

## C A P . X X X V I I .

An Act to amend the Act of incorporation of the Pharmaceutical Association of the Province of Quebec, and to Regulate the Sale of Poisons.

[Assented to 23rd February, 1875.]

**W**HEREAS it is expedient for the safety of the public <sup>Preamble.</sup> that all persons engaged in the sale of drugs and poisons, and the dispensing of medicines, should possess a competent, practical knowledge of chemistry, and other branches of useful knowledge; and whereas certain persons desirous of advancing chemistry and pharmacy, and of promoting a uniform system of educating those who should practice the same, formed themselves into a society called the "Pharmaceutical Association of the Province of Quebec," which said society, was, in the year of our Lord one thousand eight hundred and seventy incorporated by Her Majesty, by and with the advice of the legislature of Quebec; and whereas for the purposes of extending the benefits which have already resulted from the said Act of incorporation, it is desirable that additional powers be granted for regulating the qualifications of persons who may carry on the business of pharmaceutical chemists, or chemists and druggists, and for the regulation of the sale of poisons, and for other purposes connected with pharmacy; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The said act of incorporation granted to the said <sup>Act 34 V., c. 52 confirmed.</sup> association, and known as "The Pharmaceutical Association Act of 1870," save and except such part or parts thereof as are hereby altered, varied or repealed, shall be, and the same are hereby confirmed and declared to be, in full force and virtue, and shall be as good and effectual, to all intents and purposes as if this act had not been passed.

2. The council of the said pharmaceutical association, <sup>Powers of the council.</sup> shall be, and the same are hereby authorized and empowered to alter and amend the by-laws of the said association made and established under or in pursuance of the said act of incorporation, and to make or establish such new or additional by-laws as they shall deem proper or necessary for <sup>By-laws.</sup> the purposes contemplated by the said act of incorporation or by this act.

3. All persons in business on their own account as <sup>Persons already in business, to be entered in the register.</sup> dispensing chemists or apothecaries prior to the passing of this act, shall be entitled to be placed upon the register and to be certified as licentiates in pharmacy.

Clerks of five years.

4. All clerks who have been not less than five years in the trade shall, after satisfactory examination before the board of examiners of the association, be entitled to be placed on the register as "certified clerks."

Study and examination required.

5. All clerks and apprentices who have not been five years in the trade, shall go through the required curriculum of study and pass the examinations before they can be registered as "certified clerks."

Certificate, and preliminary examination.

6. Every youth, before he is taken as apprentice by a licentiate of pharmacy, shall produce satisfactory evidence of a good moral character, and pass a preliminary examination in the English, French and Latin languages, and arithmetic, after which he shall be registered as a "certified apprentice."

Minor examination.

7. In addition to the preliminary examination for apprentices, there shall be two other examinations. The first, to be called the "minor examination," shall be passed by all certified apprentices before they can take the position and become qualified as "certified clerks."

The candidate shall be examined in the translation and dispensing of prescriptions, pharmacy, chemistry, especially the chemistry of poisons, posology, and materia medica.

After passing this examination the candidate shall be registered as a "certified clerk."

Major examination.

8. The second examination shall be called the "major examination," and shall embrace the same subjects as the "minor examination," but a knowledge of botany, and a more extended knowledge of materia medica and pharmaceutical chemistry will be required. The candidate must also produce evidence that he has served at least four years in a drug store, and has attended two courses of lectures on chemistry, two courses on materia medica, and one course on botany.

After passing this examination and producing the required certificates, the candidate shall be registered as a "licentiate of pharmacy."

Regulations respecting examinations.

9. All the examinations referred to in the previous clauses—viz., the preliminary examination, the minor examination, and the major examination—shall take place and be regulated by such rules and regulations as may be in force at the time such examinations are held, and all candidates for any of the said examinations shall pay such fees as may be imposed by any such rules or by-laws.

Decisions of the council.

10. The council of the said corporation for the time being, by themselves or such other competent persons as

they shall think fit to appoint, shall examine and decide upon the admission of licentiates, certified clerks and certified apprentices of the said corporation, and grant such certificates or diplomas as they shall think proper to the persons whom they shall deem qualified to be such licentiates, certified clerks, or certified apprentices respectively.

11. The board of examiners for the time being shall dispense with the examinations herein provided for, and shall accept, in lieu thereof, authenticated certificates of examination by duly appointed medical or pharmaceutical boards, accompanied by certificates of good moral character, and subject to such other regulations as may be imposed by by-law. Examinations dispensed with, when certificates are presented.

12. The registrar shall from time to time make out and maintain registers of: 1st, licentiates in pharmacy; 2nd, certified clerks; and, 3rd, certified apprentices respectively; and shall grant, on application, certificates of such registration on payment of such fee as may be fixed by by-law; and the said registrar shall make new registers for each year, and omit therefrom the names of persons deceased or transferred from one register to another. Yearly registers.

13. Members of the association shall pay the following fees, namely: every licentiate of pharmacy shall every year pay to the association a fee or subscription not exceeding ten dollars per annum, every certified clerk shall pay to the association an annual fee not exceeding five dollars, and every certified apprentice shall pay an annual fee not exceeding two dollars. Such fees shall be due on the first day of May in every year, and any licentiate, clerk or apprentice not paying such fee before the first day of July in every year, shall be removed from the register, and lose the privileges conferred on him by this act, but he shall be restored to all his former privileges by the council of the association on payment of a fine not exceeding five dollars, if paid before the first of the following October. Fees to be paid by members. When due. Default.

