

cle without paying for such possession or use, with intent to defraud such keeper, manager or proprietor, or who obtains from such person the possession or use of any of such property by color or aid of any fraudulent or false representations or pretense, or of any false token or writing, or who obtains credit for such use by color or aid of any false or fraudulent representations or pretense or of any false token or writing, or who, having hired any such property from any such keeper, manager or proprietor, shall by gross negligence or recklessly, willfully or wantonly injure or destroy the same or any thereof, or cause, suffer, allow or permit the same to be done, or who, having hired any horse or other draught animal from any such keeper, manager or proprietor upon the understanding or agreement that the same shall be ridden or driven a specified distance or to a specified place, shall willfully and fraudulently ride or drive the same a longer distance or to a different place, or cause, permit or allow the same to be done, and shall willfully and fraudulently represent that the same has not been ridden or driven a longer distance or to a different place than the distance or to the place specified as aforesaid, is guilty of a misdemeanor.

Failure to pay for use of livery a misdemeanor.

Reckless or wanton injury of property a misdemeanor.

SEC. 2. The provisions of this act shall not apply to any case of taking or obtaining the use or possession of the property of another with intent to steal such property, nor where the facts would constitute the crime of larceny.

Not to affect cases where the facts would constitute a larceny.

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

Approved April 11, 1891.

CHAPTER 30.

[H. F. No. 1020.]

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

Practice of midwifery.

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

SECTION 1. That every person practicing midwifery in any of its branches shall possess the qualifications required by this act. Every person hereafter beginning the practice of midwifery in this state, if a graduate in midwifery, shall present his or her diploma to the state medical examining board for verification of its genuineness. If the diploma is found to be genuine, and the person named therein be the person claiming and presenting the same, the board, on payment of the fee of one dollar (\$1.00), shall issue a license to that effect signed by the president and secretary of said board, and bearing the seal of said board,

Graduated practitioners must present diplomas to state medical board.

Other persons must pass an examination before state board.

and such license shall be conclusive as to the right of the person named therein to practice midwifery in this state for the period of one year; if not a graduate, such person shall appear before the board and submit to such examination in midwifery as the board shall require; and if the said examination be satisfactory to the examiners, the said board shall issue its license in accordance therewith, on payment of a fee of two dollars (\$2.00), and the person named therein shall be entitled to all the privileges and rights hereinafter mentioned for the period of one year.

Persons heretofore practicing must register their names with the secretary of the board.

SEC. 2. All persons heretofore practicing midwifery in any of its branches in the state of Minnesota shall register their names with the secretary of the state medical examining board, with an affidavit duly executed before a notary public, or with a written certificate from some legally authorized practitioner of medicine, setting forth the time and places in which such person has been engaged in the practice of midwifery in the state of Minnesota, and upon the filing of such certificate and the payment of a fee of one dollar (\$1.00) to the secretary of said board, the board shall issue to such person a license, signed by the president and secretary of said board, and bearing the seal of said board, which license shall entitle the person named therein to all rights and privileges hereinafter mentioned for the period of one year.

Yearly license fee to be paid.

SEC. 3. Every person so licensed shall each year subsequently register his or her name with the secretary of said board, and shall pay to the secretary of said board a fee of one dollar (\$1.00), and the secretary shall issue a license to such person in accordance therewith.

Quarterly meetings of state board for holding examinations.

SEC. 4. The state board of medical examiners are hereby authorized and empowered to execute the provisions of this act, and shall hold examinations of candidates for licenses in midwifery, at the capitol, on the first Tuesday of January, April, July and October, and at such other times and places as may be deemed expedient.

May refuse license for cause.

SEC. 5. The state board of medical examiners may refuse licenses to persons guilty of unprofessional or dishonorable conduct, and may revoke licenses for like causes, or for neglect to make proper returns to the various health officers of births, deaths, and of cases of puerperal fever and other contagious disease occurring in their practice.

Who are to be regarded as practicing midwifery.

SEC. 6. Any person shall be regarded as practicing midwifery within the meaning of this act, who shall publicly profess to be a midwife, or who shall for a fee attend to women in childbirth; but nothing in this act shall be construed to prohibit students of medicine or midwifery practicing under the direct supervision of a preceptor, or to prohibit gratuitous services in cases of emergency. This act shall not apply to physicians and surgeons duly authorized by the state board of medical examiners, or to commissioned surgeons of the United States army or navy.

SEC. 7. Any person practicing midwifery in this state without first complying with the provisions of this act shall be punished by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00), or by imprisonment in the county jail for a period of not less than ten (10) nor more than thirty (30) days.

Penalty for non-compliance.

SEC. 8. All acts or parts of acts herewith are hereby repealed. This act shall take effect from and after its passage.

Approved April 20, 1891.

CHAPTER 31.

[H. F. No. 491.]

AN ACT TO CREATE A FUNDING COMMISSION TO REDEEM AND REFUND THE MINNESOTA STATE RAILROAD ADJUSTMENT BONDS, AND TO AUTHORIZE THE TRANSFER OF INTERNAL IMPROVEMENT LAND CONTRACTS AND THE ISSUE OF NEW BONDS, AND AUTHORIZING A TAX FOR THE PURPOSE OF REDEEMING SUCH NEW BONDS.

Funding state railroad adjustment bonds.

WHEREAS, Chapter one hundred and two (102) of the General Laws of the state of Minnesota for the year one thousand eight hundred and eighty-one (1881), as amended by Chapter one (1) of the General Laws of said state for the year one thousand eight hundred and eighty-one (1881), extra session, provided for the adjustment of certain alleged claims against the state of Minnesota, and for the issue of the bonds of said state in payment of such alleged claims, said bonds to be known and styled "Minnesota state railroad adjustment bonds," to bear interest at the rate of four and one half (4½) per cent per annum, and to mature in thirty (30) years from July first (1st), one thousand eight hundred and eighty-one (1881), subject to the right of the state to redeem them after ten (10) years from said July first (1st), one thousand eight hundred and eighty-one (1881); and

WHEREAS, The state will have a right to redeem said bonds on the first (1st) day of July, one thousand eight hundred and ninety-one (1891); and

Citing right to redeem in 1891.

WHEREAS, Chapter one hundred and four (104) of the General Laws of the state of Minnesota for the year one thousand eight hundred and eighty-one (1881), as amended by Chapter two (2) of the General Laws of said state for the year one thousand eight hundred and eighty-one (1881), extra session, provided for the creation of a sinking fund from the sale of internal improvement land, and for the

Provision for sinking fund cited.