

CHAPTER 103.

[S. F. No. 311.]

General Laws of 1885, amending Sec. 16 of Chap. 143—village incorporation.

AN ACT TO AMEND SECTION SIXTEEN (16) OF CHAPTER ONE HUNDRED AND FORTY-FIVE (145) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885), SO AS TO PERMIT THE PEOPLE OF THE VILLAGE OF ANNANDALE, IN WRIGHT COUNTY, TO HOLD THEIR ANNUAL VILLAGE ELECTION ON THE THIRD (3D) TUESDAY IN MARCH IN EACH YEAR.

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

Permitting village of Annandale to hold annual election on the third Monday of March.

SECTION 1. That section sixteen (16) of Chapter one hundred and forty-five (145) of the General Laws of one thousand eight hundred and eighty-five (1885), relating to the incorporation of villages in the state of Minnesota, be and the same is hereby amended so as to permit the people of the village of Annandale, in the county of Wright, to hold their annual village elections on the third (3d) Monday of March in each year.

SEC. 2. That the provisions of this act shall apply to said village of Annandale, in said county of Wright, only.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 3, 1891.

CHAPTER 104.

[S. F. No. 280.]

General Laws of 1885, amending Chap. 147, regulating the practice of pharmacy, etc.

AN ACT TO AMEND CHAPTER ONE HUNDRED AND FORTY-SEVEN (147) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885), ENTITLED "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," AND TO REPEAL CHAPTER TWENTY-NINE (29) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-SEVEN (1837), AMENDATORY THEREOF.

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

SECTION 1. That section one (1) of said Chapter one hundred and forty-seven (147) be and is hereby amended so as to read as follows:

"Section 1. That, except as in this act provided, it shall hereafter be unlawful for any person 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, place and keep in active charge and control of said pharmacy, store or shop, a registered pharmacist, within the full meaning of this act."

Unlawful for any but registered pharmacists to compound or dispense drugs.

SEC. 2. That section two (2) of said Chapter one hundred and forty-seven (147) be and is hereby amended so as to read as follows:

"Sec. 2. To be entitled to registration as a pharmacist within the full meaning of this act, the applicant must be a graduate in pharmacy, or a graduate in medicine, within the requirements of this act, or he must be not less than twenty-one (21) years of age, and have had four (4) years' practical experience in drug stores where prescriptions of medical practitioners have been usually compounded, and have sustained a satisfactory examination before the board of pharmacy of the state of Minnesota, or he must be at the time of the passage of this act a registered assistant.

Qualification to entitle to registration.

"Nothing in this section contained shall impair the validity of any registration heretofore granted by said board. But notwithstanding anything in this section hereinbefore contained, any person who was on the fifth (5th) day of March, one thousand eight hundred and eighty-five (1885), entitled to registration as a registered pharmacist, and who is at the time of the passage of this act engaged in the business of a dispensing pharmacist in the state of Minnesota, and who shall within thirty (30) days after the passage of this act file with the secretary of said board an application for registration, accompanied with his affidavit that he was on the fifth (5th) day of March aforesaid, as well as at the time of the passage of this act, so engaged, shall be granted a certificate of registration without examination."

Registration heretofore granted to be valid.

SEC. 3. That section three (3) of said Chapter one hundred and forty-seven (147) be and is hereby amended so as to read as follows:

"Sec. 3. A graduate in pharmacy or in medicine must, in order to be so registered, have had four (4) years' practical experience in drug stores where prescriptions of medical practitioners have been usually compounded, and have a diploma from a college or school of pharmacy or medicine, satisfactory to said board of pharmacy, as sufficient guarantee of his attainments and proficiency, or he shall be legally entitled to practice medicine in the state of Minnesota."

Graduates in pharmacy, term defined.

SEC. 4. That section four (4) of said Chapter one hundred and forty-seven (147) be and is hereby amended so as to read as follows:

"Sec. 4. The said board of pharmacy may at their discretion grant registration and a certificate thereof to any pharmacist licensed or registered by the board of pharmacy

Registration to pharmacists licensed in other states.

