

restriction against alienation on homestead lands allotted to members of the Kansas or Kaw Tribe of Indians in Oklahoma, under the provisions of the agreement with said tribe of Indians as ratified and confirmed by the Act of Congress of July 1, 1902 (Thirty-second Statutes at Large, page 636), be, and is hereby, extended for a period of twenty years from January 1, 1928: *Provided*, That the extension authorized by this Act shall not affect the homestead allotment of any member of the Kaw Tribe who has been or may be declared to be competent by the Secretary of the Interior, after proper inquiry and investigation of conditions in such manner as he may deem necessary: *Provided further*, That the production of oil and gas and other minerals on such restricted lands may be taxed by the State of Oklahoma in all respects the same as production on unrestricted lands, and the Secretary of the Interior is hereby authorized and directed to cause to be paid the tax so assessed against the royalty interests of the respective Indian owners in such production from the royalties or from any other individual Indian funds held under his supervision belonging to the Indian owner of the land: *Provided, however*, That such tax shall not become a lien or charge of any kind or character against the land or other property of the Indian owner.

Alienation restrictions on allotments to, continued for another twenty years.  
Vol. 32, p. 636.

*Provisos.*  
Allotments to incompetents not affected.

Oil, etc., production taxable by the State.

No lien, etc., on property of Indian owner.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized, when it would be for the best interests of a restricted Kaw Indian, to permit the sale of his homestead allotment under such rules and regulations as he may prescribe and upon such terms as he may approve.

Sale of restricted allotments on approval of Secretary.

Approved, May 27, 1924.

CHAP. 201.—An Act To change the name of Jewett Street west of Wisconsin Avenue to Cathedral Avenue.

May 27, 1924.  
[H. R. 6628.]  
[Public, No. 150.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the name of the street now known as Jewett Street west of Wisconsin Avenue be, and the same is hereby, changed to Cathedral Avenue, and the surveyor of the District of Columbia is hereby directed to enter such change on the records of his office.

District of Columbia.  
Jewett Street changed to Cathedral Avenue.

Approved, May 27, 1924.

CHAP. 202.—An Act To regulate the practice of optometry in the District of Columbia.

May 28, 1924.  
[R. E. 3236.]  
[Public, No. 151.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the practice of optometry is defined to be the application of optical principles through technical methods and devices in the examination of the human eye for the purpose of determining visual defects, and the adaptation of lenses for the aid and relief thereof.

District of Columbia.  
Optometry.  
Practice of, defined.

SEC. 2. That on and after six months from the passage of this Act it shall be unlawful for any person in the District of Columbia to engage in the practice of optometry or represents himself to be a practitioner of optometry, or attempt to determine by an examination of the eyes the kind of eyeglasses required by any person, or represents himself to be a licensed optometrist when not so licensed, or to represent himself as capable of examining the eyes of any person for the purpose of fitting glasses, excepting those hereinafter exempted, unless he shall have fulfilled the requirements and com-

Practicing, etc., without a license, unlawful.

False impersonation,  
failure to register, etc.,  
unlawful.

Post, p. 180.

Punishment for viola-  
tions.

Board of Optometry.  
Appointment of, by  
District Commissioners  
from list furnished  
by Optometric So-  
ciety.

Qualifications.

Ante, p. 177.

Terms of first ap-  
pointees.

Subsequent.

Qualifying oath.

Certificate of ap-  
pointment.

Removal, etc.

Organization, etc.

Meetings.

plied with the conditions of this Act and shall have obtained a license from the District of Columbia Board of Optometry, created by this Act; nor shall it be lawful for any person in the District of Columbia to represent that he is a lawful holder of a license as provided by this Act when in fact he is not such lawful holder, or to impersonate any licensed practitioner of optometry, or shall fail to register the certificate as provided in section 13 of this Act.

Any person violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction for the first offense shall be fined not more than \$500, and upon conviction for any subsequent offense shall be fined not less than \$500 nor more than \$1,000, or be imprisoned in the District jail not less than three months nor more than one year, or both, in the discretion of the court.

