

CAP. XLVI.

An Act to amend the "Quebec Pharmacy Act."

[Assented to 2nd April, 1890.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

R. S. Q., art. 4022 replaced. **1.** Article 4022 of the Revised Statutes of the Province of Quebec is replaced by the following articles :

Powers of association : **4022.** The council of the association has power :
To frame &c., by-laws for management &c., of association &c. 1. To frame such by-laws for the said association as they shall deem proper and necessary for the purposes contemplated by this law, to alter and amend such by-laws from time to time, and to repeal the same in whole or in part, and substitute others therefor ;

To elect president and other officers. 2. To elect, at their first meeting subsequent to the annual elections, from among their members, a president, two vice-presidents, a treasurer and two auditors ;

To elect members to fill vacancies in council. 3. To elect persons to replace members of the council who die, resign or are removed, and also persons to replace the auditors, when vacancies occur for the same reasons ;

Proviso. Such persons must be chosen from among the members of the corporation ;

To elect honorary, &c., members. 4. To elect, as honorary and corresponding members of the association, such persons as may be eminent for scientific attainments ;

Proviso. Such honorary members shall not, as such, be entitled to vote at elections or to rank as licentiates of pharmacy ;

To appoint secretary-registrar. 5. To appoint a secretary-registrar, who shall hold office until removed for reasons considered valid by the majority of the council.

Board of trustees. **" 4022a.** The council of the association shall appoint a permanent board of trustees, not less than six and not exceeding ten in number, who shall control and manage the real and personal property of the corporation, subject to the by-laws thereof ;

Duties. Such trustees shall give to the council an annual statement ;

Annual statement by them. They shall not buy, sell or mortgage any property of the corporation without the concurrence of the council, who shall call a general meeting of the members of the corporation.

Consent of council required to buy &c., real estate. A two-thirds' vote of the members present shall be required before any property can be purchased, mortgaged, exchanged or sold. "

Majority required for such consent.

2. Article 4024 of the said Revised Statutes is replaced R. S. Q., art. 4024 replaced. by the following :

"~~4024~~. In pharmacy, there are three classes of persons : Classes of persons in pharmacy.

- I. Certified apprentices,
- II. Certified clerks, and
- III. Licentiates of pharmacy.

2. To be admitted as a "certified apprentice," the candidate must produce satisfactory evidence of a good moral character, pass a preliminary examination in the English, French and Latin languages, in arithmetic, geography and history, and pay the fees prescribed by article 4029. Admission of certified apprentices.

Every student of medicine duly registered as such is considered as a "certified apprentice." Medical students.

3. To be admitted as a "certified clerk", the candidate must produce evidence of three years' registration as a "certified apprentice", prove that he has served at least three years with a physician or licentiate of pharmacy duly enregistered, pass an examination in the translation and dispensing of prescriptions, in pharmacy, chemistry, toxicology, posology and *materia medica*, and pay the fees prescribed in article 4029. Admission of certified clerk.

4. To be admitted as a "licentiate of pharmacy," the candidate must be a "certified clerk," prove that he has followed two courses in chemistry, two courses in *materia medica*, and a course in botany, that he has served during four years under a licentiate of pharmacy duly enregistered, and pay the fees prescribed in article 4029. Admission of licentiates of pharmacy.

5. The "major examination," which the candidate who presents himself to be a licentiate of pharmacy must pass, includes the same subjects as the "minor examination"; Major examination in what it consists. but a more extended knowledge of toxicology, *materia medica*, and pharmaceutical chemistry, as well as a knowledge of botany, are required."

3. Article 4026 of the said Revised Statutes is replaced R. S. Q., art. 4026 replaced. by the following :

"~~4026~~. The board of examiners shall be appointed by the council at its first meeting after the annual meeting, and shall be composed of persons it deems competent Appointment of board of examiners.

These persons shall examine the candidates and grant such certificates or diplomas as they may think proper to those whom they deem qualified to be "licentiates of pharmacy," "certified clerks", or "certified apprentices." Duties.

The major and minor examinations of candidates shall be held in Montreal in the spring and in Quebec in the fall of each year." Where examinations shall be held.

R. S. Q., art.
4028 § 3
replaced.
Annual regis-
ters to be
made.

4. Paragraph 3 of article 4028 of the said Revised Statutes is replaced by the following :

" 3. To make new " registers," for each year, and omit therefrom the names of persons deceased, or transferred from one " register" to another, or of persons not having paid their fees, provided their names are submitted to the council, and provided the secretary-registrar has received instructions from the council to erase said names.

Absence of
secretary-
registrar
provided for.

In the absence of the secretary-registrar from any meeting, it shall be competent for the presiding officer to appoint some person to act as secretary for the time being."

R. S. Q., art.
4029 § 3
replaced.
Fees of certi-
fied appren-
tices.
When fees are
due.

5. Paragraph 3 of article 4029 of the said Revised Statutes is replaced by the following :

" 3. Every " certified apprentice," an annual fee not exceeding two dollars.

