

investigations and reports, and obey such directions as to infectious diseases as shall be directed by the state board of health.

SEC. 4. The board of health referred to in section one, shall be elected annually by the council, or other body answering thereto, of each incorporate town, village, borough and city, unless a different term or mode is now provided by law, and such election shall be had at the next election that shall be held in such places. Election of the board.

SEC. 5. This act shall take effect and be in force from and after its passage. Act takes effect.

Approved March 10, 1873.

CHAPTER IX.

AN ACT TO PUNISH ABORTIONISTS AND ATTEMPTS TO PROCURE ABORTION, AND IMPROPER ADVERTISING IN THAT DIRECTION.

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

SECTION 1. That any person who shall administer to any woman with child, or prescribe for any such woman, or suggest to, or advise, or procure her to take any medicine, drug, substance or thing whatever, or who shall use or employ, or advise or suggest the use or employment of any instrument or other means or force whatever, with intent thereby to cause or procure the miscarriage or abortion or premature labor of any such woman, unless the same shall have been necessary to preserve her life, or the life of such child, shall, in case the death of such child or of such woman results in whole or in part therefrom, be deemed guilty of a felony, and upon conviction thereof, shall be punished by imprisonment in the state prison for a term not more than ten (10) years nor less than three (3) years. Penalty for causing an abortion upon a woman when death results.

SEC. 2. Any person who shall administer to any woman with child, or prescribe, or procure, or provide for any such woman, or suggest to, or advise, or procure Penalty for causing an abortion in other cases.

any such woman to take any medicine, drug, substance or thing whatever, or shall use or employ, or suggest, or advise the use or employment of any instrument or other means or force whatever, with intent thereby to cause or procure the miscarriage or abortion or premature labor of any such woman, shall upon conviction thereof be punished by imprisonment in the state prison for a term not more than two years nor less than one year, or by fine not more than five thousand dollars nor less than five hundred dollars, or by such fine and imprisonment both, at the discretion of the court.

Penalty for seeking or submitting to have an abortion caused.

SEC. 3. Any woman with child who shall apply to or solicit from any physician, druggist or other person whomsoever, any medicine, drug, substance or thing whatever, or shall take or administer the same, or shall submit to or perform upon herself any operation of any sort or character whatever, with intent thereby to cause or produce a miscarriage, or abortion, or premature labor, unless the same shall have been necessary to preserve her life, or the life of such child, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for a term not more than two years nor less than three months, or by fine not exceeding one thousand dollars nor less than three hundred dollars, or by such fine and imprisonment both at the discretion of the court.

Penalty for advertising medicines or other means of causing abortions.

SEC. 4. Any person who shall knowingly advertise, print, publish, distribute or circulate in any form, or shall knowingly cause to be advertised, printed, published, distributed or circulated in any form, any book, pamphlet, circular, printed paper, newspaper notice, advertisement or reference containing language or words or characters giving or conveying any notice, hint or reference to any person, or to the name of any person real or fictitious, from whom or to any house, shop, store, office, or other place whatever, where any poison, drug, mixture, preparation, medium or noxious thing, or any instrument or means whatever, or any advice, direction, information or knowledge may be obtained for the purpose of causing or procuring the miscarriage or abortion, or premature labor of any woman pregnant with child, shall, upon conviction thereof be punished by imprisonment in the state prison for a term not more than two years, or in the county jail for a period not less than three months, or by fine not more than five hundred dollars nor less than one

hundred dollars, or by such fine and imprisonment both, at the discretion of the court.

SEC. 5. On any preliminary examination, and on any inquiry before a grand jury, and on the trial of any indictment for any alleged offense under this act, no person shall be protected from testifying as a witness for the reason that the testimony of such witness would tend to criminate or disgrace such witness; *Provided, however,* That no testimony so given of a character tending to criminate or disgrace such witness shall ever be used in evidence in any action, prosecution or proceeding, civil or criminal, against such witness, or against his or personal representatives.

Rule of evidence in cases under this act.

SEC. 6. All prosecutions under this act shall be commenced within two years after the commission of the offense.

Limitation of time.

SEC. 7. Section eleven (11) of chapter ninety-four (94) of the general statutes of the state of Minnesota, is hereby repealed. *Provided, however,* That such repeal shall not affect prosecutions thereunder now pending, nor any prosecution that may be hereafter commenced for violations of said section heretofore committed, in respect to all which said section shall be and remain in force as if this act had not been passed.

Repeal of former statute, with exception.

SEC. 8. This act shall take effect and be in force from and after its passage.

Act takes effect.

Approved March 10, 1873.

CHAPTER X.

AN ACT TO ESTABLISH A FUND FOR THE FOUNDATION AND MAINTENANCE OF AN ASYLUM FOR INEBRIATES.

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

SEC. 1. All keepers of saloons, groceries, restaurants, drug stores, wholesale or retail liquor stores, hotels, breweries, or other places where spirituous, vinous, or malt liquors are sold or kept for sale within this state,

Special license required of all dealers in liquors.