SEC. 3. That the Commissioners of the District of Columbia shall appoint a Board of Optometry consisting of five persons, such persons and those thereafter appointed as hereinafter provided for to be selected from a list of ten optometrists submitted by a majority vote at some regular meeting of the District of Columbia Optometric Society, each of whom shall be a citizen of the United States, over the age of twenty-one years, actually engaged in the practice of optometry as defined in section 1 of this Act, and who shall have been engaged in the actual and continuous practice of the same in the District of Columbia for at least three years next preceding his appointment. The said Board of Optometry shall be so appointed within thirty days after the approval of this Act, and of the first appointees the said commissioners shall designate two, who shall serve for a term of one year, two for a term of two years, and one for a term of three years from the date of said appointment, and each year thereafter the commissioners shall appoint successors to those whose terms expire as members of said board to serve for a term of three years; and in case of death, resignation, or removal of any member the vacancy for the unexpired term shall be filled by the said commissioners in the same manner as other appointments.

Each appointee to the Board of Optometry as hereinbefore provided for shall, within fifteen days from the date of his appointment, qualify by subscribing to the following oath of office before any officer authorized to administer oaths in the District of Columbia: "I do solemnly swear that I will faithfully, impartially, with fidelity and according to law, perform the duties of a member of the Board of Optometry of the District of Columbia, to the best of my ability, so help me God."

Upon such oath being filed with the commissioners, they shall issue to said member a certificate of his appointment.

The commissioners are herewith vested with authority to remove from office at any time any member of said board for neglect of duty, incompetency, improper conduct, or when the license to practice optometry of any member of said board shall have been suspended or revoked.

SEC. 4. That the first meeting of the Board of Optometry created under the provisions of this Act shall be held within thirty days from the date of appointment, at which meeting and at each annual meeting thereafter the members shall organize by electing a president, vice president, and a secretary-treasurer, who shall hold office for one year or until their respective successors have been appointed and have qualified. Said board shall hold its meetings at the end of every six months thereafter at such hour and place as it may designate for the examination of applicants for license to practice optometry in the District of Columbia, and for the transaction of such other business as may legally come before it; and may hold such additional meetings upon the call of the

president of the said board, or upon a call of a majority of the members of the board as the same become necessary for the examination of applicants for licenses or for carrying into effect the provisions of this Act. If the date of any of said meetings shall fall upon a Sunday or a legal holiday, said meeting shall be held on the first business day thereafter.

Three members of the board shall constitute a quorum for the transaction of business, and should a quorum not be present on the day appointed for any meeting those present may adjourn from day to day until a quorum be present.

SEC. 5. That the board shall have authority and it shall be its duty to make all by-laws and necessary regulations for the proper discharge of its duties, and submit same to the Commissioners of the District of Columbia for approval.

SEC. 6. That before entering upon the discharge of the duties of his office the secretary-treasurer of the board shall give such bond for the performance of his duties as the Commissioners of the District of Columbia shall require, the premium of such bond to be paid from the funds in the possession of the board.

SEC. 7. That the secretary-treasurer shall receive as compensation for his services an annual salary to be determined by the board, which salary and all other expenses of the board necessary in carrying out the provisions of this Act shall be paid from the funds in the custody of the secretary-treasurer for the use of the board upon requisition signed by the secretary-treasurer and countersigned by the president of the board; and on the 30th day of June of each year if any surplus remains the members of the board shall be paid such reasonable compensation out of the funds in the custody of the board as the Commissioners of the District of Columbia may determine: *Provided, however,* That said compensation and expenses shall not exceed the amount received by the board under the provisions of this Act.

SEC. 8. That the District Board of Optometry shall have an official seal and shall keep a record of its proceedings, a record of registered optometrists and of licenses by it revoked. Its records shall be open to public inspection between the hours of nine and three o'clock of any business day, and it shall keep on file all examination papers for a period of one year after each examination. A transcript of an entry in such records, certified by the secretary-treasurer, under the seal of the board, shall be prima facie evidence of the facts therein stated. The board shall on or before the 10th day of July in each year make a report to the Commissioners of the District of Columbia of its official acts during the preceding twelve months ending June 30, and of its receipts and disbursements, and a full and complete report of the conditions pertaining to optometry in the District of Columbia.

SEC. 9. That on and after six months from the passage of this Act, as set forth in section 2 hereof, every person desiring to practice optometry, or, if now in practice, to continue the practice thereof, except as herein otherwise provided, shall take an examination as provided in this Act and shall fulfill the other requirements as in this Act provided.

SEC. 10. That any person who has been engaged in the practice of optometry for at least two full years (one of which must have been in the District of Columbia), immediately prior to the passage of this Act, who is more than twenty-one years of age and of good moral character, shall be entitled to take the limited examination covering the following only:

- (a) The limitations of the sphere of optometry.
- (b) The essential scientific instruments used in optometry.