Such fees shall be due on the first day of May in every year.

Proceedings if
fees not paid.

Any licentiate, certified clerk, or certified apprentice, not paying such fee before the first day of June in each and every year, may be removed from the registers, and when so removed from the register shall lose all the privileges hereby conferred upon him ; he may, however, be restored to all his former privileges, on payment of a fine of five dollars for a licentiate, two dollars for a certified clerk, and one dollar for a certified apprentice, provided such fine, together with the annual fee, be paid on or before the first day of October following."

Proviso.

Article added
after R. S. Q.,
art. 4030.

6. The following article is added after article 4030 of the said Revised Statutes :

Notice to be
given by those
who having
retired wish
to resume
business.

" **4030a.** Any person registered under this law, who on retiring from business shall have given notice to the registrar in writing of the same, may, at any time thereafter, be re-entered on the register as aforesaid, upon giving notice in writing to the said registrar of his intention so to re-register and upon the payment to the said registrar of the then current annual fee."

Fees required.

R. S. Q., art.
4032 amend-
ed.

7. Article 4032 of the said Revised Statutes is amended by adding the following paragraph :

Provision in
case of insol-
vency.

" 3. In the case of an insolvent, the party to whom an assignment is made, should the business be kept open, must place in charge a registered physician or licentiate of pharmacy, until such estate is closed."

R. S. Q., art.
4033 replaced.

8. Article 4033 of the said Revised Statutes is replaced by the following :

" 4033. The several articles, named or described in schedule A of this law, shall be poisons within the meaning thereof.

Poisons defined in schedule A.

The council may, from time to time, by by-law declare that any article, named in such by-law, shall be deemed a poison within the meaning of this law, and it shall then be added to and become part of schedule A.

Other articles may be declared to be poisons.

Such addition shall be advertized in the Quebec Official Gazette, after which it shall become law ; and a notice of such declaration shall be sent by registered letter to every licentiate of pharmacy and duly registered physician."

Advertisement of such additional articles.

9. Article 4034 of the said Revised Statutes is replaced by the following :

R. S. Q., art. 4034 replaced.

" 4034. It shall be unlawful to keep or sell any of the poisons named in the said schedule A, unless the box, bottle, vessel, wrapper or cover, in which such poison is contained, be distinctly labelled with the name of the article and the word " poison " and with the name and address of the seller of the poison.

Condition under which such articles may be sold.

It shall be unlawful to sell any such poison to any person unknown to the seller, unless introduced by some person known to the seller.

Sale to party unknown to seller forbidden.

On every sale of such poison, the seller shall, before delivery, make or cause to be made an entry in a book to be kept for that purpose, stating in the form set forth in schedule B, the date of the sale, the name and address of the purchaser, the name and the quantity of the poison sold, and the purpose for which it is stated by the purchaser to be required.

Entry of sales of such articles to be made.

The signature of the purchaser, and of the person (if any) who introduced the purchaser, shall be affixed to such entry.

Signatures to such entry.

The book specified in the present article for the purposes aforesaid shall be called the " Poison Sales' Register, " and shall be open to inspection by the registrar at any time.

Name of book in which entries are to be made, &c.

Nothing contained in the present article shall apply to the compounding or dispensing of physicians' or veterinary surgeons' prescriptions containing any of the poisons mentioned in the said schedule A."

Article not to apply to certain prescriptions.

10. The following articles are added after article 4035 of the said Revised Statutes :

Articles added after R. S. Q., art. 4035.

" 4035a. Physicians, duly enregistered as members of the College of Physicians and Surgeons of the Province of Quebec, shall have the right to open a drug store provided they pay the fee required by article 4029, without any prejudice to their privileges as physicians.

Physicians may become druggists on payment of fees.

Physicians in Montreal and Quebec not to be druggists.

Proviso.

“4035b. Notwithstanding the provisions of the preceding article, no physician in the cities of Montreal and Quebec can become a druggist unless he ceases to practise as a physician and surgeon ; but the present clause shall not apply to those physicians who are at present keeping druggist's shops.

Drug stores to be carried on under name of proprietor thereof.

“4035c. Every drug store shall be carried on under the name of the *bonâ fide* proprietor thereof, who must be a licentiate of pharmacy or a duly registered physician and surgeon.

Penalty on person not being proprietor allowing his name to be used as such, &c.

Any physician or licentiate of pharmacy, not being the *bonâ fide* proprietor of a drug store, allowing his name to be used as being such proprietor, shall incur, for each offence, the penalty hereinafter provided ; and any person being the proprietor of a drug store, using or holding out to the public, contrary to the provisions of this law, the name of a licentiate of pharmacy, or of a duly registered physician and surgeon, as being the proprietor thereof, shall incur, for each offence, the penalty hereinafter provided, except in cases provided for by article 4032.”

