

Shall be punished for violating this act.

SEC. 2. Any pharmacist or druggist who shall sell or dispose of any spirituous, vinous, fermented or malt liquors, for any purpose or in any manner other than as provided in this act, or acts amendatory hereof, without having a license for the sale of intoxicating liquors, shall, upon conviction thereof in any court having jurisdiction thereof, be subject to the same fines and penalties imposed by any law or ordinance upon any other person for selling intoxicating liquors without a license; and any pharmacist or druggist who shall permit any intoxicating liquors so sold or disposed of to be drunk or used on the premises where obtained shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than twenty (20) dollars and not exceeding one hundred (100) dollars.

Physicians shall be punished for violations of this act.

SEC. 3. Any physician or person who shall make or give any such prescription for any other than medicinal purposes, or who shall make or give any such prescription for the purpose of evading the laws of this state, or of aiding another to evade the same, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to the same fine and penalties that are imposed by any law or ordinance upon any other person for selling intoxicating liquors without a license.

When act to take effect.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 7th, 1887.

## CHAPTER 9.

[S. F. NO. 461.]

AN ACT TO REGULATE THE PRACTICE OF MEDICINE IN THE STATE OF MINNESOTA, AND TO LICENSE PHYSICIANS AND SURGEONS AND TO PUNISH PERSONS VIOLATING THE PROVISIONS OF THIS ACT.

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

SECTION 1. The governor of this state shall appoint a board of examiners, to be known as the state board of medical examiners, consisting of nine (9) members, who shall hold their office for three (3) years after such appointment and until their successors are appointed.

Provided, That the members thereof first appointed under this act shall be divided into three (3) classes, each class to consist of three (3). The first class shall hold office

46-9	
41-M	69
95	89
05	236
139-NW	501
83	125
05	236
13	139
120-M	315
124-M	152
144-NW	755
13-GS	111
13-GS	4970 <sup>rd</sup>
13-GS	4983 <sup>rd</sup>
13-GS	9451 <sup>rd</sup>

under said appointment for the period of one (1) year, the second class for two (2) years and the third class for three (3) years from the date of their appointment.

It is further provided that no member thereof shall be appointed to serve for more than two (2) terms in succession, and no member of any college or university having a medical department shall be appointed to serve as member of said board, two of which shall be homeopathic physicians.

SEC. 2. Said board of medical examiners shall elect a president, secretary and treasurer; shall have a common seal. The president and secretary shall have the power to administer oaths. Said board of medical examiners shall hold meetings for examination at the capitol of this state on the first (1) Tuesday of January, April, July and October of each year, and such other meetings as said board may from time to time appoint. Said board shall keep a record of all the proceedings thereof, and also a record or register of all applicants for a license, together with his or her age, time spent in the study of medicine, and the name and locations of all institutions granting to such applicants degrees or certificates of lectures in medicine or surgery. Said register shall also show whether such applicant was rejected or licensed under this act. Said books and register shall be prima facie evidence of all of the matters therein recorded.

Duties of Board.

SEC. 3. All persons hereafter commencing the practice of medicine and surgery, in any of its branches in this state, shall apply to said board for a license so to do, and such applicant, at the time and place designated by said board, or at the regular meeting of said board, shall submit to an examination in the following branches, to wit: Anatomy, Physiology, Chemistry, Histology, Materia Medica, Therapeutics, Preventive Medicines, Practice of Medicine, Surgery, Obstetrics, Diseases of Women and Children, Diseases of the Nervous System, Diseases of the Eye and Ear, Medical Jurisprudence, and such other branches as the board shall deem advisable, and present evidence of having attended three (3) courses of lectures of at least six (6) months each; said board shall cause such examination to be both scientific and practical, but of sufficient severity to test the candidate's fitness to practice medicine and surgery. When desired, said examination may be conducted in the presence of the dean of any medical school or the president of any medical society of this state. After examination, said board shall grant a license to such applicant to practice medicine and surgery in the state of Minnesota; which said license can only be granted by the consent of not less than seven (7) members of said board, and which said license shall be signed by the president and secretary

Applicants to Board must submit to an examination.

of said board, and attested by the seal thereof. The fee of such examination shall be the sum of ten (10) dollars, and shall be paid by the applicant to the treasurer of said board, to be applied by said board towards defraying the expenses thereof; and such board may refuse or revoke a license for unprofessional, dishonorable or immoral conduct. In all cases of refusal or revocation the applicant may appeal to appointing power of said board.