Assistant's certificate may be granted after two years' experience.

of any other state, either after or without further examination. It shall be the duty of said board to grant an assistant's certificate to any person not less than eighteen (18) years of age who shall have had two (2) years' practical experience in drug stores where prescriptions of medical practitioners have been usually compounded, and who shall have passed a satisfactory examination before said board of pharmacy of Minnesota; which certificate shall entitle such person to act only as an assistant to a registered pharmacist personally conducting his own business as such, and shall not entitle such assistant to engage in business on his own account, or as manager to conduct a drug store, or to transact a pharmacy business for another party."

SEC. 5. That section nine (9) of said Chapter one hundred and forty-seven (147) be and is hereby amended so as to read as follows:

Fees to be paid on application to register.

"Sec. 9. Every person claiming registration as a registered pharmacist under this act shall, before a certificate is granted, pay to the secretary of the board of pharmacy the sum of two (2) dollars; and every applicant for registration upon examination, whether as a pharmacist or as an assistant, shall pay to said secretary the sum of five (5) dollars before such examination shall 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. Every certificate hereafter issued under this act shall have plainly written, printed or stamped upon the face thereof the words 'Revocable for the causes specified by law.'"

SEC. 6. That section ten (10) of said Chapter one hundred and forty-seven (147) be and is hereby amended so as to read as follows:

Annual renewal fee to be paid.

"Sec. 10. Every registered pharmacist and every registered assistant 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 prescribe, pay to said secretary a registration renewal fee, the amount of which shall be fixed by said board, and shall in no case exceed two (2) dollars for a pharmacist and one (1) dollar for an assistant; in return for which payment he shall receive a renewal of his registration."

SEC. 7. That section eleven (11) of said Chapter one hundred and forty-seven (147) be and is hereby amended by inserting after the word "fees," in the ninth (9th) line thereof, the word "fines."

SEC. 8. That section twelve (12) of said Chapter one hundred and forty-seven (147) be and is hereby amended so as to read as follows:

Penalty for selling or compounding if not registered pharmacist.

"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 this act shall take effect, retail,

compound or dispense drugs, medicines or poisons, 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 or 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 by a registered assistant, and any pharmacist or registered assistant, who, while continuing in business, shall fail or neglect to procure annual registration, and any person who shall willfully make any false representation to procure registration for himself or any other person, or who shall violate any other provision of this act, shall, except as otherwise provided, for each and every such offense be liable to a penalty of fifty (50) dollars.

Penalty for permitting compounding or vending by other than registered pharmacist or assistant.

"Except as in this section hereafter provided, drugs, medicines and poisons shall, for all purposes of this act, be construed to include all substances, animal, vegetable or mineral, commonly kept in stock in drug stores or apothecary shops and used in compounding medicines or sold for medical purposes.

Drugs, medicines and poisons defined.

"It is provided, however, That nothing in this act shall in any manner interfere with the regular practice of any physician as such, or prevent him as a physician from supplying to his patients such articles as may seem to him proper, or shall interfere with the making or vending of proprietary medicines, or with the sale by general retail dealers of any of the following articles, that is to say :

Practicing physicians exempted.

- | | | |
|-----------------------|----------------|--------------------|
| Alum, | Copperas, | Logwood, |
| Blue Vitriol, | Epsom Salts, | Rolled Sulphur, |
| Borax, | Glauber Salts, | Saltpetre, |
| Carbonate of Ammonia, | Glycerine, | Senna Leaves, |
| Carbonate of Soda, | Gum Arabic, | Subliment Sulphur, |
| Castor Oil, | Gum Camphor, | Water of Ammonia, |
| | Licorice, | |

Exemption as to selling proprietary medicines and named drugs.

or with the sale by such retail dealers of Paris green kept in stock in sealed packages and so sold, distinctly labeled 'Paris Green, Poison,' or shall prevent a shopkeeper whose place of business is more than one mile from a drug store or apothecary shop, from dealing in and selling the commonly used medicines and poisons, if put up for such sale by a registered pharmacist; or interfere with the exclusively wholesale business of any dealers, except as hereinbefore provided."

SEC. 9. That section thirteen (13) of said Chapter one hundred and forty-seven (147) be and is hereby amended by changing the word "penalty" to the word "fine," in the eighteenth (18th) line thereof, and by adding to said section thirteen (13) the further words, "and any person

Conviction for violation may forfeit registration.

so convicted may also, at the discretion of the court before which such conviction occurs, be further adjudged and sentenced to forfeit his registration and the certificate thereof."