14. The annual general meeting of the association shall be held alternately in the cities of Montreal and Quebec, on the second Tuesday in the month of June in each year, or such other day near thereto as shall be determined by the council. Date and place of the annual meeting.

15. On and after the first day of May, 1875, it shall be unlawful for any person to keep open any store for the retailing, dispensing, or compounding of the poisons enumerated in schedule A, or to sell or dispense the said enumerated poisons, or to engage in the dispensing of prescriptions, or The sale of drugs, unless by registered persons, as required, prohibited.

to assume or use the title chemist and druggist, or chemist or druggist, apothecary or pharmacist, or pharmacist or dispensing chemist, within this province, unless he be registered in accordance with the provisions of this act as licentiate in pharmacy, or be a registered member or licentiate physician of the college of physicians and surgeons of the province of Quebec; and it shall be unlawful for any such druggist, chemist, pharmacist, or pharmacist to employ any clerk or apprentice in any shop or store for the sale of such poisons, or in the dispensing of medicines, except such clerk or apprentice be registered as required by this act.

Penalty.

**16.** Any person offending against the provisions of the preceding section, shall incur a penalty for every such offence not exceeding fifty dollars, to be recovered before any magistrate, together with costs.

False declaration of inscription.

**17.** If any person shall falsely represent by any name, title, or description, that he is registered under this Act, or falsely represent the class or grade of his registration, or engage himself as a certified clerk, not being registered as such, or as a certified apprentice, not being registered as such, he shall, upon conviction before a magistrate, be liable to a fine for every such offence not exceeding twenty-five dollars, together with costs.

Penalty.

Sale of poisons.

**18.** It shall be unlawful to keep or sell any of the poisons named in schedule A, unless the box, bottle, vessel, wrapper, or cover in which such poison is contained, be distinctly labelled on black label with the name of the article and the word "poison," and with the name and address of the seller of the poison. And 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; and on every sale of such article 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 to this Act, the date of the sale the name and address of the purchaser, the name and quantity of the article sold, and the purpose for which it is stated by the purchaser to be required, to which entry the signature of the purchaser, and of the person, if any, who introduced him, shall be affixed; and any person selling such poison otherwise than is herein provided, shall, upon conviction before a magistrate, be liable to a penalty not exceeding twenty-five dollars, and for the purpose of this section the proprietor on whose behalf any sale is made by any apprentice or servant, shall be deemed to be the seller,

Black label.

Buyer must be known or introduced.

Entry.

Penalty.

**19.** Persons offending against sections 13, 15, 16, 17 or 18 of the present act may be proceeded against either by the pharmaceutical association of the province of Quebec, or any person of the said province. Prosecution.

**20.** The several articles named or described in schedule A, shall be poisons within the meaning of this act, and the council of the said corporation may, from time to time, by by-law, and with the concurrence and approval of the board of governors of the college of physicians and surgeons, declare that any article named in such by-law be deemed a poison within the meaning of this act, and it shall then be added to and become part of schedule A, and such addition shall be advertised in the *Quebec Official Gazette*. List of poisons. New poison.

**21.** All penalties imposed by this Act shall be recoverable with costs on the oath of any one credible witness before any recorder or justice of the peace, for the district in which the offence is committed, and said penalty and costs in default of immediate payment shall be enforced by distress; and in default of sufficient distress, the defendant shall be liable to be imprisoned in the common gaol of the district, for a period not exceeding ninety days, unless such penalty and costs be sooner paid; and no person competent to be a witness in any suit or prosecution in which the corporation may be engaged, shall be deemed incompetent by reason of his being a member or officer of the said corporation. Recovery of fines.

**22.** All penalties imposed under this act shall belong to and be payable to the said corporation, and shall be applied for the general purposes of this act. To whom they belong.

**23.** The act passed in the session of parliament of the heretofore province of Canada, held in the 27th and 28th years of Her Majesty's reign, chapter 51, is hereby repealed, and section 16 of chapter 71 of the consolidated statutes for Lower Canada thereby repealed, shall not revive, but shall be considered as repealed, notwithstanding the repeal of the said act. 27-28 V. c. 51 repealed.

**24.** Nothing in this act shall interfere with the privileges conferred upon physicians and surgeons by the various acts relating to the practice of medicine and surgery in this province, nor with the business of wholesale dealers in drugs in the ordinary course of wholesale dealing, nor with chemical manufacturers, nor with duly licensed veterinary surgeons. Privileges of physicians and surgeons to be served.

**25.** This act may be cited as "The Quebec Pharmacy Act of 1875."

## SCHEDULE A.

Arsenic and its preparations.  
 Prussic Acid.  
 Emetic Tartar.  
 Cyanide of Potassium and all Metallic Cyanides.  
 Aconite and its preparations.  
 Opium and its preparations, except Paregoric and Syrup  
 of Poppies.  
 Essential Oil of Almonds unless deprived of Prussic Acid.  
 Corrosive Sublimate.  
 Cantharides.  
 Savin and its Oil.  
 Ergot of Rye and its preparations.  
 Strychnine and all poisonous vegetable Alkaloids and  
 their Salts.

## SCHEDULE B.

DATE.	Name of Purchaser.	Address of Purchaser.	Name and Quantity of Poison sold.	Purpose for which Poison is required.	Signature of Pur- chaser.	Signature of Person introducing Pur- chaser.

## CAP. XXXVIII.

An Act to amend Chapter 68 of the Consolidated Statutes for Lower Canada, respecting Mutual Assurance Companies.

[Assented to 23rd February, 1875.]

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