

CHAPTER 125.

AN ACT TO REGULATE THE PRACTICE OF MEDICINE IN
THE STATE OF MINNESOTA.

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

SECTION 1. That every person practicing medicine in any of its departments shall possess the qualifications required by this act. If a graduate in medicine he shall present his diploma to the examining board hereinafter constituted, for verification as to its genuineness. If the diploma is found genuine, and the person named therein be the person claiming and presenting the same, the board shall issue its certificate to that effect, signed by all of the members thereof, and such diploma and certificate shall be conclusive as to the right of the lawful holder of the same to practice medicine in this State. If not a graduate, the person practicing medicine in this State shall present himself before said board and submit himself to such examinations as the said board shall require; and if the examination be satisfactory to the examiners, the said board shall issue its certificate in accordance with the facts, and the lawful holder of such certificate shall be entitled to all the rights and privileges hereinafter mentioned.

Qualifications
for practicing
medicine in this
state.

SEC. 2. The faculty of the medical department of the University of Minnesota shall organize as a board of examiners as herein provided, within three (3) months after the passage of this act; they shall procure a seal, and shall receive through their secretary, applications for certificates and examinations; the president or secretary shall have authority to administer oaths, and the board to take testimony in all matters relating to its duties; it shall issue certificates to all who furnish satisfactory proof of having received diplomas or licenses from legally chartered medical institutions in good standing; it shall prepare two (2) forms of certificates, one (1) for persons in possession of diplomas or licenses, the other for candidates examined by the board; it shall furnish to the county clerks of the several counties a list of all persons receiving certificates. In selecting places to hold its meetings the board shall, as far as it is reasonable, accommodate applicants residing in different sections of the state, and due notice shall be published of all its meetings. Certificates shall be signed by all the members of the board granting them.

Board of Examiners how organized—meetings, duties, etc.

SEC. 3. Said board shall examine diplomas as to their genuineness, and if the diplomas shall be found genuine as represented, the secretary of the board shall receive a fee of one (1) dollar from such graduate or licentiate, and no further charges shall be made to the applicants; but if it be found to be fraudulent, or not lawfully owned by the pos-

Fee for examining diplomas.

essor, the board shall be entitled to charge and collect twenty (20) dollars of the applicant presenting such diploma. The verification of the diploma shall consist in the affidavit of the holder and applicant presenting such diploma, that he is the lawful possessor of the same and that he is the person therein named. Such affidavit may be taken before any person authorized to administer oaths, and the same shall be attested under the hand and official seal of such officer, if he have a seal. Graduates may present their diplomas and affidavits as provided in this act, by letter or by proxy, and the board shall issue its certificate the same as though the owner of the diploma was present.

Persons not
graduates to be
examined.

SEC. 4. All examinations of persons not graduates or licentiates shall be made directly by the board, and the certificates given by the board shall authorize the possessor to practice medicine and surgery in the State of Minnesota.

Certificates to
be recorded.

SEC. 5. Every person holding a certificate from the board of examiners shall have it recorded in the office of the clerk of the county in which he resides, and the record shall be endorsed thereon. Any person removing to another county to practice shall procure an endorsement to that effect on the certificate from the county clerk, and shall record the certificate in like manner in the county to which he removes, and the holder of the certificate shall pay to the county clerk the usual fees for making the record.

Clerk's record.

SEC. 6. The county clerk shall keep, in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of the issue. If the certificate be based on a diploma or license, he shall record the name of the medical institution conferring it, and the date when conferred.

Fees.

SEC. 7. Candidates for examination shall pay a fee of five dollars (\$5) in advance, which shall be returned to them if a certificate be refused. The fees received by the board shall be paid into the state treasury.

SEC. 8. Examinations may be in whole or in part in writing, and shall be of an elementary and practical character, but sufficiently strict to test the qualifications of the candidate as a practitioner.

Certificates
may be refused,
when.

SEC. 9. The board of examiners may refuse certificates to individuals guilty of unprofessional or dishonorable conduct, and they may revoke certificates for like causes. In all cases of refusal or revocation, the applicant may appeal to the body appointing the board.

Practicing
physicians de-
fined.

SEC. 10. Any person shall be regarded as practicing within the meaning of this act, who shall profess publicly to be a physician, and to prescribe for the sick, or who shall append to his name the letters "M. D." But nothing in this act shall be construed to prohibit students from prescribing under the supervision of preceptors or to prohibit gratuitous services in cases of emergency. And this act shall not apply to commissioned surgeons in the United States army and navy.

SEC. 11. Any itinerant vendor of any drug, nostrum, ointment or appliance of any kind intended for the treatment of disease or injury, or who shall by writing or printing, or any other method, publicly profess to cure or treat disease, injury or deformity by any drug, nostrum or other expedient, shall pay a license of one hundred dollars (\$100) a month, to be collected in the usual way.

License for
itinerants.

SEC. 12. Any person practicing medicine or surgery in this state without complying with the provisions of this act, shall be punished by a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or by imprisonment in the county jail for a period of not less than thirty (30) days nor more than three hundred and sixty-five (365) days, or by both such fine and imprisonment for each and every offense; and any person filing or attempting to file as his own, the diploma or certificate of another, or a forged affidavit of identification, shall be guilty of felony, and upon conviction, shall be subject to such fine and imprisonment as are made and provided by the statutes of this state for the crime of forgery; but the penalties shall not be enforced till on and after the thirty-first (31st) day of December, eighteen hundred and eighty-three (1883). *Provided*, That the provisions of this act shall not apply to those that have been practicing medicine five (5) years within this state.

Penalty for
violation.

SEC. 13. This act shall take effect and be in force from and after its passage.

Approved March 5, 1883.

CHAPTER 126.

AN ACT TO PROVIDE FOR THE EXAMINATION AND COMMITMENT OF PERSONS UNDER GUARDIANSHIP ON ACCOUNT OF EXCESSIVE DRINKING, TO THE DEPARTMENT FOR INEBRIATES IN THE SECOND HOSPITAL FOR THE INSANE OF THE STATE OF MINNESOTA.

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

SECTION 1. That when any person is or hereafter shall be under guardianship on account of excessive drinking, and a verified petition by the guardian of such person, or by the chairman of the board of county commissioners of the county

Persons under
guardianship for
excessive drink-
ing to be com-
mitted to second
hospital.