

thereof from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river.

Use by other roads.

SEC. 4. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same, and the approaches thereto, upon payment of a reasonable compensation for such use, or, in case of disagreement, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest.

Time of construction.

SEC. 5. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the approval of this Act.

Amendment.

SEC. 6. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 28, 1904.

April 28, 1904.
[H. R. 15223.]

CHAP. 1805.—An Act Establishing a regular term of the United States circuit and district courts at East Saint Louis, Illinois.

[Public, No. 237.]

United States courts, Illinois, southern district.
Term at East Saint Louis.
Post, p. 995.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter and until otherwise provided by law there shall be held annually on the first Monday in November a term of the circuit and district courts of the United States for the southern district of Illinois at the city of East Saint Louis, in said district; said term to be in addition to the terms now required by law to be held at the cities of Springfield, Cairo, Quincy, and Danville, in said district.

Deputy marshal and clerk.

SEC. 2. That the marshal and clerk of said district shall each, respectively, appoint at least one deputy to reside in said city of East Saint Louis, unless he shall reside there himself, and also maintain an office at that place of holding court.

Special terms.

SEC. 3. That the judge of the United States circuit or district court for said district may, by order, from time to time appoint and hold additional special terms of said court in said district, for the disposal of the unfinished business thereof, whenever the interest of the public and the condition of the docket shall so require.

Approved, April 28, 1904.

April 28, 1904.
[H. R. 23.]

CHAP. 1806.—An Act In relation to pharmacy in the Indian Territory.

[Public, No. 238.]

Indian Territory.
Registered pharmacists.
Sale of drugs, etc., by others than, unlawful.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall hereafter be unlawful for any person other than a registered pharmacist or assistant pharmacist, as hereinafter defined, to retail, compound, or dispense drugs, medicines, and pharmacal preparations in the Indian Territory as at present compounded and refined, unless such person shall be a registered pharmacist as this Act provides, or shall place in charge of said pharmacy, store, or shop a registered pharmacist, except as hereinafter provided.

Registered pharmacists.
Qualifications.

SEC. 2. That "registered pharmacists" shall comprise all persons regularly engaged as such in the Indian Territory at the time of the passage of this Act, and all persons over twenty one years of age, having three years' practical experience in compounding and dispensing physicians' prescriptions, who shall pass a satisfactory examination before the Territorial board of pharmacy herein provided for. Graduates in pharmacy who have obtained diplomas from such colleges and

schools of pharmacy as shall be approved by the board of pharmacy may, on payment of a fee of five dollars, be made registered pharmacists.

SEC. 3. That "assistant pharmacists," in the meaning of this Act, shall comprise all persons who have been authorized to assist in the dispensing and compounding of physicians' prescriptions under the supervision of a properly qualified pharmacist, or all persons over eighteen years of age, having two years' practical experience in the compounding and dispensing of physicians' prescriptions, who shall pass such examination as the Territorial board of pharmacy shall require. Assistant pharmacists shall not be permitted to conduct or manage a pharmacy on their own account, or to assume the management of such business for others, or to fill any prescriptions except under the immediate supervision of a regularly licensed and registered pharmacist.

Assistant pharmacists.
Qualifications.

SEC. 4. That immediately upon the passage of this Act and annually thereafter the Indian Territory Pharmaceutical Association shall submit to the chief justice of the court of appeals for the Indian Territory the names of ten or more pharmacists having at least ten years' actual experience as dispensing pharmacists, and who are all residents of the Indian Territory, and from this number the said chief justice shall appoint five; and the said five pharmacists so selected shall constitute the Territorial board of pharmacy for the Indian Territory, and shall hold their office for one, two, three, four, and five years, respectively, or until their successors have been duly qualified, and each year thereafter one member of the board shall be appointed by said chief justice to hold for the term of five years or until his successor shall have been duly qualified. In case of resignation or removal from the Territory of any member of said board, or a vacancy occurring from any cause, the said chief justice shall appoint a registered pharmacist to serve as a member of the board for the remainder of the unexpired term.

Board of pharmacy.
Appointment.

SEC. 5. That the said board shall, within thirty days from its appointment, meet at such place in said Indian Territory as said chief justice shall designate, and organize by the election of a president, secretary, and treasurer, who shall serve for the term of one year, and who shall perform the duties prescribed by the board. Meetings for the examination of applicants for registration, granting of certificates, and the transaction of other necessary business shall be held at least once in four months and at such times and places as may be fixed upon by the board: *Provided*, That ten days' public notice of the time and place of each meeting at which there is an examination of candidates for registration shall be given. It shall be the duty of the board to see that all applications for examination and registration are submitted in proper form; to grant certificates to such persons as may be entitled to the same under this Act; to cause the prosecution of all persons violating any of the provisions of this Act; to report annually to the Indian Territory Pharmaceutical Association upon the condition of pharmacy in the Indian Territory, which report shall also furnish the record of the proceedings of the board, as well as the names of all persons registered under this Act; to keep a book for registration, in which shall be registered the names and places of business of all persons registered under this Act, on what grounds and under what particular section of this Act each was registered, and any other facts pertaining to the granting of certificates. The said board shall have power to make by-laws for the full and proper execution of its duties under this Act; to prescribe the forms and methods of applications, examination, and registration; to revoke the certificates of registration of any person against whom charges of incompetency may be made and sustained, or for other reasons satisfactory to said board; to demand and receive from applicants the fees herein provided, which shall be held by the board and applied to the payment of salaries and other necessary expenses incident to the full discharge of its duties.

