

(b) When any licensee shall wilfully violate the provisions of this Act, his license shall be immediately revoked and his bond forfeited, and no license of any class shall for a term of five years thereafter be issued to the same person or to any person who at the time of the violation owns any interest, whether as holder of more than 5 per cent of the capital stock of a corporation licensee, as partner, or otherwise, in the premises or in the business conducted thereon, or to any corporation, partnership, association, enterprise, business or firm in which any such person is in any manner interested.

(c) Whoever in violation of the provisions of this act shall manufacture intoxicating liquor for the purposes of sale shall be guilty of a gross misdemeanor.

(d) Whoever in violation of the provisions of this act shall transport or import into the state liquor for the purposes of sale shall be guilty of a gross misdemeanor.

(e) Whoever shall violate any provisions of this act as to sale, licensing, or any of the regulatory provisions pertaining thereto or who shall sell any intoxicating liquor without having a license therefor or stamp thereon as herein provided for, shall be guilty of a gross misdemeanor.

(f) The Liquor Control Commissioner shall have the power to institute proceedings to cancel or revoke the licensing of any pharmacist or druggist as such pharmacist or druggist who shall violate the provisions of this act.

Sec. 4. **Effective June 1, 1939.**—This act shall take effect from and after June 1, 1939.

Approved March 31, 1939.

CHAPTER 102—H. F. No. 853

An act regulating the sale, gift, order, exchange, distribution and possession of barbital, barbituric acid, its compounds and derivatives, and providing penalties for its violation.

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

Section 1. **Sale of certain drugs prohibited.**—It shall be unlawful for any person, firm or corporation to have in his, or its possession, or to sell, give away, barter, exchange or distribute barbital, except on a written prescription of a doctor of medi-

cine, doctor of dental surgery, or doctor of veterinary medicine, lawfully practicing his profession in this state.

Sec. 2. Definitions.—For the purposes of this Act, the word "barbital" means: barbital and any derivative thereof; diethylbarbituric acid; any alkyl, aryl, metallic or halogenated derivative of barbituric acid; veronal (barbitone); propronal; ipral; dial; neonal (soneryl); sandoptal; amytal; phenobarbital (luminal); phandorn; noctal; allonal (which contains allylisopropylbarbituric acid in combination with amidopyrine) medinal; any preparation, mixture or other substance containing any of the foregoing substances.

Sec. 3. Sales to be by licensed pharmacists.—No person other than a licensed pharmacist, shall sell barbital, and then, only as provided in this act.

Sec. 4. Prescriptions.—For the purposes of this act, a prescription for barbital is void unless (1) it is written in ink and contains the name and address of the person for whose use it is intended; (2) it states the amount of barbital to be compounded or dispensed, with directions for its use; (3) it contains the signature and address of the prescriber, and a designation of the branch of the healing art pursued by the prescriber, and (4) it shows the date when signed by the prescriber. Every licensed pharmacist who compounds any such prescription, shall at that time, mark it in ink so as to show that it has been compounded, and the date thereof, and he shall retain such prescription in a separate file for a period of not less than two years, open to inspection by any officer of the state, county or municipal government, whose duty it is to aid and assist with the enforcement of this act, except with the written or verbal consent of the prescriber, provided that the date of such consent must be recorded, in ink or indelible pencil, upon the original prescription by the pharmacist who refills the said prescription together with the name of said pharmacist, and provided further, that in event of verbal consent it must be direct from the prescriber to the said pharmacist. No such prescription shall be refilled. Every such pharmacist shall distinctly label the container with the directions contained in the prescription for the use thereof, and the following warning: "USE ONLY AS DIRECTED."

Sec. 5. Doctors may prescribe.—(1) A licensed doctor of medicine, or a licensed doctor of dentistry, in good faith, and in the course of his professional practice only, may prescribe, administer, and dispense barbital, or he may cause the same

to be administered by a nurse or interne under his direction and supervision.

(2) A licensed doctor of veterinary medicine, in good faith, and in the course of his professional practice only, and not for use by a human being may prescribe, administer, and dispense barbital, and he may cause the same to be administered by an assistant under his direction and supervision.

(3) Nothing in this act shall prohibit the sale to, nor the possession of, barbital, by wholesale drug concerns, registered pharmacies, licensed pharmacists, licensed doctors of medicine, licensed doctors of dentistry, licensed doctors of veterinary medicine, or any bona fide hospital or other bona fide institutions wherein sick and injured persons are cared for or treated, or bona fide hospitals wherein animals are treated.

Sec. 6. Violations—Penalties.—Any person, firm or corporation that violates any provision of this act shall be guilty of a gross misdemeanor, and upon conviction thereof, shall be punished by a fine of not to exceed \$1,000 or imprisonment in the county jail for not to exceed one year or by both such fine and imprisonment.

Approved March 31, 1939.

CHAPTER 103—H. F. No. 813

An act relating to park boards in cities of the 4th class, and amending the 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 1732.

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

Section 1. Park boards in certain cities.—The 1938 Supplement to Mason's Minnesota Statutes of 1927, Section 1732, is hereby amended so as to read as follows:

"1732. That the city council of every such city may by a majority vote create a park board for such city, to be composed of three members, to be chosen by said council for terms of one, two and three years respectively, all of whom shall be free holders and residents of such city, and who shall serve without compensation. Such park board shall be authorized and empowered, for and on behalf of and in the name of such city, to acquire by gift, purchase, devise, condemnation or lease, the land to be held and used for park purposes, or pur-