SEC. 10. That section fourteen (14) of said Chapter one hundred and forty-seven (147) be and is hereby amended by striking out the last sentence thereof, and by substituting in lieu thereof the following :

Penalty for not affixing "Poison" label on certain drugs.

"Every person omitting to comply with any requirement of this section shall be deemed guilty of a misdemeanor, and shall upon conviction thereof pay a fine not less than five (5) dollars for each such omission."

SEC. 11. That section fifteen (15) of said Chapter one hundred and forty-seven (147) be and is hereby amended so as to read as follows :

Suits to recover penalties — county attorney to prosecute.

"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.

"If in any such case the county attorney omit or refuse to act, the board, may employ some other attorney for such purpose.

"Costs and disbursements shall be adjudged in favor of the state whenever it recovers judgment in such suit. All fines and penalties paid or collected under the provisions of this act shall inure one-half to the board of pharmacy, and the remainder to the school fund of the county in which the conviction was had or the judgment obtained. If any person adjudged liable to any penalty or penalties imposed by this act shall not pay the judgment therefor within sixty (60) days after the rendition thereof, or, in case of appeal, within thirty (30) days after the affirmation of such judgment, his registration and certificate thereof may be by the board of pharmacy summarily revoked and canceled, and such person shall not be entitled to registration within one (1) year thence next to ensue or without paying such judgment in full."

Failure to pay judgments imposed, license may be summarily revoked.

SEC. 12. That said Chapter one hundred and forty-seven (147) be and is amended by adding thereto the following as sections eighteen (18), nineteen (19) and twenty (20), respectively :

Registration certificate to be posted conspicuously, and notice of removal to be given.

"Sec. 18. Every person receiving a certificate under this act shall keep the same conspicuously exposed in his place of business. Every registered pharmacist or registered assistant shall, within ten (10) days after changing his place of business or employment, notify the secretary of the board of his new place of business; he shall thereupon be entitled to receive from the secretary a notice in writing that his address has been changed on the book of registra-

tion. Without such notice from said secretary, such pharmacist or assistant shall not act as such longer than ten (10) days after his aforesaid notice of change.

“Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of ten (10) dollars and the costs of prosecution.

“Sec. 19. Any registration obtained by false representation shall be void, and the board of pharmacy may, after hearing complaint and evidence, revoke any certificate which it may determine to have been so obtained.

“Sec. 20. The board may hereafter appoint a secretary who is not a member of the board.”

SEC. 13. That section eighteen (18) of said Chapter one hundred and forty-seven (147) be and is hereby changed to and shall hereafter be section twenty-one (21) thereof.

SEC. 14. That Chapter twenty-nine (29) of the General Laws of one thousand eight hundred and eighty-seven (1887), amendatory to section two (2) of said Chapter one hundred and forty-seven (147), be and is hereby repealed.

SEC. 15. This act shall take effect and be in force from and after November first (1st), A. D. one thousand eight hundred and ninety-one (1891).

Approved April 17, 1891.

Registration on false representations may be revoked.

Secretary of pharmacy board.

Repeal of Chap. 29, General Laws of 1887 (covered in Sec. 2 of this act).

CHAPTER 105.

[H. F. No. 313.]

AN ACT TO AMEND CHAPTER ONE HUNDRED AND NINETY (190) OF THE GENERAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885), ENTITLED “AN ACT REQUIRING RAILROAD COMPANIES TO PROVIDE SUITABLE PASSENGER WAITING ROOMS AT CITIES, TOWNS AND VILLAGES.”

General Laws of 1885, amending Sec. 1 of Chap. 190—waiting rooms at railroad stations.

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

SECTION 1. That section one (1) of Chapter one hundred and ninety (190) General Laws of one thousand eight hundred and eighty-five (1885) be and the same is hereby amended by adding to said section, at the end thereof, the words following, to-wit:

“Such railroad corporations or companies shall, at all depots or stations where trains stop regularly to receive and discharge passengers, for at least one-half hour before the arrival and one-half hour after the arrival of any pas-

Depots and waiting rooms to be kept open one-half hour before and after train time.