Organization, etc.

Meetings.

Provided.
Examinations, duties, etc.

Salaries.

SEC. 6. That the salaries of said board shall be five dollars to each member for each day of actual service and all legitimate expenses incurred in the discharge of official duties. The secretary of said board shall receive an additional salary, to be fixed by the board, and not to exceed five hundred dollars per annum. He shall pay to the treasurer at each meeting, or whenever the board may direct, such funds of the board as may be in his possession and take the treasurer's receipt therefor: *Provided*, That no part of the salaries or expenses of the board shall be paid by the United States Government. In its annual reports to the Indian Territory Pharmaceutical Association the board shall render an account of all moneys received and disbursed pursuant to this Act, and the secretary and treasurer shall give such bond as the board shall from time to time direct.

Proviso.
Payment of salaries.
Accounts.

Fees for examination, etc.

SEC. 7. That every person seeking registration under this Act, whose registration is not otherwise provided for, shall make application in form and manner prescribed by the board, and deposit with the secretary of the board a fee of five dollars; then, on presenting himself at the time and place directed by the board, and sustaining a satisfactory examination, he shall be granted an appropriate certificate setting forth his particular qualifications: *Provided*, That in case of failure of applicant to pass a satisfactory examination he shall be entitled to a second examination, without charge at the next succeeding meeting of the board: *Provided further*, That persons provided for in section twelve of this Act shall receive a permit on application and satisfactory proof of good character and sobriety.

Proviso.
Second examination.

Permit.

Annual registration fees.

SEC. 8. That every registered pharmacist and every assistant pharmacist in the meaning of this Act who desires to continue in the pursuit and practice of pharmacy in this Territory shall annually, after the expiration of the first year of registration, and on or before the second day of July of each year, pay to the secretary of the board of pharmacy a renewal fee, to be fixed by the board, but which shall not exceed two dollars, in return for which a renewal of registration shall be issued: *Provided*, That persons receiving permits under section twelve of this Act shall pay a fee of one dollar per annum to the board. If any person should fail or neglect to procure his annual registration, or permit, as herein specified, notice of such failure having been mailed to his post-office address, the board may, after the expiration of thirty days following the issue of said notice, deprive him of his registration and all other privileges conferred by this Act; and in order to regain registration it shall be necessary for such person to make application and pass examination as provided in section seven of this Act.

Proviso.
Annual permit fees.

Certificates of registry.

SEC. 9. That every person registered under this Act shall receive from the Territorial board an appropriate certificate, not exceeding in size one hundred and twenty square inches, which shall be conspicuously displayed at all times in his place of business. If the holder be entitled to manage or conduct a pharmacy in this Territory for himself or another, the fact shall be set forth in the certificate.

Penalty for keeping drug store, etc., without registered pharmacist.

SEC. 10. That any person who is not a registered pharmacist in the meaning of this Act who shall keep a pharmacy, store, or shop for the compounding and dispensing of physicians' prescriptions, and who shall not have in his employ in said pharmacy, store, or shop a registered pharmacist in the meaning of this Act, shall for each and every offense be liable to a fine of not less than twenty-five dollars nor more than two hundred dollars.

Penalty for unlawful use of title.

SEC. 11. That any person who shall unlawfully and without authority of this Act take, use, or exhibit the title of a registered pharmacist or assistant pharmacist in the Indian Territory shall be liable to a fine of one hundred dollars for each and every offense. A like penalty shall attach to any assistant pharmacist who shall, without authority,

take, use, or exhibit the title of a registered pharmacist in the Indian Territory.

SEC. 12. That any proprietor of a pharmacy or other person who shall permit the compounding and dispensing of physicians' prescriptions or the vending of drugs, medicines, or pharmaceutical preparations in his store or place of business, except by a registered pharmacist or assistant pharmacist in the meaning of this Act, or under the immediate supervision of such registered pharmacist or such assistant pharmacist, or who, while continuing the pursuit of pharmacy in the Indian Territory, shall neglect to procure his annual registration, or any person who shall willfully make any false representations to procure for himself or another registration under this Act, or who shall violate any other provision of this Act, shall for each and every offense be liable to a fine of one hundred dollars: *Provided*, That nothing in this Act shall interfere with the business of those merchants who keep on sale such poisons, acids, and chemicals as are regularly used in agriculture, mining, and the arts, when kept and sold for such purposes only in sealed and plainly labeled packages: *Provided also*, That nothing in this Act shall in any manner interfere with the business of any physician in regular practice, nor prevent him from supplying to his patients such articles as may to him seem proper, nor with the marketing and vending of proprietary and patent medicines in towns of one thousand inhabitants or less, nor with the exclusive wholesale business of any dealers, except as hereinafter provided: *Provided also*, That nothing in this Act shall in any manner interfere with the business of merchants in towns having less than one thousand inhabitants or in which there is no licensed pharmacy or with country merchants to sell or vend such medicines, compounds, and chemicals as are required by the general public and in form and manner prescribed by the board of pharmacy.