R. S. Q., art. 4037 replaced.

11. Article 4037 of the said Revised Statutes is replaced by the following :

Prescriptions by whom to be dispensed, etc.

“4037. It shall be unlawful for any apprentice, or for any licentiate of pharmacy to permit any apprentice, to engage in the dispensing of prescriptions, or in the sale of the poisons enumerated in schedule A, unless such certified apprentice be under the immediate supervision of a physician, or licentiate of pharmacy, or certified clerk, during the time he is engaged in the dispensing of prescriptions, or in the sale of the aforesaid poisons.”

R. S. Q., art. 4039 replaced.

12. Article 4039 of the said Revised Statutes is replaced by the following :

Sale of certain articles not affected.

“4039. Nothing herein shall prevent the sale, by persons not registered in pursuance of this law, of Paris Green or London Purple, so long as said articles are sold in well secured packages, distinctly labelled with the name of the article, the name and address of the seller and marked “Poison.”

Art. added after R. S. Q., 4039.

13. The following article is added after the said article 4039 :

Proprietor to be deemed to be seller for purposes of the act.

“4039a. For the purpose of this law, the proprietor, on whose behalf any sale is made by any clerk, apprentice or other employee, shall be deemed the seller,

without prejudice however to the liability of the three classes of persons in pharmacy under article 4046." Proviso.

14. Articles 4046 and 4047 of the said Revised Statutes are replaced by the following article: R. S. Q., art. 4046 and 4047 replaced.

14-16. Any person, offending against the provisions of articles 4032, 4035, 4035a, 4035b, 4035c, 4036, 4037, 4038 and 4039, shall incur a penalty of twenty-five dollars for the first offence, and of fifty dollars for the second and each subsequent offence, together with costs." Penalty for infringing certain articles.

* **15.** Article 4050 of the said Revised Statutes is amended by replacing the word "five" in the third line of said article by the word "ten." R. S. Q., art. 4050 amended.

16. Article 4052 of the said Revised Statutes is amended by inserting in the fourth line after the words "wholesale dealers in drugs" the words "or with dealers in photographic supplies." R. S. Q., art. 4052 amended.

17. Schedules A and B after article 4052 of the said Revised Statutes are replaced by the following schedule A, and schedule C shall be known as schedule B. R. S. Q., schedules A and B, after art. 4052, replaced and schedule C to be schedule B.

SCHEDULE A.

LIST OF POISONS.

Acid Hydrocyanic (Prussic);
 Aconite and its preparations;
 Antimony, Tartrate of,—
 Arsenic and all compounds thereof;
 Belladonna and its preparations;
 Calabar Beans;
 Cantharides, and the Tincture and Acetum thereof
 Carbolic Acid (pure and crude);
 Chloral Hydrate;
 Chloroform and Ether;
 Chlorodyne;
 Cocaine and its preparations;
 Conium and its preparations;
 Corrosive sublimate, and compounds thereof.
 Croton Chloral Hydrate;
 Croton oil;
 Cyanide of Potassium and all metallic cyanides;
 Digitalis and its preparations;
 Ergot and its preparations;
 Eleterium;
 Essential Oil of Almonds;
 Euphorbium;

Hyosciamus and its preparations ;
 Indian Hemp ; and its preparations.
 Mercurial salts and their compounds ;
 Morphia and its salts and solutions ;
 Nux Vomica ;
 Opium and its preparations including laudanum, but
 not paregoric ;
 Savin and its oil ;
 St. Ignatius Bean ;
 Strychnine and all poisonous alkaloids and their salts ;
 Veratria ;
 Verdigris.

CAP. XLVII.

An Act respecting the width of roads and streets in cities,
 towns, and villages.

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS, in the interest of health and as a protection
 against fire, it is advisable that provisions be
 enacted with respect to the width of roads and streets in
 cities, towns, and villages in the Province ;

Therefore, Her Majesty, by and with the advice and
 consent of the Legislature of Quebec, enacts as follows :

Section
 added to R.
 S. Q., title 11,
 chap. 2.

1. The following section is added to chapter second of
 title eleventh of the Revised Statutes of the Province of
 Quebec.

" SECTION 1a.

" OF THE WIDTH OF ROADS AND STREETS IN CITIES, TOWNS, AND
 VILLAGES.

Width of
 streets.

" **4616a.** Every road or street shall, whenever a muni-
 cipal council, corporation, association or individual
 subdivides his land into building lots, have a width
 of at least sixty-six feet, English measure."

Art. added
 after M. C.,
 770 art.

2. The following article is added after article 770 of the
 Municipal Code :

Width of
 streets.

" **770a.** In accordance with article 4616a of the
 Revised Statutes of the Province of Quebec, every road
 or street in a city, town, or village shall have a width
 of at least sixty-six feet, English measure."

R. S. Q., art.
 4458 amended.

3. The first paragraph of article 4458 of the said
 Revised Statutes is replaced by the following :