

the discretion of the court, and shall pay all costs of the prosecution; and jurisdiction of all such matters is hereby conferred upon the district court of Alaska.

SEC. 16. That this act shall take effect upon its passage.

Approved, May 7, 1906.

CHAP. 2084.—An Act To regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be unlawful for any person not licensed as a pharmacist within the meaning of this Act to conduct or manage any pharmacy, drug or chemical store, apothecary shop, or other place of business for the retailing, compounding, or dispensing of any drugs, chemicals, or poisons, or for the compounding of physicians' prescriptions, or to keep exposed for sale, at retail, any drugs, chemicals, or poisons, except as hereinafter provided; or, except as hereinafter provided, for any person not licensed as a pharmacist within the meaning of this Act to compound, dispense, or sell, at retail, any drug, chemical, poison, or pharmaceutical preparation upon the prescription of a physician, or otherwise, or to compound physicians' prescriptions, except as an aid to and under the proper supervision of a pharmacist licensed under this Act. And it shall be unlawful for any owner or manager of a pharmacy, drug store, or other place of business to cause or permit any person other than a licensed pharmacist to compound, dispense, or sell, at retail, any drug, medicine, or poison, except as an aid to and under the proper supervision of a licensed pharmacist: *Provided,* That nothing in this section shall be construed to interfere with any legally registered practitioner of medicine, dentistry, or veterinary surgery in the compounding of his own prescriptions, or to prevent him from supplying to his patients such medicines as he may deem proper; nor with the exclusively wholesale business of any dealer who shall be licensed as a pharmacist, or who shall keep in his employ at least one person who is so licensed, except as hereinafter provided; nor with the sale by others than pharmacists of poisonous substances sold exclusively for use in the arts, or as insecticides, when such substances are sold in unbroken packages bearing labels having plainly printed upon them the name of the contents, the word "poison," when practicable the name of at least one suitable antidote, and the name and address of the vendor: *Provided further,* That such person, firm, or corporation has obtained a permit from the board of supervisors in medicine and pharmacy, which grants the right and privilege to make such sales, such permit to be issued for a period of three years, and that each sale of such substance be registered as required of a licensed pharmacist, and it shall be unlawful for any person under the age of twenty-one years to sell such substances, and in no case shall the sale be made to a person under eighteen years of age except upon the written order of a person known or believed to be an adult: *And provided further,* That persons other than registered pharmacists may sell household ammonia and concentrated lye, in sealed containers plainly labeled, so as to indicate the nature of the contents, with the word "poison," and with a statement of two or more antidotes to be used in case of poisoning, and may sell bicarbonate of soda, borax, cream of tartar, olive oil, sal ammoniac, and sal soda; and persons other than registered pharmacists may, furthermore, sell in original sealed containers, properly labeled, such compounds as are commonly known as "patent" or "proprietary" medicines, except those the sale of which is regulated by the provisions of sections eleven and thirteen of this Act.

Jurisdiction.

Effect.

May 7, 1906.  
[H. R. 8997.]

[Public, No. 148.]

District of Columbia.  
Pharmacy regulations.

Sale of drugs restricted.

Licensed pharmacists in drug stores, etc.

*Provisos.*  
Physicians, dentists, and veterinarians.

Poisons used in the arts, etc.

Permits to sell.

Sales by minors.

Household ammonia, lye, etc.

Patent medicines, etc.

*Post,* p. 180.

