

of the county where said property was sold shall release all of said property from the mortgage whereon said sale was based.

§ 2. REPEAL.] That all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 3. EMERGENCY.] There being no adequate law upon our statutes regarding the redemption of chattel mortgage property; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved, March 6, 1893.

PHARMACY.

CHAPTER 80.

[H. B. No. 189.]

AMENDMENT TO PHARMACY LAW OF 1890.

AN ACT to Amend Sections 3, 5, 8, 10, 11 and 12 of Chapter 108, Laws of 1890, Entitled "An Act to Regulate the Practice of Pharmacy, the Licensing of Persons to Carry on Such Practice and the Sale of Poisons in the State of North Dakota," Approved March 20, 1890.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 3 of said act be amended to read as follows:

§ 3. QUALIFICATIONS OF LICENTIATE.] Licentiates in pharmacy shall be such persons as have had four successive years' practical experience in drug stores wherein the prescriptions of medical practitioners are compounded, and have sustained a satisfactory examination before the State Board of Pharmacy herein-after mentioned. The Board of Pharmacy may grant certificates of registration to graduates in pharmacy who have obtained a diploma from such colleges or schools of pharmacy as shall be approved by said boards, or to licentiates of such other state or territorial board as it may deem proper without further examination.

§ 2. AMENDMENT.] That Section 5 of said act be amended so as to read as follows:

§ 5. ORGANIZATION OF BOARD—EXAMINATIONS.] Said board shall, within thirty days after their appointment and qualification, meet and organize by the selection of a president and secretary from the number of its own members, who shall be elected for the term of one year, and who shall perform the duties prescribed by the board. It shall be the duty of the board to examine all applicants for registration submitted in proper form, to grant certifi-

cates of registration to such persons as may be entitled to the same under the provisions of this act; to cause the prosecution of all persons violating its provisions; to report annually to the Governor and to the North Dakota Pharmaceutical Association, upon the condition of pharmacy in the State, which said report shall also furnish a record of the proceedings of said board for the year, as well as the names of all pharmacists duly registered under this act. The board shall hold meetings for the examination of all applicants for registration and transaction of such other business as shall pertain to its duties, at least twice, or not more than four times a year, at the discretion of the board; and the said board shall give [at least] thirty days' public notice, in three of the pharmaceutical journals of general circulation of the State, of the time and place of such meeting. The said board shall also have power to make by-laws for the proper execution of its duties under this act, and shall keep a book of registration, in which shall be entered the names and places of business of all persons registered under this act, which registration book shall also contain such facts as such persons claim to justify their registration. Two members of said board shall constitute a quorum. The said board shall also have the power to cancel the certificate of any registered pharmacist for intemperance, incompetency or illegal sale of intoxicating liquors in the following manner: Upon the sworn complaint of at least three reputable citizens, charging any registered pharmacist with intemperance, incompetency or illegal sale of intoxicating liquors, the board shall appoint a time and place for hearing of said charges, and shall give the pharmacist so charged at least ten days' notice by mail of the time and place of said hearing, when he shall appear and answer said charges. If the board shall find any one, or all of said charges to be true, they shall forthwith cancel the certificate of said pharmacist and his registry as a pharmacist entitled to do business in North Dakota.

§ 3. AMENDMENT.] That Section 8 of said act be amended to read as follows:

§ 5. CERTIFICATES—FEES.] Every person claiming registration as a registered pharmacist under Section 6 of this act shall, before a certificate is granted, pay the secretary of the State Board of Pharmacy the sum of three dollars, and a like sum shall be paid to said secretary by such licentiates of other boards who shall apply for registration under this act; and every applicant for registration by examination shall pay to the secretary the sum of five (5) dollars before such examination be attempted; *Provided*, That in case of the failure to pass a satisfactory examination, he may be re-examined at any regular meeting of the board by paying a fee of three (3) dollars; *Provided*, That admission under this act as a pharmacist entitles each applicant to membership in the North Dakota Pharmaceutical Association.

