

Beer and milk measures shall contain the following capacities: The gallon shall contain two hundred eighty-two cubic inches. The half gallon shall contain one hundred forty-one cubic inches, and the quart one-half as much and the pint one-half as much as the quart.

Beer and
milk.

SEC. 3. Units of Length and Surface: The unit or standard measure of length and surface from which all other measures of extension, whether lineal, superficial or solid, shall be derived and ascertained, is the standard yard measure, which is divided into three equal parts called feet and each foot into twelve equal parts called inches.

Units of
length and
surface.

The rod, pole or perch contains five and one-half yards. The mile contains seventeen hundred sixty yards. The chain for measuring land is twenty-two yards long and is divided into one hundred equal parts called links. The acre contains ten square chains or one hundred sixty square rods. There are six hundred forty square acres in one square mile.

SEC. 4. All acts or parts of acts inconsistent herewith are hereby repealed.

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

Approved April 21, 1903.

CHAPTER 369.

H. F. No. 429.

An act creating a state board of osteopathic examiners and registration and to regulate the practice of osteopathy in the State of Minnesota, to license osteopathic physicians and to punish persons violating the provisions of this act.

Regulating
practice of
osteopathy.

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

SECTION 1. That within thirty days after the passage of this act the governor shall appoint a state board of osteopathic examiners and registration, consisting of five members, one to serve for one year, one to serve for two years, one to serve for three years, one to serve for four years and one to serve for five years and until their successors are appointed and qualified, and one each year thereafter, to the end that each member shall serve five years after the first appointment, who shall be resident osteopathic physicians of good standing in their profession

Governor
to appoint
board.

and graduates of legally chartered schools of osteopathy in good standing as such.

Provided that no member of said board shall be a member of the faculty of, or be financially interested in, any osteopathic school.

Officers.

Said board shall within fifteen days after being so appointed assemble at the capitol building in St. Paul, Minnesota, or at such other place as they may determine, and then and there organize by electing a president and secretary from among its members, each to serve for a term of one year and without salary.

Said board shall have a common seal and shall formulate rules to govern its actions. Its president and secretary shall have power to administer oaths.

Meet
twice a
year.

Said board shall meet at least twice in each year on the second Tuesday of the months of March and September, and at such other times and such places within this state, as a majority of the board shall deem necessary and convenient.

Record of
proceedings.

Three members of the board shall constitute a quorum for the transaction of business. The secretary of the board shall keep a record of its proceedings, and a register of applicants for licenses, giving the name and location of the institution granting the applicant the degree of Doctor of, or diplomat in osteopathy, or his certificate of attendance, the date of his diploma, and also showing whether the applicant was rejected or a license granted. The book and register of the board shall be prima facie evidence of all matters recorded therein.

Qualification
of appli-
cants.

SEC. 2. Any person engaged in the practice of osteopathy in this state prior to March 1st, 1903, shall within sixty days from the passage of this act, make application to the board of osteopathic examiners and registration for a license to practice, and shall exhibit to said board a diploma issued by a legally incorporated and regularly conducted school of osteopathy, and such applicant shall pass an examination in the following branches, to-wit: Anatomy, physiology, urinalysis, symptomology, pathology, gynecology, obstetrics, chemistry, toxicology, minor surgery, hygiene, dietetics, diagnosis, and theory and practice of osteopathy.

Provided, that the said applicant shall make affidavit that he is the person to whom the said diploma was issued,

and that he was engaged in the practice of osteopathy in this state prior to March 1st, 1903.

If such diploma or examination be satisfactory to a majority of the board, the board shall issue its license granting him the right to practice osteopathy in this state.

SEC. 3. Any person desiring to commence the practice of osteopathy in the State of Minnesota after March 1st, 1903, shall make a written application to the secretary of said board for a license, and appear at its first regular meeting thereafter. The applicant shall furnish evidence of having attended not less than four full courses of five months each at a legally incorporated school or college of osteopathy, recognized by the board, and wherein the curriculum of study shall include instruction in the following branches, to-wit: Anatomy, histology, physiology, pathology, gynecology, obstetrics, chemistry, including, urinalysis and toxicology, symptomatology, minor surgery, hygiene, dietetics, diagnosis, and theory and practice of osteopathy, and upon passing an examination in these studies satisfactory to a majority of the board, shall be granted a license to practice osteopathy in this state.