Pharmacists registered under prior act. Vol. 20, p. 137.	SEC. 2. That every person now registered as a pharmacist in the District of Columbia, under an Act to regulate the practice of pharmacy in the District of Columbia, approved June fifteenth, eighteen hundred and seventy-eight, shall be entitled to be licensed under this Act without examination or payment of fee, provided that he make application therefor on or before the thirty-first day of December next ensuing after the passage of this Act. Any person registered as aforesaid shall, until said date, by virtue of such registration be entitled to all the rights, privileges, and immunities to which pharmacists licensed under this Act are entitled, and be subject to all the obligations and duties of such licentiates.
Examination, etc., not required.	
Rights of.	
License applications. Requirements.	SEC. 3. That every person not registered under an Act to regulate the practice of pharmacy in the District of Columbia, approved June fifteenth, eighteen hundred and seventy-eight, who shall desire to be licensed as a pharmacist shall file with the board of supervisors in medicine and pharmacy an application, duly verified under oath, setting forth the name and age of the applicant, the place or places at which he pursued, and the time spent in, the study of pharmacy, the experience which the applicant has had in compounding physicians' prescriptions under the direction of a licensed pharmacist, and the name and location of the school or college of pharmacy, if any, of which he is a graduate, and shall submit evidence sufficient to show to the satisfaction of said board that he is of good moral character and not addicted to the use of alcoholic liquors or narcotic drugs so as to render him unfit to practice pharmacy; and said applicant shall appear at a time and place designated by the board of supervisors aforesaid and submit to an examination by the board of pharmaceutical examiners as to his qualifications for license as a pharmacist: <i>Provided</i> , That applicants shall be not less than twenty-one years of age, and shall have had at least four years' experience in the practice of pharmacy or shall have served three years under the instruction of a regular licensed pharmacist, and any applicant who has been graduated from a school or college of pharmacy recognized by said board as in good standing shall be entitled to examination upon presentation of his diploma: <i>Provided further</i> , That any applicant intending to limit his practice to compounding and dispensing homeopathic remedies and prescriptions may be licensed, if otherwise qualified. Any applicant intending to compound and dispense homeopathic remedies and prescriptions shall so state in his application for license as a pharmacist, and it shall thereupon become the duty of the board of supervisors aforesaid to appoint a committee of three, physicians or pharmacists, or both, adherents to the homeopathic system of medical practice, to examine said applicant in homeopathic materia medica and pharmacy, and to report the result thereof to said board. Every such applicant, however, shall be subjected in all respects to the same examinations by the board of pharmaceutical examiners as are applicants generally, except that an applicant intending to limit his practice to the compounding and dispensing of homeopathic remedies and prescriptions shall not be examined by said board of pharmaceutical examiners in materia medica and pharmacy. But the license issued to any applicant after a limited examination as aforesaid shall permit him to compound or dispense homeopathic remedies and prescriptions only. No person shall compound or dispense homeopathic remedies or prescriptions who has not been licensed so to do, nor shall any person who has been licensed to compound and dispense homeopathic remedies and prescriptions alone compound or dispense other remedies or prescriptions, except "patent" or "proprietary" remedies in original packages.
Examination of applicants.	
<i>Provisos</i> . Minimum age and service.	
Homeopathic pharmacists.	
Examination.	
Restriction.	
Issue of license.	SEC. 4. That if the applicant for license as a pharmacist has complied with the requirements of either of the two preceding sections, the board of supervisors in medicine and pharmacy shall issue to him

a license which shall entitle him to practice pharmacy in the District of Columbia, subject to the provisions of this Act.

SEC. 5. That the board of supervisors in medicine and pharmacy shall issue licenses to practice pharmacy in the District of Columbia without examination, or after limited examination, as said board may determine, to such persons as have been legally registered or licensed as pharmacists in States, Territories, or foreign countries: *Provided*, That the applicant for such license present satisfactory evidence of qualifications equal to those required of licentiates examined under this Act, and that he was registered or licensed after examination in such State, Territory, or foreign country not less than one year prior to the date of application; that the standard of competence required in such State, Territory, or foreign country is not lower than that required in the District of Columbia, and that such State, Territory, or foreign country accords similar recognition to licentiates of the District of Columbia, all of which shall be determinable by the board of supervisors aforesaid. Applicants for license under this section shall forward with their application a fee of ten dollars.

Registered pharmacists from other States, etc.  
License may issue without examination.  
*Post*, p. 1005.

*Proviso*.  
Qualifications, etc.

Fee.

SEC. 6. That the license of any person to practice pharmacy in the District of Columbia may be revoked if such person be found to have obtained such license by fraud; or to be addicted to the use of any narcotic or stimulant, or to be suffering from physical or mental disease, in such manner and to such an extent as to render it expedient that in the interests of the public his license be canceled; or to be of an immoral character; or if such person be convicted in any court of competent jurisdiction of any offense involving moral turpitude. It shall be the duty of the major and superintendent of police of said District to investigate any case in which it is discovered by him, or made to appear to his satisfaction, that any license issued under the provisions of this Act is revocable and to report the result of such investigation to the board of supervisors in medicine and pharmacy, which board shall, after full hearing, if in their judgment the facts warrant it, revoke such license.

Revocation of license.

