

the state inspector of oils to promptly remove from office any of his deputies who shall prove himself to be unfaithful or dishonest in the discharge of his duties.

§ 14. PORTS OF ENTRY.] All illuminating oils and gasoline when shipped into this state shall be inspected on entering the state, the following points being designated as ports of entry: Farimount, Wahpeton, Fargo, Grand Forks, Hankinson, Oakes and Ellendale. For making inspections other than at said points, the inspector or his deputy shall be entitled in addition to the fees prescribed, to actual traveling expenses, such expenses to be paid by the party for whom the inspection is made.

§ 14a. SALARIES OF INSPECTOR AND DEPUTIES TO TAKE EFFECT APRIL 1, 1906.] The provisions of section 1 of this act in so far as it relates to the salary of the oil inspector and his deputies shall not take effect until April 1, 1906.

§ 15. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed except as provided therein relating to the fees of the oil inspector and his deputies, and as to such fees the present existing laws shall remain in force until April 1, 1906.

§ 16. EMERGENCY.] Whereas, there is now no adequate law requiring the inspection of gasoline, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 7, 1905.

OPTOMETRY.

CHAPTER 142.

[S. B. No. 144—Hanna.]

OPTOMETRY.

AN ACT to Amend Sections 1, 2, 4, 5, 8, 13 and 16 of Chapter 130 of the Session Laws of North Dakota of 1903, Regulating the Practice of Optometry.

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

§ 1 AMENDMENT.] Section 1 of chapter 130 of the session laws of North Dakota for the year 1903, is hereby amended to read as follows:

§ 1. DEFINED.] The practice of optometry is defined as follows, namely: The employment of subjective and objective mechanical means to determine the accommodative and refractive states of the eye and the scope of its functions in general, and the applying of lenses as correctives.

§ 2. AMENDMENT.] Section 2 of chapter 130 of the session laws of North Dakota for the year 1903, shall be amended to read as follows:

§ 2. UNLAWFUL TO PRACTICE WITHOUT CERTIFICATE.] It shall be unlawful for any person to practice optometry in the state of North Dakota unless he shall first have obtained a certificate of registration.

§ 3. AMENDMENT.] Section 4 of chapter 130 of the session laws of North Dakota, for the year 1903, shall be amended to read as follows:

§ 4. GOVERNOR TO APPOINT OFFICERS. MEETINGS.] The governor shall appoint one of the members of said board president, and one member secretary, who severly shall have the power during the term of office to administer oaths and take affidavits, certifying there-to under their hand and the seal of the board. Said board shall meet at least once in each year at a place designated by the board, and in addition thereto, whenever and wherever the president and secretary thereof shall call a meeting. A majority of said board shall at all times constitute a quorum. The secretary of said board shall keep a full record of the proceedings of said board, which records shall at all reasonable time be open to public inspection. Such records shall also contain a registry list of all persons registered by said board, together with renewals and revocations of licenses, which record shall constitute the official register of all persons licensed to practice optometry in this state.

§ 4. AMENDMENT.] Section 5 of chapter 130 of the session laws of North Dakota, for the year 1903, shall be amended to read as follows:

§ 5. EXAMINATIONS.] Every person before beginning to practice optometry in this state, after the passage of this act, shall pass an examination before said board of examiners. Such person shall make written application to said board of examiners and such application shall be accompanied by the affidavit of two freeholders of this state, to the effect that the person is of good moral character and a resident of this state. Such person shall also furnish to the board satisfactory proof that he is a graduate of some school of optometry, to be approved by the board, or that he has practiced optometry for two full years as a student practioner under the supervision of a regular optician, or has practiced as a regular optician for two full years outside this state. Such examination shall be confined to such knowledge as is essential to the practice of optometry. Any person having signified to said board his desire to be examined by them shall appear before them at such time and place as they may designate, and before beginning such examination shall pay to the secretary of said board, for the use of said board, the sum of ten dollars, and if he shall successfully pass such examination, shall pay to the said secretary, for the use of said board, a further sum of five dollars on the issuance to him of a certificate. All persons successfully

passing such examination shall be registered in the board register, which shall be kept by said secretary, as licensed to practice optometry, and shall receive a certificate of such registration to be signed by the president and secretary of said board.

§ 5. AMENDMENT.] Section 8 of chapter 130 of the session laws of North Dakota, for the year 1903, shall be amended to read as follows:

§ 8. Such board shall be entitled to a fee of one dollar for the reissue of any certificate.

§ 6. AMENDMENT.] Section 13 of chapter 130 of the session laws of North Dakota, for the year 1903, shall be amended to read as follows:

§ 13. CERTIFICATE REVOKED. WHEN.] Said board shall have power and must revoke any certificate of registration granted by it under this act, for conviction of crime, habitual drunkenness, or the excessive use of intoxicating liquors or narcotic drugs for six months immediately before a charge is made, contagious or infectious disease, gross incompetency, or for advertising himself as an eye specialist or doctor, or member of this board, or for designating himself in any manner as other than an optician or optometrist, skilled in the art of optometry; provided, that before any certificate shall be so revoked the holder thereof shall have notice in writing from the secretary of the charge or charges against him and at a day specified in said notice, at least five days after the service thereof, be given a public hearing, and have opportunity to produce testimony in his behalf and to confront the witnesses against him. Any person whose certificate has been so revoked may after the expiration of sixty days, apply to have the same re-granted, and the same shall be re-granted him upon a satisfactory showing that the disqualification has ceased.

§ 7. AMENDMENT.] Section 16 of chapter 130 of the session laws of North Dakota for the year 1903, shall be amended to read as follows:

§ 16. WHO EXEMPT.] Nothing in this act shall be construed so as to require physicians and surgeons authorized to practice under the laws of the state of North Dakota to be registered under the provision of this act, but such persons shall be deemed to be regularly licensed to practice optometry by virtue of their license to practice medicine and surgery; nor to apply to persons who sell spectacles or eyeglasses as any other article of merchandise without attempting to practice optometry as in this act defined, nor to student practitioners under the supervision of registered opticians.

Approved March 6, 1905.