

thereof, and in addition, if the person found guilty shall be a registered pharmacist or registered assistant pharmacist, his registration and license may be cancelled.

§ 31. PENALTY FOR VIOLATION.] Any person who shall willfully violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, unless otherwise provided in this act, be punished by a fine of not less than fifty dollars and not more than two hundred dollars together with the costs of the prosecution, and in all cases of prosecution under this act, the costs of securing the evidence, including the costs of traveling and other necessary expenses of members of the board of pharmacy or any inspector appointed by the said board, in obtaining the evidence and securing the conviction, shall be deemed to be costs of the prosecution and taxed to the defendant.

§ 32. COSTS IN PROSECUTION.] All costs and expenses collected in prosecutions under this act except court costs, fees of officers and witness fees shall be paid to the secretary of the state board of pharmacy.

§ 33. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

§ 34. EMERGENCY.] Whereas, an emergency exists, in that there is no adequate law in this state governing the practice of pharmacy, this act shall be in force from and after its passage and approval.

Approved March 15, 1907.

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## POOR

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### CHAPTER 183.

[H. B. No. 11—Duncan]

#### RESIDENCE OF POOR.

AN ACT to Amend Section 1854 of the Revised Codes of 1905, Relating to Residence of the Poor.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. AMENDMENT.] Section 1854 of the revised codes of 1905 is amended to read as follows:

§ 1854. RESIDENCE ACQUIRED. MARRIED WOMEN AND CHILDREN.] Residence may be acquired in any county so as to oblige such county to relieve and support the persons acquiring such residence in case they are in need of relief, as follows:

1. The residence of a married woman follows that of her husband if he has any within the state, otherwise her own at the time of her marriage, and if she then had any residence it shall not be lost or suspended by the marriage; and in case the wife shall be removed to the place of her residence, and the husband shall need relief, he shall receive it in the place where his wife shall have her residence.

2. Legitimate children shall follow and have the residence of their father if he has any within the state, until they gain a residence of their own, but if the father has no residence they shall in like manner follow and have the residence of their mother if she has any.

3. Illegitimate children shall follow and have the residence of their mother at the time of their birth, if she then has any within the state; but neither legitimate nor illegitimate children shall gain a residence by birth in the place where they were born, unless their parent or parents had a residence therein at the time.

4. Each male person and each unmarried female over the age of twenty-one years, who shall have resided one year continuously in any county in this state, shall thereby gain a residence in such county. Each minor whose parents, and each married woman whose husband has no residence in this state, who shall have resided one year continuously in any county in this state, shall thereby gain a residence in such county. Every person who has resided one year continuously in the state, but not in any one county, shall have a settlement in the county in which he has longest resided within such year. The time during which a person has been an inmate of a hospital, poorhouse, jail, prison, or other public institution and each month during which he has received relief from the poor fund of any county, shall be excluded in determining the time of residence hereunder. Every minor not emancipated and settled in his own right shall have the same settlement as the parent with whom he has last resided.

5. Each minor who shall be bound as an apprentice to any person shall immediately upon such binding, if done in good faith, thereby gain a residence where his master has a residence.

6. Each residence when once legally acquired shall continue until it is lost or defeated by acquiring a new one in this state, or by voluntary absence from the county in which such residence had obtained for one year or more; and upon acquiring a new residence, or upon the happening of such voluntary absence, all former residence shall be defeated and lost, and the provisions of this section shall apply to cases of residence begun to be acquired or lost or defeated, as well heretofore as hereafter.

§ 2. EMERGENCY.] Whereas, under the provisions of the present law residence may be acquired by such persons within ninety days, an emergency exists and this act shall take effect and be in force from and after its passage and approval.

Approved March 13, 1907.