

# BARBERS.

## CHAPTER 30.

[H. B. 32.]

### BARBERS' LICENSE.

AN ACT to Regulate the Practice of Barbering, the Licensing of Persons to Carry on Such Practice, and to Insure the Better Education of Such Practitioners in the State of North Dakota.

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

§ 1. CERTIFICATE OF REGISTRATION REQUIRED.] It shall be unlawful for any person to follow the occupation of barber in this state unless he shall have first obtained a certificate of registration as provided in this act; provided, however, that nothing in this act contained shall apply to or affect any person who is now actually engaged in such occupation, except as hereinafter provided.

§ 2. BOARD OF EXAMINERS. HOW APPOINTED. BONDS.] A board of examiners to consist of three (3) persons is hereby created to carry out the purposes and enforce the provisions of this act. Said board shall be appointed by the governor, and each person appointed to act on said board must be a practical barber, who has been practicing his profession in the State of North Dakota for the past five (5) years.

Each member of the board shall serve for a term of two (2) years and until his successor is appointed and qualified, except in the case of the first board, whose members shall serve one (1), two (2) and three (3) years respectively, as specified in their appointment.

Each member of said board shall give a bond of five thousand (\$5,000) dollars with sureties to be approved by the secretary of state, conditioned for the faithful performance of his duties, and shall take the oath provided by law for public officers. Vacancies on said board caused by death, resignation or expiration of the term of any member thereof, shall be filled by appointment from the same class of persons to which the deceased or retiring member belonged.

§ 3. HOW ORGANIZED.] Said board shall elect a president, secretary and treasurer, and shall have its headquarters at the state capitol; shall have a common seal, and the secretary and president shall have power to administer oaths.

§ 4. COMPENSATION.] Each member of said board shall receive a compensation of three (\$3) dollars per day for actual service and ten (10) cents per mile for each mile actually traveled in attending the meeting of said board, which compensation shall be paid out of any moneys in the hands of the treasurer of said board; provided, that the

said compensation and mileage shall in no event be paid out of the state treasury.

§ 5. BIENNIAL REPORT.] Said board shall make a biennial report to the governor, which report shall contain a full statement of its receipts, and disbursements of the board of the preceding two (2) years, also a full statement of its doings and proceedings and such recommendations as to it may seem proper looking to the better carrying out of the intents and purposes of this act, which report shall not be printed except at the expense of the fund herein provided for.

Any moneys in the hands of the treasurer of the said board at the time of making such report shall be kept by him for the future maintenance of the board and to be disbursed by him upon warrants signed by the president and secretary of the said board.

§ 6. EXAMINATIONS FOUR TIMES PER YEAR.] Said board shall hold public examinations at least four (4) times in each year in at least four (4) different cities in this state, at such times and places as it may determine, notice of such meetings to be given by a publication thereof at least ten (10) days before such meetings, in a newspaper published in the county where such meeting is to be held.

§ 7. AFFIDAVIT OF RESIDENCE AND NAME. FEES.] Every person now engaged in the occupation of barber in this state shall, within ninety (90) days after the taking effect of this act, file with the secretary of said board an affidavit setting forth his name, residence and length of time during which, and the place where he has practiced such occupation, and shall pay the treasurer of said board two (\$2) dollars and a certificate of registration entitling him to practice said occupation shall thereupon be issued to him.

§ 8. REGISTRATION. HOW OBTAINED. FEE.] Any person desiring to obtain a certificate of registration under this act shall make application to said board therefor and shall pay to the treasurer of said board an examination fee of five (\$5) dollars, and shall present himself at the next regular meeting of the board for the examination of applicants, whereupon said board, shall proceed to examine such persons, under such rules and regulations as may be by said board prescribed, which rules and regulations, shall require that said applicant shall present to said board a certificate from some reputable physician designated by said board to the effect that said applicant is free from any contagious or infectious disease, and being satisfied that he is above the age of nineteen (19) years, of good moral character, free from contagious or infectious diseases, has either (a) studied the trade for three years as an apprentice under a qualified and practicing barber or (b) studied the trade for at least three years in a properly appointed and conducted barber school under the instructions of a competent barber, or (c) practiced the trade in another state for at least three (3) years, and is possessed of the requisite skill in said trade to properly perform all the duties thereof, including his ability in the preparation of tools, shaving, hair cutting, and all the duties and services incident thereto, and is possessed of sufficient

knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said trade; his name shall be entered by the board in the register hereafter provided for, and a certificate of registration shall be issued to him, authorizing him to practice said trade in this state; provided, that whenever it appears that applicant has acquired his knowledge of said trade in a barber school, the board shall be judges of whether said barber school, is properly appointed and conducted and competent to give sufficient training in such trade.