Quorum.

By-laws and regulations.

Secretary-treasurer.  
Bond required.Compensation, etc.,  
from funds of board.Payment to mem-  
bers from surplus.*Proviso.*  
Limit.

Seal, record, etc.

Annual report to  
Commissioners.Examinations for  
authority to practice.Limited examina-  
tions for present prac-  
titioners.

Subjects.

(c) The form and power of lenses used in optometry.

(d) A correct method of measuring hypermetropia, myopia, astigmatism, and presbyopia.

(e) The writing of formulas or prescriptions for the adaptation of lenses in aid of vision.

Standard examinations if desired.

Any person who has previously taken the limited examination and received certificate of the same as herein provided may also, if he so desires, take the standard examination at any time, any provisions in section 11 hereof to the contrary notwithstanding: *Provided, however,* That failure to pass the standard examination after having qualified under the limited examination as in this paragraph set forth shall not disqualify him as a lawful practitioner.

*Præcio.*  
Failure not a disqualification.

Standard examinations.  
Qualifications of applicants.

SEC. 11. That any person over the age of twenty-one years, of good moral character, who has had a preliminary education equivalent to a two years' course in a first-grade high-school (which shall be determined either by examination or by certificate acceptable to the board as to work done in such approved institution), and who is a graduate of a school of optometry in good standing (as determined by the board and which maintains a course in optometry of not less than one thousand hours), shall be entitled to take the standard examination. Such standard examination shall consist of tests in—

(a) Practical optics.

(b) Theoretic optometry.

(c) Anatomy and physiology and such pathology as may be applied to optometry.

(d) Practical optometry.

(e) Theoretic and physiologic optics.

Subsequent changes of educational standards permitted.

SEC. 12. That the board, with the approval of the Commissioners of the District of Columbia, is authorized and empowered to alter, amend, and otherwise change the educational standards at any time, but in altering, amending, or changing said standards the board shall not be permitted to lower the same below the standards herein set forth.

Applications to be filed.  
Requirements.

SEC. 13. That every person desiring to be licensed as in this Act provided shall file with the secretary-treasurer of the board upon appropriate blank to be furnished by said secretary-treasurer an application accompanied by the recommendation of two reputable citizens, verified by oath, setting forth the facts which entitled the applicant to examination and license under the provisions of this Act. The said board shall hold at least two examinations each year. In case of failure at any standard examination the applicant, after the expiration of six months and within two years, shall have the privilege of taking a second examination by the board without the payment of an additional fee. In case of failure at the limited examination hereinbefore provided for the applicant shall, after the expiration of six months and within two years, have the privilege of taking a second examination without the payment of an additional fee.

Second examination allowed on failure at first.

License to practice given on passage of examination, etc.

Every applicant who shall pass the standard examination or the limited examination, as the case may be, and who shall otherwise comply with the provisions of this Act, shall receive from the said board under its seal a license entitling him to practice optometry in the District of Columbia, which license shall be duly registered in a record book to be properly kept by the secretary-treasurer of the board for that purpose which shall be open to public inspection; and a duly certified copy of said record shall be recorded in the clerk's office of the Supreme Court of the District of Columbia, and shall be admitted as prima facie evidence in all courts of the District of Columbia in the trial of any cause, and it shall be the

Certified copy to be recorded in office of clerk of District supreme court.

duty of the clerk of the Supreme Court of the District of Columbia to keep a special book for the purpose of recording said licenses, and shall, upon application and by the payment of a fee of 50 cents, deliver to any person applying therefor a certificate that the license has been recorded in compliance with the provisions of this Act. Each person to whom a certificate of license shall be issued by said board shall keep same displayed in a conspicuous place in his principal office or place of business wherein said person shall practice optometry, and shall, whenever required, exhibit the said certificate to any member or agent of the board.

SEC. 14. That the said board shall charge the following fees for examinations, registrations, and renewals of certificates: The sum of \$25 for a standard or a limited examination. Every registered optometrist who desires to continue the practice of optometry shall annually, on or before the 10th day of January of each year, pay to the secretary-treasurer of the board a renewal registration fee to be fixed annually by the board, not to exceed \$10, for which he shall receive a renewal of his certificate. In case of neglect to pay the renewal registration fee as herein provided the board shall have authority to revoke such license and the holder thereof may be reinstated by complying with the conditions specified in this section, but no license or permit may be revoked without giving sixty days' notice to the delinquent, but the board shall only have the right to renew such license on the payment of the renewal fee with penalty of \$5: *Provided*, That retirement from practice for a period of not exceeding five years shall not deprive the holder of said license of the right to renew the same upon the payment of the fee herein required.