Penalty for permitting drug business without registered pharmacists, etc.

Registration.

Provisos.
Sales to arts, etc. excepted.

Physicians.

Sales in small towns.

SEC. 13. That no one who habitually uses intoxicating liquor as a beverage, or is addicted to the habitual use of any drug, shall be appointed on the board of pharmacy nor be licensed as a pharmacist or assistant pharmacist. The examining board shall in all cases require each applicant to file his written declaration, duly sworn to, to the effect that he does not habitually use vinous, malt, or alcoholic liquors, morphine, cocaine, or other like preparations as a beverage or otherwise. Anyone swearing falsely in the affidavit so filed shall be guilty of perjury, the same to apply to persons getting permits, as provided for in section twelve.

Restriction on liquor habit.

SEC. 14. That it shall be unlawful for any person, from and after the passage of this Act, to retail any of the following poisons, except as follows: Arsenic and its preparations, corrosive sublimate, white precipitate, biniodide of mercury, cyanide of potassium, hydrocyanic acid, strychnine, and all other poisonous vegetable alkaloids and their salts; essential oil of bitter almonds, opium and its preparations, except paregoric and other preparations of opium containing less than two grains to the ounce; aconite, belladonna, colchicum, conium, nux vomica, henbane, savine, ergot, cotton root, cantharides, creosote, digitalis, and their pharmaceutical preparations, croton oil, chloroform, chloral hydrate, sulphate of zinc, mineral acids, carbolic acid and oxalic acid, without distinctly labeling the box, vessel, or paper in which the said poison is contained with the name of the article, the word "poison," and the name and the place of business of the seller. Nor shall it be lawful for any registered pharmacist or other person to sell any of the poisons above enumerated without, before delivering the same to the purchaser, causing an entry to be made in a book kept for that purpose, stating the date of sale, the name and address of the purchaser, the name of the poison sold, the purpose for which it is represented by the purchaser to be required, and the name of the dis-

Poisons.
Regulation of sales of.

Registry.

Prescriptions. penses, such a book to be always open for inspection by the proper authorities and to be preserved for at least five years. The provisions of this section shall not apply to the dispensing of poisons in not unusual quantities, or doses, upon the prescription of practitioners of medicine. Any violation of the provisions of this section shall make the offender liable to a fine of not less than twenty-five dollars and not more than one hundred dollars, and upon conviction for the second offense, in addition to the fine he shall have his name stricken from the register.

Patent medicines, etc. Annual license to peddlers. SEC. 15. That any itinerant vender of any drug, nostrum, ointment, or appliance of any kind, intended for the treatment of diseases or injury, who shall, by writing, or printing, or any other method, publicly profess to cure or treat any diseases, or injury, or deformity, by any drug, nostrum, or manipulation, or other expedient, shall pay a license of one hundred dollars for the term of one year or less, to be paid to the treasurer of the board of pharmacy, and by him paid to the Territorial treasurer; whereupon the secretary of the board shall issue a license for one year. Any person violating this section shall be deemed guilty of a misdemeanor, and shall upon conviction be fined in any sum not less than one hundred nor more than two hundred dollars.

Penalty.

Jury exemption. SEC. 16. That all persons registered under the provisions of this Act and actively engaged in the practice of pharmacy shall be exempt from serving as jurors.

Punishment for embezzling funds of pharmacy board. SEC. 17. That should the secretary or treasurer of said board willfully misappropriate or convert to their own use any money coming into their hands by virtue of their official capacity such officer shall upon conviction be adjudged guilty of embezzlement and punished by imprisonment not exceeding two years and by fine not less than double the amount so misappropriated or embezzled.

Approved, April 28, 1904.

April 28, 1904.
[H. R. 1925.]

CHAP. 1807.—An Act Providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska.

[Public, No. 239.]

Alaska customs district. Juneau made port of entry. R. S., sec. 2592, p. 513, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-five hundred and ninety-two of the Revised Statutes of the United States, second edition, eighteen hundred and seventy-eight, be amended by striking out the word "Sitka" in the last line of the section and inserting in lieu thereof the word "Juneau." The collector of customs for the customs collection district of Alaska shall reside at Juneau, which is hereby made and constituted the port of entry for said district instead of Sitka.

Approved, April 28, 1904.

April 28, 1904.
[H. R. 4085.]

CHAP. 1808.—An Act To amend an Act entitled "An Act to establish a code of law for the District of Columbia."

[Public, No. 240.]

District of Columbia Code. Vol. 31, p. 1325, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following amendment is hereby made to "An Act to establish a code of law for the District of Columbia," approved March third, nineteen hundred and one:

"SEC. 833a. Whoever, being in possession of personal property received upon a written and conditional contract of sale, with intent to

Fraudulent disposal of mortgaged personal property.