License to be filed with clerk district court.

SEC. 4. The person so receiving said license shall file the same, or a certified copy thereof, with the clerk of the district court in and for the county where he or she resides, and said clerk of the court shall file said certificate or copy thereof, and enter a memorandum thereof, giving the date of said license and name of the person to whom the same is issued, and the date of such filing, in a book to be provided and kept for that purpose; and said clerk of the court shall each year furnish to the secretary of said board a list of all certificates on file in his office, and upon notice to him of the change of location or death of a person so licensed, or of the revocation of the license granted to such person, said clerk shall enter at the appropriate places in the record so kept by him, a memorandum of said fact; so that the records so kept by said clerk of the court shall correspond with the records of said board as kept by the secretary thereof. In case a person so licensed shall move into another county of this state, he or she shall procure from the clerk of the court a certified copy of said license, and file the same with the clerk of the district court in the county to which he or she shall so remove. Said clerk shall file and enter the same with like effect as if the same was the original license.

Shall not apply to army officers.

SEC. 5. This act shall not apply to commissioned surgeons of the United States army or navy, to physicians or surgeons in actual consultation from other states or territories, or to actual medical students practising medicine under the direct supervision of a preceptor.

Fine for practising without a license.

SEC. 6. Any person practising medicine or surgery within this state without first having obtained the license herein provided for, or contrary to the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty (50) nor more than one hundred (100) dollars, or by imprisonment in the county jail not less than ten (10) days, nor more than ninety (90) days, or both fines and imprisonment. Any person shall be regarded as practising within the meaning of this act who shall append the letters "M. D." or "M. B." to his or her name, for a fee prescribe, direct or recommend for the use of any person any drug or medicine, or other agency for the treatment, care or relief of any wound, fracture or bodily injury, infirmity or disease; provided, however, this act shall not

apply to dentists. Justices of the peace and the respective municipal courts shall have jurisdiction over violations of the provisions of this act. It shall be the duty of the respective county attorneys to prosecute violations of this act.

SEC. 7. Chapter one hundred and twenty-five (125) of the General Laws of eighteen hundred and eighty-three (1883) is hereby repealed. It is however provided that all persons licensed under said act shall be taken and considered as licensed under this act. And the secretary of the board herein provided for shall enter the names of such persons upon the register so kept by him as licensed physicians and surgeons, without application or fee upon the part of the persons so licensed.

Chapter 125, G.  
L. 1883  
repealed.

SEC. 8. This act shall take effect and be in force from and after July 1st, 1887.

When act to  
take effect.

Approved Feb. 28, 1887.

## CHAPTER 10.

[S. F. No. 557.]

AN ACT TO REGULATE COMMON CARRIERS, AND CREATING THE RAILROAD AND WAREHOUSE COMMISSION OF THE STATE OF MINNESOTA, AND DEFINING THE DUTIES OF SUCH COMMISSION IN RELATION TO COMMON CARRIERS.

49-10  
124 . 89  
38-M . 296  
39-nw . 150  
41-nw 465  
42-nw 21

49-10  
106 . 91  
39-M . 231  
40-M . 353  
44-M . 336

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

SECTION 1. (a) That the provisions of this act shall apply to any common carrier or carriers engaged in the transportation of passengers or property wholly by railroad, or partly by railroad and partly by water, when both are used under a common control, management or arrangement, for a carriage or shipment from one place or station to another, both being within the state of Minnesota.

Act shall apply  
to any  
common  
carrier.

*Provided,* That nothing in this act shall apply to street railways or to the carriage, storage or handling by any common carrier, of property, free, or at reduced rates for the United States, or for the state of Minnesota, or for any municipal government or corporation within the state, or for any charitable purpose, or to or from fairs, and expositions for exhibition thereat, (or stock for breeding purposes), or to the issuance of mileage, excursion or commutation passenger tickets, at rates made equal to all, or to

To whom act  
shall not  
apply.