

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

HOUSE.

No. 203.

STATE OF MAINE.

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

AN ACT to amend chapter 379 of the Public Laws
of 1885, relating to Registered Apothecaries.

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

SECTION 1. Section 6 of chapter 379 of the
2 Public Laws of 1885 is hereby amended so as to
3 read as follows:

'SECT. 6. Certificates of two classes to be known
5 as the first and second class, may be issued, whereof
6 the first class shall declare that the holder is skilled
7 in pharmacy, as in section four of this act, and the
8 other kind to be known as the second class, which
9 after the examination of the applicants therefor
10 may be issued to such as shall be not less than

11 eighteen years of age and who have served two
12 full years in an apothecary store, where physicians'
13 prescriptions are compounded, shall declare that
14 the holder is a qualified assistant and is competent
15 to take charge of the business of an apothecary
16 during the temporary absence of his employer and
17 the fee for such assistant's examination shall be
18 five dollars.

SECT. 2. The municipal officers of any town or
2 city may grant written permission to registered
3 apothecaries of the first class therein as hereinafter
4 provided, not exceeding two in any one town of less
5 than three thousand inhabitants, and not exceeding
6 one to every three thousand inhabitants in towns
7 containing over three thousand inhabitants.

SECT. 3. Apothecaries of the first class who are
2 registered as herein provided and having obtained
3 such written permission of the municipal officers of
4 the town or city in which they reside may sell spirit-
5 uous and malt liquors for medicinal purposes solely,
6 upon the written prescription of a physician who
7 has a diploma as the graduate of a duly established
8 medical college by complying with the following
9 regulations.

SECT. 4. Such apothecary before selling or dis-
2 pensing any spirituous or malt liquors under the

3 provisions of this act shall give a bond to the muni-
4 cipal officers of the town or city where he carries on
5 the business of an apothecary, to be approved by
6 them with two good and sufficient sureties in the
7 penal sum of one thousand dollars, the condition of
8 such bond shall be that the obliger shall not violate
9 any of the provisions of this chapter.

SECT. 5. All such prescriptions shall be written
2 plainly in the English language and shall be, by
3 such apothecary receiving them, immediately re-
4 corded in full in a book kept for that purpose and
5 file the original. Such record shall be open to
6 the inspection of the county attorney, the sheriff
7 and his deputies of the county and the municipal
8 officers of the town or city where such apothecary
9 is doing business.

SECT. 6. All such prescriptions shall state the
2 quantity of such liquors prescribed which shall not
3 exceed one quart in any one prescription, the kind
4 of liquor prescribed, the name and residence of the
5 physician writing such prescription, the name and
6 residence of the person for whom such prescription
7 is written.

SECT. 7. No such apothecary shall sell, give or
2 dispense any spirituous or malt liquors, on any such
3 prescription to a minor under sixteen years of age.

SECT. 8. No such apothecary shall sell any
2 spirituous or malt liquors upon any prescription
3 by himself.

SECT. 9. No such apothecary shall permit any
2 person to take as medicine or to drink any spirituous
3 or malt liquors or mixed beverages containing
4 intoxicating liquors, above one per cent of alcohol
5 by volume at 60 degrees Fahrenheit in or upon his
6 premises.

SECT. 10. Apothecary who shall violate any of
2 the provisions of this act, shall upon conviction
3 thereof be sentenced to pay a fine of one hundred
4 dollars and costs and in addition thereto, his name
5 shall, by the commissioners of pharmacy, be
6 stricken from the rolls of registered apothecaries
7 and his registration certificate shall be null and
8 void for five years thereafter. For each subsequent
9 violation of any of the provisions of this chapter
10 he shall suffer a like penalty and be imprisoned in
11 the county jail thirty days in addition thereto.

SECT. 11. Any such physician who shall give to
2 any person a prescription for spirituous or malt
3 liquors except for medicinal purposes solely and in
4 the regular course of his practice and in conformity
5 with the provisions of this act shall be sentenced

6 to pay a fine of fifty dollars and cost for each viola-
7 tion of any of the provisions of this chapter.】

SECT. 12. Any person who shall obtain from any
2【such apothecary any spirituous or malt liquors, or
3 from any persons in any such apothecary's employ,
4 or on his premises except as herein provided shall
5 for each violation of this act be sentenced to pay a
6 fine of fifty dollars and costs.

SECT. 13. Nothing herein contained shall be con-
2 strued to exempt any such apothecary from the
3 provisions of chapters seventeen and twenty-seven
4 of the Revised Statutes.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 20, 1889. }

Tabled, pending reference to the Committee on Temperance, and
ordered printed on motion of Mr. POTTLE of Kingfield.

NICHOLAS FESSENDEN, *Clerk.*