SEC. 7. That in the month of November of each year every licensed dealer in poisons for use in the arts or as insecticides, whose permit has been issued not less than three years prior to the first day of such month, shall apply to the board of supervisors in medicine and pharmacy for the renewal of such permit. And said board is hereby authorized, upon the payment of such fees as are hereinafter provided, to renew such permit in the month of November for a period of three years from the thirty-first day of October immediately preceding the date thereof. And every permit not renewed within the month of November as aforesaid shall be void and of no effect unless and until renewed. Any license, permit, or renewal obtained through fraud, or by any false or fraudulent representation, shall be void and of no effect. No person shall make any false or fraudulent representation for the purpose of procuring a license, permit, or renewal thereof, either for himself or for another.

Permits to sell poisons used in the arts, etc.  
Renewals.

License, etc., obtained by fraud, void.

Every license to practice pharmacy, and every permit to sell poisons for use in the arts or as insecticides, and every current renewal of such permit shall be conspicuously displayed by the person to whom the same has been issued in the pharmacy, drug store, or place of business, if any, of which the said person is the owner or manager.

Public display of permits.

SEC. 8. That there shall be in and for the District of Columbia a board of pharmaceutical examiners, consisting of five licensed pharmacists, appointed by the Commissioners of said District, each of whom shall have been for the five years immediately preceding, and shall be during the term of his appointment, actively engaged in the practice of pharmacy in said District. All appointments shall be made in such

Board of pharmaceutical examiners.

Appointments.

Oath.	manner that the term of office of one examiner shall expire on the thirtieth day of June of each year, but every examiner shall hold office after the expiration of the term for which he has been formally appointed until his successor has been appointed and qualified. No appointee shall enter upon the discharge of his duties until he has taken oath fairly and impartially to perform the same. Said Commissioners may remove, after full hearing, any member of said board for neglect of duty or other just cause.
Annual election of officers.	That annually the board of pharmaceutical examiners shall organize by the election of a president and a secretary, both of whom shall be members of said board, who shall hold office for one year and until their successors shall have been elected and qualified. Said board shall hold meetings for the examination of candidates and for the discharge of such other business as may come before it, commencing on the second Thursdays in January, April, July, and October of each year and at such other times as the board of supervisors in medicine and pharmacy shall direct; and said board of pharmaceutical examiners shall examine all applicants for license to practice pharmacy certified to it for that purpose by the board of supervisors in medicine and pharmacy, and shall report the results of such examination to said board of supervisors as speedily as practicable.
Meetings of board.	
Duties.	
Board of supervisors in medicine and pharmacy. Vol. 29, p. 198.	SEC. 9. That from and after the passage of this Act the board of medical supervisors of the District of Columbia shall be known as the board of supervisors in medicine and pharmacy of the District of Columbia; and the president of the board of pharmaceutical examiners shall be ex officio a member of said board of supervisors in addition to the members now provided for by law; and said board of pharmaceutical examiners shall bear in all respects the same relations to the board of supervisors aforesaid as each of the boards of medical examiners of said District now bears to the board of medical supervisors thereof; and said board of supervisors shall have all such rights, powers, and duties with respect to the examination of applicants for license as pharmacists and with reference to the issue of licenses to practice pharmacy and of permits to sell poisons for use in the arts or as insecticides as said board now has with reference to the examination of applicants for license to practice medicine, surgery, and midwifery, and with reference to the issue of licenses to such persons, except in so far as may be inconsistent with the provisions of this Act. Said board shall elect from its membership a secretary and treasurer, respectively. The treasurer of said board shall give such bond for the proper performance of his duties as the Commissioners of the District of Columbia shall deem proper and shall render to said Commissioners accounts of his receipts and disbursements from time to time as said Commissioners shall direct. All licenses issued by said board of supervisors shall be countersigned by the president of the examining board by which the candidate was examined. Said board of supervisors shall keep records of its proceedings, and such records shall be prima facie evidence of all matters contained therein in all courts in the District of Columbia. Said board of supervisors shall, in the month of July of each year, make to the Commissioners of the District of Columbia a written report of its proceedings, of its receipts and disbursements, and of all licenses and permits issued. All records, funds, and other property in the possession of the commissioners of pharmacy of the District of Columbia at the time of the passage of this Act shall be delivered to such officer, or officers of the board of supervisors in medicine and pharmacy as may be designated by said board. And such funds may be used for the payment of such necessary expenses as said board of supervisors may incur in the execution of the provisions of this Act during the twelve months immediately following the passage thereof, and any balance which remains on hand
Powers, duties, etc.	
Election of officers. Duties.	
Records of proceedings.	
Reports.	
Disposal of records, funds, etc.	

at the expiration of that time shall be deposited with the collector of taxes of said District and by him deposited in the Treasury of the United States to the credit of the District of Columbia.