SEC. 15. That the board shall adopt a seal and license of suitable design and shall have an office in the District of Columbia where examinations shall be held and where all of the permanent records shall be kept.

SEC. 16. That the board may in its discretion refuse to grant a license to any applicant and may cancel, revoke, or suspend the operation of any license by it granted for any of the following reasons: The conviction of crime involving moral turpitude, habitual use of narcotics, or any other substance which impairs the intellect and judgment to such an extent as to incapacitate anyone for the duties of optometry, or for a conviction as provided in section 2 of this Act.

SEC. 17. That any person who is the holder of a license or who is an applicant for a license against whom any charges are preferred shall be furnished by the board with a copy of the complaint and shall have a hearing before the board at which hearing he may be represented by counsel. At such hearing witnesses may be examined for and against the accused respecting such charges; the board shall thereupon pass upon said charges.

SEC. 18. That any applicant for a license who has been examined by the Board of Optometry in any of the States of the United States which through reciprocity similarly accredits the holder of a license issued by the Board of Optometry of the District of Columbia to the full privileges of practice within such State may on the payment of a fee of \$25 to the said board and on filing in the office of the board a true and attested copy of said license, certified by the president and secretary-treasurer of the said board, showing the same and also showing that the standard of requirements adopted and enforced by said board is equal to that provided by this Act, shall without further examination receive the license: *Provided*, That such applicant has not previously failed at any examination held by the Board of Optometry of the District of Columbia.

Fee for certificate of record.

License to be displayed, etc., by practitioner.

Fees authorized. Annual.

License revoked if annual fee not paid.

Notice to delinquent.

*Proviso.* Renewal after retirement.

Form of seal and license.

Licenses may be refused, canceled, etc.

Reasons specified.

*Ante*, p. 178.

Hearings.

Issue without examination to holder of State, etc., license.

*Proviso.* Condition.

No medical, etc., title conferred hereby.

SEC. 19. That nothing in this Act shall be construed as conferring on the holder of any license issued by said board the right to use any title or any word or abbreviation indicating that he is engaged in the practice of medicine, surgery, or the treatment of the eye, of the diagnosis of diseases of or injuries to the human eye, or the writing or issuing of prescriptions for the obtaining of drugs or medicine in any form for the treatment or examination of the human eye.

Persons not affected.

SEC. 20. That the provisions of this Act shall not apply—

Practicing physicians and surgeons.

(a) To physicians and surgeons practicing under authority or license issued under the laws of the District of Columbia for the practice of medicine and surgery.

If only dealers in spectacles, etc.

(b) To persons selling spectacles and (or) eyeglasses and who do not attempt either directly or indirectly to adapt them to the eye, and who do not practice or profess the practice of optometry.

Meaning of words.

SEC. 21. That wherever in this Act the singular number is used it shall be interpreted as meaning either singular or plural if compatible with the sense of the language used, and when in this Act the masculine gender is used it shall be construed as meaning also the feminine gender if not inconsistent with such use.

Invalidity of any provision not to affect remainder of Act.

SEC. 22. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved, May 28, 1924.

May 28, 1924.  
[H. R. 6820.]

[Public, No. 152.]

CHAP. 203.—An Act Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1925, and for other purposes.

Navy Department and naval service appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1925, namely:

Secretary's Office.

OFFICE OF THE SECRETARY.

SALARIES, SECRETARY'S OFFICE, NAVY DEPARTMENT.

Secretary, Assistant, and civilian personnel.

Secretary of the Navy, \$12,000; Assistant Secretary, and other personal services in the District of Columbia in accordance with the Classification Act of 1923, \$136,080; in all, \$148,080: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, the average of the salaries of the total number of persons under any grade or class thereof in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation is fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923 and is specifically authorized by other law.

*Prorisos.*  
Salaries limited to average rates under Classification Act.  
Vol. 42, p. 1488.

Not applicable to clerical-mechanical service.  
Fixed salaries not reduced.

Payments at higher rates permitted.

General Board.

GENERAL BOARD.

Civilian personnel.

Salaries, Navy Department: For personal services in the District of Columbia in accordance with the Classification Act of 1923, \$9,720.