

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-second Legislature

1925

[supplied from page 1 of volume]

Chapter 78.

An Act to Amend Chapter Twenty of the Revised Statutes, Relating to Apothecaries and the Sale of Poisons.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 20, sec. 7; relating to examination and certification of apothecaries, amended. Section seven of chapter twenty of the revised statutes is hereby amended by inserting after the word "commissioners" in the fourteenth line thereof the following words: 'No such certificate shall be issued unless the applicant is at least twenty-one years of age, of good moral character, a citizen of the United States, and has had a general education, including at least two years at a high school or its equivalent'; so that said section, as amended, shall read as follows:

'Sec. 7. Applicant must be twenty-one years of age; good moral character; citizen of United States and education equivalent of two years at high school. Every person not already registered, entering on the business of an apothecary, upon the payment of the fee of ten dollars, to the secretary of said board, except as hereinafter provided, 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 four years; or has graduated from some regularly incorporated medical college or college of pharmacy and has been employed in such an apothecary store for at least one year, and is competent for the business; the commissioners may give him a certificate of that fact and that he is authorized to engage in the business of an apothecary, and such certificate must be signed by at least two commissioners. No such certificate shall be issued unless the applicant is at least twenty-one years of age, of good moral character, a citizen of the United States, and has had a general education, including at least two years at a high school or its equivalent. In case the result of the examination is unsatisfactory, and no certificate is granted, the applicant shall have the right to another examination without charge, after an interval of two months, and within twelve months after the date of his first examination. The board may, in its discretion, grant certificates of registration to such persons as shall furnish with their application satisfactory proof that they have been registered by examination in some other state; provided that such other state shall require a degree of competency equal to that required of applicants in this state. Only one of the partners in a firm need be a registered druggist, provided, the partner who compounds medicines be registered. All certificates issued under the provisions of this chapter shall be constantly displayed, in a conspicuous place, in the store or shop of the persons to whom the same were issued.'

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Sec. 2. R. S., c. 20, sec. 16; P. L., 1921, c. 6; relating to regulations for sale of poisonous drugs without prescriptions, amended. Section sixteen of chapter twenty of the revised statutes as amended by chapter six of the public laws of nineteen hundred and twenty-one is hereby amended by inserting after the word "paper" in the twentieth line thereof the words 'or white paper and red printing,' and by inserting after the word "poison" in the thirty-fourth line thereof the words 'and the name of an antidote or antidotes if any,' so that said section, as amended, shall read as follows:

'Sec. 16. Label may be white paper and red printing; name of antidote, if any, to be printed on wholesale packages of Paris green and other preparations for destruction of bugs, insects, etc. Whoever sells arsenic, arsenious acid, atropia, or any of its salts, chloral hydrate, chloroform, cotton root and its fluid extract, Fowler's solution, corrosive sublimate, cyanide of potassium, Donovan's solution, ergot and its fluid extract, sugar of lead, oil of savin, oil of tansy, Parsons' vermin exterminator, phosphorus, prussic acid, Rough on Rats, strychnia or any of its salts, tartar emetic, tincture of aconite, tincture of belladonna, tincture of digitalis, tincture of nux vomica, tincture of veratrum viride, crystals of carbolic acid or a strong solution of carbolic acid without the written prescription of a physician shall keep a record of such sales, the name and quantity of the article sold and the name and residence of the person or persons to whom it was delivered, which record shall be made before the article was delivered and shall be open to inspection by any member of the board of commissioners of pharmacy, or by any inland fish and game warden, or by the police authorities and the officers of cities and towns. Whoever neglects to keep or refuses to show to said officers such record shall be punished by fine not exceeding fifty dollars. Whoever sells any of the poisonous articles named in this section without the written prescription of a physician, shall affix to the bottle, box or wrapper containing the article sold a label of red paper or white paper and red printing, upon which shall be printed in large letters the word "poison" and also the word "antidote" and the name and place of business of the vendor. The name of an antidote, if there be any, for the poison sold, shall also be upon the label. Every neglect to affix such label to such poisonous article sold before the delivery thereof to the purchaser shall be punished by a fine not exceeding fifty dollars. Whoever purchases poisons as aforesaid and gives a false or fictitious name to the vendor shall be punished by fine not exceeding fifty dollars. But nothing in this section shall be construed to apply to wholesale dealers or to manufacturing chemists in their sales to retail trade, nor to the general merchant, nor to a firm or corporation in trade, who may sell in unbroken packages prepared by the manufacturers, Paris green, London purple or other poisonous preparations or compounds used

for the destruction of bugs, beetles, insects, slugs, grubs, caterpillars or worms. Upon each and every package so sold shall be printed in large letters the word "poison," and the name of an antidote or antidotes if any. Every neglect to affix such label with the word "poison" thereon to such poisonous article before the delivery thereof to the purchaser shall be punished by fine not exceeding fifty dollars.'

Approved March 27, 1925.

Chapter 79.

An Act Relating to Fishing in Upper Taylor Brook and Tributaries and in the East Branch and West Branch of Passadumkeag Stream and Brown Brook in Penobscot and Hancock Counties.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. Perpetual closed time for fishing in Upper Taylor brook, and other waters in Penobscot and Hancock counties, established. It shall be unlawful for any person to fish for, take, catch or kill any kind of fish at any time in Upper Taylor Brook, which brook is situated wholly or partly in Lakeville Plantation, in Township Number Three, Range One, in the county of Penobscot, and in Township Number Four, Hancock County; or in the East Branch, so-called, of Passadumkeag Stream; or in the West Branch, so-called, of Passadumkeag Stream; or in Brown Brook, so-called, in the county of Penobscot. It shall also be unlawful for any person to have in possession at any time any kind of fish taken in any of the above named waters.

Sec. 2. Penalties. Whoever violates any provision of this act shall be subject to a penalty of not less than ten nor more than thirty dollars and costs for each offense, and an additional penalty of one dollar for each fish taken, caught, killed or had in possession, in violation of any provision of this act.

Sec. 3. Jurisdiction granted to trial justices, police and municipal courts. Trial justices, police and municipal courts, within their respective counties shall have, upon complaint, original and concurrent jurisdiction with the supreme judicial court and superior courts in all prosecutions arising under this act.

Approved March 27, 1925.

Chapter 80.

An Act Relating to the Protection of Game Birds.

Be it enacted by the People of the State of Maine, as follows:

P. L., 1917, c. 219, sec. 55; 1917, c. 244; 1919, c. 62; 1921, c. 108; relating