

# MAINE STATE LEGISLATURE

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# FIFTY-FIFTH LEGISLATURE.

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SENATE.

No. 14.

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## STATE OF MAINE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SIX.

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[H. R. 90.] AN ACT to prevent incompetent persons from conducting the business of druggists and apothecaries in this state.

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*Be it enacted by the Senate and House of Representatives Legislature in assembled, as follows :*

SECTION 1. That, hereafter, no person shall conduct  
2 or keep a shop of any kind in this state for the pur-  
3 pose of retailing drugs, medicines, or such chemicals  
4 as are used in compounding medicines, or engage in  
5 the business of compounding and putting up prescrip-  
6 tions of physicians, and vending medicines, either as  
7 proprietor, agent or qualified assistant, (except as an  
8 aid under the supervision of such proprietor, agent or  
9 qualified assistant), without having first obtained a  
10 certificate of qualification and competency for such

11 business from the commissioners to be appointed under  
12 the provisions of this act; and no such person shall  
13 be entitled to such certificate or registry who has not  
14 been at least two years apprenticed or employed in a  
15 store where prescriptions of physicians are compounded  
16 and dispensed; *provided*, it shall be lawful for any  
17 person to sell proprietary medicines.

SECT. 2. The governor, with advice of the council,  
2 shall forthwith appoint three persons competent to per-  
3 form the duties herein imposed upon them, who shall  
4 be styled “the commissioners of pharmacy and prac-  
5 tical chemistry,” one of whom shall hold his office one  
6 year, one two years, and the third three years, and  
7 each until his successor is appointed and qualified;  
8 and at or before the expiration of the term of office of  
9 each person so appointed, the governor in like manner  
10 shall appoint a like person to said office who shall hold  
11 his office for three years, or until his successor is ap-  
12 pointed and qualified. In case a vacancy in said com-  
13 mission shall occur at any time from any cause, the  
14 governor, with advice of the council, shall appoint a  
15 competent person to fill such vacancy for the unexpired  
16 part of the term of office of the person causing such  
17 vacancy. Before entering upon the duties of his office,  
18 each commissioner shall be sworn to faithfully and im-  
19 partially discharge the duties of his office, and a record

20 thereof shall be made on his commission. It shall be  
21 the duty of the commissioners, appointed as aforesaid,  
22 to examine all persons who shall desire to engage in  
23 the business of apothecaries and druggists, and if found  
24 skilled and learned in pharmacy, they shall give to  
25 such persons certificates, signed by at least two of said  
26 commissioners, and shall state therein that the person  
27 to whom the same is issued is a skilled apothecary,  
28 and authorized to engage in the business as an apoth-  
29 ecary and druggist.

SECT. 3. The said commissioners shall procure and  
2 keep a suitable book at the office of the secretary of  
3 state at Augusta, Maine, wherein they shall register  
4 the names and places of residence of all persons to  
5 whom they shall issue said certificates after an exam-  
6 ination; and the date thereof, also the names, and  
7 places of residence of all persons engaged in conduct-  
8 ing the business of apothecaries for themselves and  
9 others, in this state, six months previous to the pass-  
10 age of this act upon application therefor; and it shall  
11 be the duty of all such persons engaged as aforesaid,  
12 to furnish the commissioners of registration satisfactory  
13 evidence that they are engaged in such business, within  
14 sixty days after they shall have been notified by a cir-  
15 cular letter from the commissioners, of the time and  
16 place of the registration, and said commissioners shall

17 hold at least three sessions within said sixty days, for  
18 registration of such as have been engaged in the busi-  
19 ness as aforesaid. In case of failure or neglect to be  
20 registered by any person or persons so engaged in said  
21 business within the said sixty days, such person or  
22 persons shall thereafter procure a certificate by exam-  
23 ination. Said book wherein the registration is made  
24 as aforesaid, shall be at all reasonable times opened to  
25 the examination of all persons.

SECT. 4. Said commissioners shall be entitled to de-  
2 mand and receive from every applicant for examina-  
3 tion, to whom a certificate shall be granted, as afore-  
4 said, the sum of five dollars, and for the notice and  
5 registration of each person now engaged in the busi-  
6 ness of an apothecary, the sum of two dollars, and the  
7 money so received shall be in full payment for the ser-  
8 vices and expenses of said commissioners.

SECT. 5. If any person shall engage in the business  
2 of retailing and vending, directly or indirectly, drugs,  
3 medicines and chemicals, and in dispensing medicines,  
4 and compounding physicians' prescriptions, contrary to  
5 the provisions of this act, every such person shall be  
6 liable to a fine not exceeding fifty dollars for each and  
7 every week such person shall continue in said business  
8 without being registered, as provided by this act, which  
9 fine may be recovered by an action of debt for the use

10 of any person who shall sue therefor, or by an indict-  
11 ment.

SECT. 6. The provisions of this act shall not be so  
2 construed as to apply to physicians compounding and  
3 putting up their own prescriptions.

SECT. 7. This act shall take effect when approved  
by the governor.



STATE OF MAINE.

IN SENATE, January 27, 1876.

On motion of Mr. HASKELL of Cumberland, ordered to be printed, and referred to the Committee on Judiciary in concurrence.

SAMUEL W. LANE, *Secretary.*