is either directly or indirectly interested in the manufacture or sale of boilers or steam