All persons making application for examination under the provisions of this act shall be allowed to practice the occupation of barbering until the next regular meeting of said board. Certificates of registration provided for in this act, shall be valid for one year from the date thereof, but shall be renewed by said board upon application within thirty days after the expiration thereof and the payment of one dollar to the treasurer of said board, which application shall be accompanied by a certificate from a physician approved by said board, stating that said applicant is free from contagious or infectious diseases.

§ 9. CAN SERVE AS AN APPRENTICE OR STUDENT.] Nothing in this act shall prohibit any person from serving as an apprentice in said trade under a barber authorized to practice the same under this act, nor from serving as a student in any school for the teaching of such trade under the instructions of a qualified barber; provided, that in shops where there are two or more barbers there shall not be more than one apprentice to two barbers authorized under this act to practice said occupation.

§ 10. CERTIFICATE OF REGISTRATION.] Said board shall furnish to each person to whom a certificate of registration is issued a card or insignia bearing the seal of the board and a signature of its president and secretary, certifying that the holder thereof is entitled to practice the occupation of barber in this state, for a period of one year from the date thereof, and it shall be the duty of the holder of such card or insignia to post the same in a conspicuous place in front of his working chair, where it may readily be seen by all persons whom he may serve.

§ 11. CERTIFICATES REGISTERED BY BOARD.] Said board shall keep a register in which shall be entered names of all persons to whom certificates are issued under this act, and said register shall be at all times open to public inspection.

§ 12. POWER TO REVOKE CERTIFICATE.] Said board shall have power to revoke any certificate of registration granted by it under this act, for (a) conviction of crime, (b) habitual drunkenness for six (6) months, immediately preceding the time of receiving notice of a charge thereof duly made, as hereinafter provided, (c) gross incompetency, or (d) contagious or infectious diseases; provided, that before any certificate shall be revoked the holder thereof shall have notice in writing of the charge or charges against him, and shall at a day speci-

fied in said notice, at least (5) five days after the service thereof, be given a public hearing and full opportunity to produce testimony in his behalf and to confront the witnesses against him. Any persons whose certificate has been so revoked may, after the expiration of ninety (90) days apply to have the same re-granted and the same shall be re-granted to him upon a satisfactory showing that the disqualification has ceased.

§ 13. OCCUPATION OF BARBER. WHAT CONSTITUTES.] To shave or trim the beard or cut the hair of any person for hire or reward received by the person performing such service, or any other person shall be construed as practicing the occupation of barber within the meaning of this act.

§ 14. PENALTY FOR VIOLATION.] Any person practicing the occupation of barber without having obtained a certificate of registration, as provided by this act, or willfully employing a barber who has not such certificate, or falsely pretending to be qualified to practice such occupation under this act, or violation of any of the provisions of this act, is guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than ten (\$10) dollars or more than one hundred (\$100) dollars, or by imprisonment in the county jail not less than ten (10) days or more than ninety (90) days.

Approved March 12, 1901.

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## BEEF.

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### CHAPTER 31.

[S. B. 87.]

#### REGULATING SALE OF DRESSED BEEF.

AN ACT Entitled an Act Relating to the Sale of Dressed Beef

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

§ 1. MUST EXPOSE HIDE TO PURCHASER. PENALTY.] Every person, who offers to sell or sells any beef and fails to expose to the purchaser on demand the hide of the animal to be sold or sold, and does not keep such hide for ten days after the sale, at his place of residence; or refuses to allow the same to be inspected by any other person, is punishable by imprisonment in the county jail not exceeding three months, or by fine not exceeding one hundred dollars, or both.

Approved March 13, 1901.