Written
application
for license.

Provided that holders of diplomas or certificates issued after September 1st, 1905, shall furnish evidence of having attended not less than three full courses of eight months each, no two of which shall be given in any one year; and *provided further*, that such examination may be waived as to any person or persons who have duly graduated from, and hold the diploma from any legally incorporated school or college of osteopathy recognized by said board having the curriculum of study herein specified, and who have duly practiced their profession in some other state or territory for a period of not less than two years preceding the date of their application.

Examination.

Must hold
diploma.

Said board may refuse to grant a license to any person guilty of unprofessional or dishonorable conduct, or any person guilty of a felony, or any person addicted to the liquor or drug habit to such a degree as to render him unfit to practice, and may, after notice and hearing (at which the person shall be entitled to appear personally or by attorney, and offer evidence), revoke for any such causes a license theretofore granted. The words "unprofessional or dishonorable conduct" as used in this section are hereby declared to mean:

May refuse
to grant
license.

Unprofes-
sional con-
duct.

1. The procuring or aiding or abetting in procuring a criminal abortion.

2. The obtaining of any fee by representing that a manifestly incurable disease can be permanently cured by them.

3. Conviction of any offense involving moral turpitude.

4. Willful betrayal of professional confidence or secrets to the detriment of a patient.

Fee of
\$20.

SEC. 4. All applications for licenses shall be accompanied by a fee of twenty dollars and such fee shall not be returned in the event of a failure to pass, but the applicant may, within one year after such failure present himself and be again examined without the payment of additional fee. All fees shall be paid to the secretary of said board and held by him as a special fund for meeting the expenses of said board, but said board shall create no expense exceeding the sum received from time to time, as fees or fines. The compensation and expense of each member and officer of said board shall be paid out of said fund, but in no case shall it exceed five dollars per day, per member, and three cents per mile actually traveled.

Compensa-
tion of
board and
officers.

Cannot
prescribe
drugs.

SEC. 5. The license provided for by this act shall not authorize the holder thereof to give or prescribe drugs for internal use nor to perform major surgery. Osteopathic physicians shall be subject to the same rules and regulations, both municipal and state, that govern other physicians in the control of contagious diseases, and shall be entitled to all privileges of other physicians in matters pertaining to public health.

Record in
office of
clerk of
court.

SEC. 6. Every person holding a license from the state board of osteopathic examiners and registration shall have it recorded in the office of the clerk of the district court in the county in which he or she expects to practice, and the date of recording shall be indicated thereon. Until such license is filed for record, the holder shall exercise none of the rights or privileges conferred therein. Said clerk shall keep in a book provided by him for the purpose a complete list of the licenses recorded by him with the date of record of such licenses. He shall be entitled to and receive a fee of one dollar for making such record.

Penalty
for violation
of act.

Any person who shall practice or attempt osteopathy in treating diseases or any ailment whatsoever of the human body, or who shall use any of the terms or letters "Osteo-

path," "Osteopathist," "Osteopathy," "Doctor of Osteopathy," "Diplomat in Osteopathy," or "D. O." or any other titles or letters under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of osteopathy, without having complied with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than thirty days nor more than six months, or both, in the discretion of the court. All such fines collected shall be paid one-half to the school fund of the county in which such prosecution is had, and one-half to the state board of osteopathic examiners and registration.

If the board or any member thereof has knowledge or notice that this act is being violated, such board or member shall investigate the matter, and upon probable cause appearing, shall file a complaint and institute prosecution against the offender, and it shall be the duty of the county attorney in the county in which such person resides or practices, when requested by said board or member thereof, or otherwise notified of such violation, to take charge of and conduct the prosecution under this act.

**File
complaint.**

Provided, however, that nothing in this act shall be construed as prohibiting, infringing upon, or in any manner interfering with any other school, art, system, or science of healing in this state from the practice of their profession as provided by the laws of the State of Minnesota.

SEC. 7. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SEC. 8. The science of treating diseases, known as osteopathy, is hereby declared not to be the practice of medicine or surgery, within the meaning of existing medical laws of the state.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.