SEC. 10. That applicants for license to practice pharmacy and for permits to sell poisons for use in the arts or as insecticides shall pay the following fees: For examination for license as pharmacist, ten dollars; for a permit for the sale of poisons for use in the arts or as insecticides, one dollar, and for each renewal thereof, fifty cents.

And hereafter all fees for licenses to practice medicine and surgery and all fees aforesaid shall be paid to the treasurer of the board of supervisors in medicine and pharmacy of the District of Columbia before any applicant may be admitted to examination and before any license or permit, or any renewal thereof, may be issued by the said board. And all expenses of said board and of the boards of examiners incident to the execution of the provisions of this Act and of an Act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia, approved June third, eighteen hundred and ninety-six, shall be paid from the fees collected by the board of supervisors aforesaid. If any balance remain on hand on the thirtieth day of June of any year the members of said board appointed as such shall be paid therefrom such reasonable amounts as the Commissioners of the District of Columbia may determine. And the balance then in hand, or so much thereof as said board of supervisors may deem proper, shall be divided among the several boards of examiners in proportion to the number of candidates examined by each, each member of such board of examiners to receive such part of the entire amount paid to that board as that board itself may determine.

SEC. 11. That it shall be unlawful for any person, by himself, or by his servant or agent, or as the servant or agent of any other person, or of any firm or corporation, to sell, furnish, or give away any cocaine, salts of cocaine, or preparation containing cocaine or salts of cocaine; morphine, salts of morphine, or preparation containing morphine or salts of morphine; or any opium, or preparation containing opium; or any chloral hydrate, or preparation containing chloral hydrate, except upon the original written order or prescription of a law fully authorized practitioner of medicine, dentistry, or veterinary medicine, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, or, if ordered by a practitioner of veterinary medicine, shall state the kind of animal for which ordered, and shall be signed by the person giving the order or prescription. Such order or prescription shall be, for a period of three years, retained on file by the person, firm, or corporation who compounds or dispenses the article ordered or prescribed, and it shall not be compounded or dispensed after the first time, except upon the written order of the original prescriber: *Provided*, That the above provisions shall not apply to preparations containing not more than two grains of opium, or not more than one-quarter grain of morphine, or not more than one-quarter grain of cocaine, or not more than two grains of chloral hydrate in the fluid ounce, or, if a solid preparation, in one avoirdupois ounce. The above provisions shall not apply to preparations sold in good faith for diarrhea and cholera, each bottle or package of which is accompanied by specific directions for use and caution against habitual use, nor to liniments or ointments sold in good faith as such when plainly labeled "for external use only," nor to powder of ipecac and opium, commonly known as Dover's powder, when sold in quantities not exceeding twenty grains: *Provided further*, That the above provisions shall not apply to sales at wholesale by jobbers, manufacturers, and retail druggists to retail druggists, hospitals, colleges, and scientific or public institutions.

Fees.

Payment of fees.

Expenses.  
Vol. 29, p. 198.

Disposal of surplus fees.

Sale, etc., of cocaine, etc., without prescription prohibited.

Contents of prescriptions.

Filing prescriptions.

Provisos.  
Exceptions.

Wholesale trade.

Physicians restricted in prescribing morphine, etc.