§ 4. AMENDMENT.] That Section 10 of said act be amended to read as follows:

§ 10. FEES—CERTIFICATES, TO BE POSTED.] Every registered pharmacist who desires to continue the practice of his profession shall, annually, during the time he shall continue such practice, on such date as the Board of Pharmacy shall determine, pay to the secretary of said board a registration fee, the amount of which shall be fixed by the board, and which in no case shall exceed three (3) dollars, in return for which payment he shall receive a renewal of said registration and renewal of membership in the North Dakota Pharmaceutical Association. Every certificate of registration and every renewal of such certificate shall be conspicuously exposed in a pharmacy to which it applies. It shall be the duty of every registered pharmacist, or assistant pharmacist, upon changing his place of business to notify by letter, within thirty days, the secretary of the State Board of Pharmacy of such change, and to inclose a fee of fifty cents, upon receipt of which the secretary shall make the necessary alterations. If not notified within the time specified, the name of such registered pharmacist or assistant pharmacist shall be stricken from the register. The secretary shall publish annually a list of all persons who are duly registered as "registered pharmacist" and "assistant pharmacist" in the State.

§ 5. AMENDMENT.] That Section 11 of said act shall be amended to read as follows:

§ 11. SALARIES—BOARD TO MAKE REPORTS.] The Secretary of the State Board of Pharmacy shall receive a salary which shall be determined by said board; he shall also receive his traveling and other expense incurred in the performance of his official duty. The other members of said board shall receive the sum of five (5) dollars for each day actually engaged in such service, and all legitimate and necessary expenses incurred in attending the meeting of said board, or while performing strictly official duties. Said expenses shall be paid from the fees and penalties received by said board under the provisions of this act, and no part of the salary or other expenses of said board shall be paid out of the public treasury. All moneys received by said board, in excess of said allowance and other expenses, hereinbefore provided for, shall be held by the secretary of said board as a special fund for meeting the expenses of said board and the expenses of the annual meeting and report of the North Dakota Pharmaceutical Association and other necessary expenses which may be incurred by said association, said secretary giving such bonds as the said board shall from time to time direct and approve. The said board shall, in its annual report to the Governor and to the North Dakota Pharmaceutical Association, render an account of all moneys received and disbursed by them pursuant to this act.

§ 6. AMENDMENT.] That Section 12 of said act shall be amended to read as follows:

§ 12. PENALTY FOR VIOLATION.] Any person not being or having in his employ a registered pharmacist within the full meaning

of this act, who shall retail, compound or dispense medicines, or who shall take, use or exhibit the title of a registered pharmacist or announce or advertise in any manner that would lead the public to believe that he was a registered pharmacist shall be deemed guilty of a misdemeanor, and upon conviction shall for each and every offense be liable to a penalty not to exceed fifty (50) dollars. Any registered pharmacist or other person who shall permit the compounding and dispensing of prescriptions or the vending of drugs, medicines or poisons in his store or place of business except under the supervision of a registered pharmacist, or any pharmacist who, while continuing business, shall fail or neglect to procure his annual registration, or any person who shall wilfully make any false representation to procure registration for himself or any other person, or who shall violate any other provision of this act shall be deemed guilty of a misdemeanor, and upon conviction shall for each and every offense be liable to a penalty not to exceed fifty (50) dollars; *Provided*, That nothing in this act shall in any manner interfere with the business of any physician in regular practice, nor prevent him from supplying his patients with such articles as may seem to him proper; nor with the making of proprietary medicines or medicines placed in sealed packages with the name of the contents and the pharmacists or physicians by whom prepared or compounded; nor prevent shopkeepers from dealing in and selling the commonly used medicines and poisons, if such medicines are put up by a registered pharmacist, or from dealing in and selling patent or proprietary medicines, nor with the wholesale business of any dealers.

Approved, March 6, 1893.

PRACTICE AND PROCEDURE.

CHAPTER 81.

[H. B. No. 1.]

REGULATING APPEALS FROM DISTRICT COURTS.

AN ACT to Amend Section 3 of Chapter 120 of the Laws of 1891, Regulating Appeals in the Supreme Court.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. AMENDMENT.] That Section 3 of Chapter 120 of the Laws of 1891, be amended to read as follows:

§ 3. TIME FOR APPEALS. The appeal from a judgment may be taken within one year after the entry thereof, and from an order within sixty days after written notice of the same shall have been