

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SIXTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1891.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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PUBLIC LAWS
OF THE
STATE OF MAINE.

1891.

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fore exercised by the justice of the superior court in such cases.

Inconsistent acts, repealed.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed, and the jurisdiction of the supreme judicial court in said county is hereby restored, except so far as is inconsistent with this act.

Shall not apply to pending actions.

SECT. 5. This act shall not apply to pending actions.

Approved March 26, 1891.

Chapter 105.

An Act to amend chapter three hundred and seventy-nine of the Public Laws of eighteen hundred and eighty-five, entitled "An Act to prevent incompetent persons from conducting the business of Apothecaries."

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

Sec. 2, of ch. 379, Public Laws, 1885, amended.

SECT. 1. Section two of said chapter is hereby amended by adding the following : 'Said commissioners shall make a report of their proceedings annually to the governor and council, who shall cause such a number of said reports to be printed as they deem necessary,' so that said section as amended, shall read as follows :

Commissioners of pharmacy, appointment.

'SECT. 2. The governor, under the advice and consent of the council shall appoint three suitable persons to be commissioners of pharmacy, one commissioner to be appointed as the term of each of those now holding office shall expire, to hold office for the term of three years, unless removed for cause, and until a successor is appointed and qualified. If a vacancy occurs in said commission another shall be appointed as aforesaid, to fill the unexpired term thereof. Before entering on the duties of their office, the commissioners shall be sworn to faithfully and impartially discharge the same, and a record shall be made thereof on their commission. Said commissioners shall make a report of their proceedings annually to the governor and council, who shall cause such a number of said reports to be printed as they deem necessary.'

—tenure.

—vacancies, how filled.

—to be sworn.

Sec. 4, amended.

SECT. 2. Section four of said chapter is hereby amended by inserting after the word "apothecary," in the second line thereof, the words, 'in the state of Maine,' so that said section as amended, shall read as follows :

‘SECT. 4. Every person not now registered, unless he was engaged in the business of apothecary, in the state of Maine, on the eleventh day of March, in the year of our Lord eighteen hundred and seventy-seven, continuing in or hereafter entering on the business of an apothecary shall be examined by said commissioners, and shall present to them satisfactory evidence that he has been an apprentice, or employed in an apothecary store where physicians’ prescriptions are compounded, at least three years; or has graduated from some regularly incorporated medical college or college of pharmacy, and is competent for the business; and the commissioners may then grant him a certificate and registry as hereinbefore provided; but only one of the partners in a firm need be a registered druggist, provided, the partner who compounds medicines be registered. And any physician who has a diploma as a graduate of a duly established medical college in the United States, and in active practice, may do the business of an apothecary without being registered.’

Shall examine apothecaries entering business.

SECT. 3. Section seven of said chapter is hereby amended by striking out all after the word “owners” in the sixth line thereof, so that said section as amended, shall read as follows :

Sec. 7, amended

‘SECT. 7. It shall not be lawful for any apothecary store to be kept open for the sale of medicines or poisons, or for compounding physicians’ prescriptions, unless the same is placed and kept under the personal control and supervision of a registered apothecary or qualified assistant who is satisfactory to the owners.’

Sale of medicines etc., and compounding of prescriptions, unlawful, unless under control of registered apothecary.

SECT. 4. Section eight of said chapter is hereby amended by inserting after the word “apothecary” in the second line thereof, the words ‘in the state of Maine,’ so that said section, as amended, shall read as follows :

Sec. 8, amended.

‘SECT. 8. Any person engaged in the business of apothecary, in the state of Maine, on the eleventh day of March, in the year of our Lord one thousand eight hundred and seventy-seven, may receive a certificate and be registered as aforesaid on application to said commissioners, with proof of his competency.’

Apothecaries already in business, may be registered.

SECT. 5. Section nine of said chapter is hereby amended by inserting after the word “apothecary” in the second line thereof, the words ‘in the state of Maine,’ and by striking out all after the word “act” in the fifth line thereof, and inserting in the place thereof the following, ‘he shall upon indictment

Sec. 9, amended.

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and conviction be subject to a penalty of fifty dollars per month for the first offence, and of one hundred dollars per month for each and every subsequent offence, whether of continuance in said business or for engaging anew therein in violation of the provisions of this act. It is hereby made the duty of the county attorney in each county, upon complaint made by any one of said commissioners, to prosecute all violations of the provisions of this act. The treasurer of each county shall pay to the treasurer of the law library association of his county for the use and benefit of the county law library, twenty per cent of all fines actually paid into the county treasury for the violation of any of the provisions of this act,' so that said section as amended, shall read as follows :

—penalty, for
violation of this
act.

‘SECT. 9. If any person who was not engaged in the business of an apothecary within the state of Maine on the eleventh day of March, in the year of our Lord one thousand eight hundred and seventy-seven, shall hereafter engage in or carry on the business of an apothecary contrary to the provisions of this act, he shall upon indictment and conviction be subject to a penalty of fifty dollars per month for the first offence, and one hundred dollars per month for each and every subsequent offence whether of continuance in said business or for engaging anew therein in violation of the provisions of this act. It is hereby made the duty of the county attorney in each county, upon complaint made by any one of said commissioners, to prosecute all violations of the provisions of this act. The treasurer of each county shall pay to the treasurer of the law library association of his county for the use and benefit of the county law library, twenty per cent of all fines actually paid into the county treasury for the violation of any of the provisions of this act.’

Approved March 27, 1891.