

MAINE STATE LEGISLATURE

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Sixty - Second Legislature.

HOUSE.

No. 169.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-FIVE.

AN ACT in relation to Physicians and others Making Prescriptions and Applications for Intoxicating Liquors and the Filling of the same by Apothecaries.

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

SECTION 1. Every physician, who is regularly engaged
2 in the practice of his profession as a business, and who in
3 cases of actual sickness shall deem any spirituous, malt,
4 vinous, fermented or other intoxicating liquors necessary
5 for the health of his patient, may give such patient a
6 written or printed prescription therefor. But every such
7 physician, before making any prescription for intoxicating
8 liquors, shall file with the judge of probate, in the county
9 or counties wherein he may practice his profession, the
10 following affidavit, which shall be renewed and filed at the
11 expiration of every five years of said physician's practice :
12 State of Maine, County of ——— ss.

13 I, _____, a regular physician residing and practicing
 14 medicine in the county of _____ in the State of
 15 Maine, do solemnly swear or affirm that I will not pre-
 16 scribe intoxicating liquors of any kind for any person or
 17 persons whomsoever, unless in case of actual sickness
 18 and when the same is necessary for the health of the
 19 patient. And I will faithfully keep, observe and perform,
 20 in my practice, all the requirements and conditions of the
 21 laws of Maine, regulating the sale and use of intoxicating
 22 liquors. So help me God.

23 Signed _____

24 Sworn to before me, and subscribed in my presence,
 25 this _____ day of _____ A. D. 18—

26 Every physician, or person assuming to act as such, who
 27 shall violate any of the provisions of this act, shall be
 28 deemed guilty of a misdemeanor and upon conviction
 29 of the same shall be fined, for the first offence, not less
 30 than fifty nor more than two hundred dollars; and for
 31 every subsequent offence, upon conviction, shall be subject
 32 to the same fine.

SECT. 2. Any registered apothecary may sell intoxicating
 2 liquors for medicinal purposes only upon the written or
 3 printed prescription of any practicing physician, duly sign-
 4 ed by such physician, who has made and filed the affidavit
 5 mentioned in the preceding section. Any registered
 6 apothecary may sell for mechanical or scientific purposes
 7 only upon a written or printed application, which shall be
 8 dated, give the name of the applicant, his residence and
 9 occupation, quantity and kind of liquor required and the
 10 purpose for which it is required, and shall have appended

11 thereto an affidavit by the applicant, affirming that the
12 statements in' such applications are true.

SECT. 3. Every apothecary shall keep and file away all
2 applications and prescriptions for intoxicating liquors and
3 prescriptions containing 25 per cent or more of intoxicat-
4 ing liquors. He shall also keep a book in which a duplicate
5 record of the same shall be entered, which shall be open to
6 the inspection of the public at all reasonable time during
7 business hours. Every apothecary shall make a sworn
8 statement before some person authorized to administer
9 oaths, on or before the first day of February and the
10 first day of August, annually, giving the whole amount
11 of each different kind of spirituous, malt, vinous, fermented
12 or other intoxicating liquors bought by him during the
13 past six months; the amount of each different kind on
14 hand, and the amount of each different kind sold
15 or used for medicinal, mechanical, scientific or
16 other purposes. This statement, together with all the
17 applications and prescriptions mentioned in the pre-
18 ceding section, shall be turned over to the clerk of the
19 city, town or plantation in which said apothecary resides.
20 And said clerk shall enter such statement in full upon
21 his records, and shall preserve the applications and pre-
22 scriptions, for inspection, for at least six months.

SECT. 4. Whoever knowingly misrepresents to any
2 apothecary the purposes for which he purchases any intox-
3 icating liquors under this act, shall forfeit to his town
4 twenty dollars, to be recovered by complaint or indict-
5 ment; and any apothecary refusing or neglecting to make
6 the return to the clerk of the town in which he resides,

7 as required in this act, shall forfeit not less than one
8 hundred dollars for each offence to the town, to be recov-
9 ered by complaint or indictment.

SECT. 5. This act shall take effect May 1st, 1885.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }
February 25, 1885. }

Presented by Mr. BARTON of Naples, and ordered printed.

NICHOLAS FESSENDEN, *Clerk.*