SEC. 12. That no physician in the District of Columbia, knowing, or when he might by reasonable inquiry know, that any person is addicted to the use of cocaine, morphine, opium, or chloral hydrate, shall furnish to or for the use of such person, or prescribe for such person, the drug aforesaid, to the use of which such person is addicted, or any compound thereof, or any preparation containing the same, except as it may be necessary to furnish or prescribe such drug, compound, or preparation aforesaid for the cure of drug addiction aforesaid, or for the treatment of disease, injury, or deformity: *Provided*, That no physician shall be convicted under the provisions of this section who shows to the satisfaction of the court before which he is tried that, having exercised due diligence and acting in good faith, he furnished or prescribed such drug, compound, or preparation aforesaid believing the same to be necessary for the cure of drug addiction aforesaid, or for the treatment of disease, injury, or deformity, and for no other purpose whatsoever. No dentist shall furnish or prescribe any drug, compound, or preparation aforesaid to, or for the use of, any person not under his treatment in the regular course of his professional work, nor in any case otherwise than may be required by such work. No practitioner of veterinary medicine shall furnish or prescribe any drug, compound, or preparation aforesaid for the use of any human being, or when he has reasonable ground for believing that the drug, compound, or preparation aforesaid is desired or intended for the use of any human being: *Provided further*, That nothing in this section contained shall be construed to give to dentists or to practitioners of veterinary medicine the right to furnish or prescribe any drug, compound, or preparation whatsoever otherwise than as is usual and customary in the practice of dentistry and veterinary medicine, respectively.

*Provisos.*  
Use permitted.

Dentists' prescriptions.

Veterinarians' prescriptions.

Further restrictions.

Sale, etc., of poisonous compounds illegal.  
List.

SEC. 13. That it shall be unlawful for any person to sell or deliver to any other person any of the following-described substances, or any poisonous compound, combination, or preparation thereof, to wit: The compounds of and salts of antimony, arsenic, barium, chromium, copper, gold, lead, mercury, silver, and zinc; the caustic hydrates of sodium and potassium, solution or water of ammonia, methyl alcohol, paregoric, the concentrated mineral acids, oxalic and hydrocyanic acids and their salts, yellow phosphorus, Paris green, carbolic acid, the essential oils of almonds, pennyroyal, tansy, rue, and savin; croton oil, creosote, chloroform, cantharides, or aconite, belladonna, bitter almonds, colchicum, cotton root, cocculus indicus, conium, cannabis indica, digitalis, ergot, hyoscyamus, ignatia, lobelia, nux vomica, physostigma, phytolacca, strophanthus, stramonium, veratrum viride, or any of the poisonous alkaloids or alkaloidal salts derived from the foregoing, or any other poisonous alkaloids or their salts, or any other virulent poison, except in the manner following, and, moreover, if the applicant be less than eighteen years of age, except upon the written order of a person known or believed to be an adult.

Sale requirements.

It shall first be learned, by due inquiry, that the person to whom delivery is about to be made is aware of the poisonous character of the substance, and that it is desired for a lawful purpose, and the box, bottle, or other package shall be plainly labeled with the name of the substance, the word "poison," the name of at least one suitable antidote when practicable, and the name and address of the person, firm, or corporation dispensing the substance. And before delivery be made of any of the foregoing substances, excepting solution or water of ammonia, and sulphate of copper, there shall be recorded in a book kept for that purpose the name of the article, the quantity delivered, the purpose for which it is to be used, the date of delivery, the name and address of the person for whom it is procured, and the name of the individual personally dispensing the same; and said book shall be pre-

Record of sale and delivery.

served by the owner thereof for at least three years after the date of the last entry therein. The foregoing provisions shall not apply to articles dispensed upon the order of persons believed by the dispenser to be lawfully authorized practitioners of medicine, dentistry, or veterinary surgery: *Provided*, That when a physician writes upon his prescription a request that it be marked or labeled "poison," the pharmacist shall, in the case of liquids, place the same in a colored glass, roughened bottle, of the kind commonly known in trade as a "poison bottle," and, in the case of dry substances, he shall place a poison label upon the container. The record of sale and delivery above mentioned shall not be required of manufacturers and wholesalers who shall sell any of the foregoing substances at wholesale to licensed pharmacists, but the box, bottle, or other package containing such substance, when sold at wholesale, shall be properly labeled with the name of the substance, the word "poison," and the name and address of the manufacturer or wholesaler: *Provided further*, That it shall not be necessary, in sales either at wholesale or at retail, to place a poison label upon, nor to record the delivery of, the sulphide of antimony, or the oxide or carbonate of zinc, or of colors ground in oil and intended for use as paints, or calomel, or of paregoric when sold in quantities not over two fluid ounces; nor, in the case of preparations containing any of the substances named in this section, when a single box, bottle, or other package, or when the bulk of one-half fluid ounce, or the weight of one-half avoirdupois ounce, does not contain more than an adult medicinal dose of such substance; nor in the case of liniments or ointments, sold in good faith as such, when plainly labeled "for external use only;" nor in the case of preparations put up and sold in the form of pills, tablets, or lozenges, containing any of the substances enumerated in this section and intended for internal use, when the dose recommended does not contain more than one-fourth of an adult medicinal dose of such substance.

