

# MAINE STATE LEGISLATURE

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# Sixty-Fourth Legislature.

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HOUSE.

No. 258.

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## STATE OF MAINE.

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

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

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

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

‘SECT. 6. Certificates of two classes, to be known as  
4 the first and second class, may be issued, whereof the  
5 first class shall declare that the holder is skilled in phar-  
6 macy, as in section four of this act, and the other kind to  
7 be known as the second class, which after the examina-  
8 tion of the applicants therefor may be issued to such as shall  
9 be not less than eighteen years of age, and who have  
10 served two full years in an apothecary store, where physi-  
11 cians’ prescriptions are compounded, shall declare that  
12 the holder is a qualified assistant and is competent to take  
13 charge of the business of an apothecary during the tempo-

14 rary absence of his employer, and the fee for such assist-  
15 ant's examination shall be five dollars.

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

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

SECT. 4. Such apothecary, before selling or dispensing  
2 any spirituous or malt liquors under the provisions of this  
3 act, shall give a bond to the municipal officers of the town  
4 or city where he carries on the business of an apothecary,  
5 to be approved by them, with two good and sufficient sure-  
6 ties, in the penal sum of one thousand dollars, the condi-  
7 tion of such bond shall be that the obligor shall not violate  
8 any of the provisions of this chapter.

SECT. 5. All such prescriptions shall be written plainly  
2 in the English language and shall be, by such apothecary  
3 receiving them, immediately recorded in full in a book  
4 kept for that purpose, and the original kept on file. Such  
5 record and prescription shall be open to the inspection of  
6 the county attorney, the sheriff and his deputies of the

7 county, and the municipal officers of the town or city  
8 where such apothecary is doing business.

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

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

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

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

SECT. 10. Any apothecary who shall violate any of the  
2 provisions of this act, shall upon conviction thereof be  
3 sentenced to pay a fine of one hundred dollars and costs  
4 and in addition thereto, his name shall, by the commis-  
5 sioners of pharmacy, be stricken from the rolls of registered  
6 apothecaries and his registration certificate shall be null  
7 and void for five years thereafter.

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

7 chapter, and in default of payment thereof shall be  
8 imprisoned thirty days.

SECT. 12. Any person who shall obtain from any such  
2 apothecary any spirituous or malt liquors, or from any  
3 persons in any such apothecary's employ, or on his prem-  
4 ises, except as herein provided, shall for each violation  
5 of this act be sentenced to pay a fine of one hundred dollars  
6 and costs, and in default of payment thereof shall be  
7 imprisoned thirty days.

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

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## STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }  
February 26, 1889.

Reported from Committee on Temperance, by Mr. DOE of Cornville;  
ordered printed under joint rule.

NICHOLAS FESSENDEN, *Clerk.*