

H. F. No. 218.

CHAPTER 42.

Cocaine.

An act to regulate the compounding, use and sale of cocaine and its preparations and providing penalties for the violation thereof.

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

Regulates the sale.

SECTION 1. (That) no person shall sell or give away any cocaine, hydro chlorate or any salts or compound of cocaine, or preparation containing cocaine except upon the written prescription of a physician or dentist licensed under the laws of the state. No prescription containing cocaine shall be filled more than once and each shall have written plainly upon it the name and address of the patient and be filed and preserved by the pharmacist who shall not give a copy thereof to the patient. This section shall not be so construed as to apply to sales at wholesale, in original packages, by any manufacturer or wholesale dealer, to a retail druggist, licensed physician or dentist when such vendor shall have affixed to each receptacle containing any such drug a label in the English language specifically setting forth the proportion of cocaine contained therein.

Penalty.

SEC. 2. Any person who shall sell or give away any of the articles mentioned in the preceding section, in violation of this act, and any person who shall prescribe any of such articles to any one addicted to the habitual use of cocaine or any preparation or compound thereof in any form, shall be punished by a fine of not less than \$50 nor more than \$100 or by imprisonment in the county jail for not less than (30) days nor more than (90) days, and if the person so offending shall be a licensed physician, dentist, pharmacist or assistant pharmacist, in addition to the penalty above described, such offender's license shall be revoked.

Co. attorney to prosecute.

SEC. 3. Upon complaint being made of a violation of the provisions of this act, the county attorney of the county where the offense is alleged to have been committed shall prosecute such complaint and to that end is hereby authorized to examine the books of any manufacturer or wholesale dealer within the state for the purpose of tracing the sales of any of the articles herein mentioned.

SEC. 4. All fines collected under the provisions of this act shall inure to the Minnesota state board of pharmacy.

SEC. 5. This act shall take effect and be in force from and after May 1st, 1905.

Approved March 15, 1905.

CHAPTER 43.

S. F. No. 318.

An act to amend section 4086 and section 4089 of title 7 of chapter 38 of the General Statutes of 1894 relating to condemnation of land for the use of the state.

Condemnation of land.

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

SECTION 1. That section 4086 of title 7 of chapter 38 of the General Statutes of 1894 be and the same is hereby amended so that said section shall read as follows:

Section 4086. The attorney general may, on behalf of the state, and for the use of any institution requiring for its uses such lands, give notice of his intention to apply for the appointment of three commissioners to appraise said real estate, and the damage for taking the same, to the district court in and for the county where such lands shall be situated, or to a judge of said court, giving a general description of the lands to be appraised or taken, and specifying the time and place of such application; which notice shall be served at least ten days before the time of such application upon all persons named in the petition as owners, and upon all occupants of such land, in the same manner as a summons in a civil action, in said court; *provided*, that if such owner be not a resident of the state or his place of residence be unknown to the attorney general, upon the filing of an affidavit by the attorney general stating that he believes that such owner is not a resident of the state and that he has mailed a copy of the notice to his place of residence, or that after diligent inquiry his place of residence cannot be ascertained by the affiant, then service may be made upon such owner by three weeks' published notice in any newspaper published in the county in which the land is situate. At the time and place named in said notice, the attorney general, for and on behalf of the state, may present an application to said district court or to a judge thereof, setting forth the name of the institution requiring said lands, and the general purposes for which the same are desired to be taken and particularly describing

Attorney General may act.

Publication of notice.