For the purpose of this and of every other section of this Act no box, bottle, or other package shall be regarded as having been labeled "poison" unless the word "poison" appears conspicuously thereon, printed in plain, uncondensed gothic letters in red ink.

SEC. 14. That no person seeking to procure in the District of Columbia any substance the sale of which is regulated by the provisions of this Act shall make any fraudulent representations so as to evade or defeat the restrictions herein imposed.

SEC. 15. That every proprietor or manager of a drug store or pharmacy shall keep in his place of business a suitable book or file, in which shall be preserved, for a period of not less than three years, the original of every prescription compounded or dispensed at such store or pharmacy, or a copy of such prescription, except when the preservation of the original is required by section eleven of this Act. Upon request, the proprietor or manager of such store shall furnish to the prescribing physician, or to the person for whom such prescription was compounded or dispensed, a true and correct copy thereof. Any prescription required by section eleven of this Act, and any prescription for, or register of sales of, substances mentioned in section thirteen of this Act shall at all times be open to inspection by duly authorized officers of the law. No person shall, in the District of Columbia, compound or dispense any drug or drugs, or deliver the same to any other person, without marking on the container thereof the name of the drug or drugs contained therein, or directions for using the same.

SEC. 16. That it shall be unlawful for any person to sell or offer for sale by peddling, or to offer for sale from house to house, or to offer for sale by public outcry, or by vending in the street, any drug, medicine, or chemical, or any compound or combination thereof, or any

Exceptions.

*Provisos.*  
Mode of putting up prescriptions.

Sales by manufacturers, etc.

Articles not requiring poison labels.

Mode of labeling.

Fraudulent representations.

Preservation of prescriptions.

Copies.

Inspection.  
*Ante*, p. 179.

Peddling, etc., of drugs prohibited.

Leaving drugs, etc., on streets, etc., prohibited.	implement, appliance, or other agency for the treatment of disease, injury, or deformity. That, except as may be otherwise authorized by law, no person shall throw, cast, deposit, drop, scatter, or leave, or cause to be thrown, cast, deposited, dropped, scattered, or left, any drug, medicine, or chemical, or any compound or combination thereof, upon any public highway or place, or, without the consent of the owner or occupant thereof, upon any premises in the District of Columbia.
Exhibition of titles restricted.	SEC. 17. That it shall be unlawful for any person not legally licensed as a pharmacist to take, use, or exhibit the title of pharmacist, or licensed or registered pharmacist, or the title of druggist or apothecary, or any other title or description of like import.
Jury exemption.	SEC. 18. That all persons licensed under this Act as pharmacists, and actively engaged in the practice of their profession, shall be exempt from jury duty in all courts of the District of Columbia.
Penalty for violations.	SEC. 19. That any person violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding two hundred dollars or by imprisonment not exceeding six months, or by both such fine and imprisonment, in the discretion of the court, and if the offense be continuing in its character, each week or part of a week during which it continues shall constitute a separate and distinct offense. And it shall be the duty of the major and superintendent of police of the District of Columbia and of the corporation counsel of said District to enforce the provisions of this Act.
Enforcement.	
Repeal.	SEC. 20. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.
	Approved, May 7, 1906.

May 8, 1906.  
[H. R. 11946.]  
[Public, No. 149.]

**CHAP. 2348.**—An Act To amend section six of an Act approved February eighth, eighteen hundred and eighty-seven, entitled "An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes."

Lands in severalty to Indians.  
Vol. 24, p. 390, amended.

Citizenship rights to allottees on issue of fee simple title.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section six of an Act approved February eighth, eighteen hundred and eighty-seven, entitled "An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," be amended to read as follows:

"SEC. 6. That at the expiration of the trust period and when the lands have been conveyed to the Indians by patent in fee, as provided in section five of this Act, then each and every allottee shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law. And every Indian born within the territorial limits of the United States to whom allotments shall have been made and who has received a patent in fee simple under the provisions of this Act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up within said limits his residence, separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in any manner impairing or otherwise affecting the right of any such