

within the time specified to establish to the satisfaction of said commissioner of insurance that it has not violated this section in the manner alleged in such affidavit, said commissioner of insurance shall immediately revoke the license of said company, association or corporation, and the licenses of all its agents for the transaction of the business of fire insurance within this state. No license to transact the business of fire insurance within this state shall be granted by said commissioner of insurance to any company, association or corporation, or to any agent thereof, to transact such business of fire insurance for said company, association or corporation for the period of one year from the date when the license of said company, association or corporation has been revoked under the provisions of this section.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 18, 1882.

[No. 46, S.]

[Published March 24, 1882.]

### CHAPTER 167.

AN ACT to regulate the practice of pharmacy, the licensing of persons to carry on such practice, and the sale of poisons in the state of Wisconsin.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. That it shall hereafter be unlawful for any person, other than a registered pharmacist, to retail, compound or dispense drugs, medicines or poisons, or to institute or conduct any pharmacy, store or shop for retailing, compounding or dispensing drugs, medicines or poisons, unless such person shall be a registered pharmacist, or shall employ and place in charge of said pharmacy, store or shop a registered pharmacist, within the full meaning of this act, except as hereinafter provided.

Registered pharmacist.

SECTION 2. In order to be registered within the full meaning of this act, all persons must be either graduates in pharmacy, or shall at the time this act takes effect be engaged in the business of a dispensing pharmacist on their own account, in the state of Wisconsin, in the preparation of physicians' prescriptions, and in the vending and compounding of drugs, medicines and poisons, or shall be licentiates in pharmacy.

Graduates.

SECTION 3. Graduates in pharmacy shall be considered to consist of such persons as have had four

Of whom they shall consist.

years' practical experience in drug stores where prescriptions of medical practitioners are compounded, and have obtained a diploma from such colleges or schools of pharmacy as shall be approved by the board of pharmacy, such as shall be judged by the said board of pharmacy as sufficient guarantee of their attainments and proficiency.

Licentiate.

SECTION 4. Licentiate in pharmacy shall be such persons as have had two year's practical experience in drug stores wherein the prescriptions of medical practitioners are compounded, and have sustained a satisfactory examination before the said board of pharmacy, hereinafter mentioned. The said board may grant certificates of registration to licentiate of such other state boards as it may deem proper, without further examination. It shall be the duty of the board to grant, in towns or villages of less than 500 inhabitants, a minor certificate to such persons as they may deem competent to sell or vend such medicines and compounds as are required by the general public, but such parties shall not be considered competent unless they have had two years' experience in the sale of medicines and compounding physicians' prescriptions; the said certificate shall entitle the holder thereof only to registration as assistant pharmacist in towns and villages of over 500 inhabitants.

Shall elect reputable and practicing pharmacists.

SECTION 5. Immediately upon the passage of this act the Wisconsin Pharmaceutical Association shall elect ten reputable and practicing pharmacists doing business in the state, from which number the governor of the state shall appoint five. The said five pharmacists, duly elected and appointed shall constitute the board of pharmacy of the state of Wisconsin, and shall hold office as respectively designated in their appointments, for the term of one, two, three, four and five years, respectively, as hereinafter provided, and until their successors have been duly appointed and qualified. The Wisconsin Pharmaceutical Society, shall annually thereafter elect three pharmacists, from which number the governor of the state shall appoint one to fill the vacancy annually occurring in said board. The term of office shall be five years. In case of resignation or removal from the state of any member of said board, or of a vacancy occurring from any cause, the governor shall fill the vacancy by appointing a pharmacist from the names last submitted, to serve as a member of the board for the remainder of the term.

President and secretary.

SECTION 6. The said board shall, within thirty days of its appointment, meet and organize by the

selection of a president and secretary from the number of its own members, who shall be elected for the term of one year, and shall perform the duties prescribed by the board. It shall be the duty of the board to examine all applications for registration submitted in proper form; to grant certificates of registration to such persons as may be entitled to the same under the provisions of this act; to cause the prosecution of all persons violating its provisions; to report annually to the governor and to the Wisconsin Pharmaceutical Society upon the condition of pharmacy in the state, which said report shall also furnish a record of the proceedings of the said board for the year, as well as the names of all pharmacists duly registered under this act. The board shall hold meetings for the examination of applicants for registration, and the transaction of such other business as shall pertain to its duties, at least once in three months. And the said board shall give thirty days' public notice of the time and place of such meeting. The said board shall also have power to make by-laws for the proper execution of its duties under this act, and shall keep a book of registration in which shall be entered the names and places of business of all persons registered under this act; which registration book shall also contain such facts as said persons shall claim to justify their registration. Three members of said board shall constitute a quorum.

SECTION 7. Every person claiming the right of registration under this act who shall, within three months after the passage of this act, forward to the board of pharmacy satisfactory proof, supported by his affidavit, that he was engaged in the business of dispensing pharmacy on his own account in the state of Wisconsin at the time of the passage of this act, as provided in section 2, shall, upon the payment of the fee hereinafter mentioned, be granted a certificate of registration; provided, that in case of failure or neglect to register as herein specified, then such person shall, in order to be registered, comply with the requirements provided for registration as graduates in pharmacy or licentiates in pharmacy within the meaning of this act.

SECTION 8. Any person engaged in the position of assistant or clerk in a pharmacy at the time this act takes effect, not less than eighteen years of age, who shall have had at least two years' practical experience in drug stores where the prescriptions of medical practitioners are compounded, and who shall furnish satisfactory

evidence to that effect to the state board of pharmacy, shall, upon making application for registration and upon the payment to the secretary of said board of a fee of one dollar, within sixty days after this act takes effect, be entitled to a certificate as "registered assistant," which certificate shall entitle him to continue in such duties as clerk or assistant; but such certificate shall not entitle him to engage in business on his own account, except as provided in section 4, or to the certificate of registered pharmacist, unless he shall have had at least five years' experience in such stores where the prescriptions of medical practitioners are compounded at the time of the passage of this act. Thereafter he shall pay annually to the said secretary, a sum not exceeding fifty cents, during the time he shall continue in such duties, in return for which sum he shall receive a renewal of his certificate.

Fee to be paid.

SECTION 9. Every person claiming registration as a registered pharmacist under section 7 of this act shall, before a certificate is granted, pay to the secretary of the said board of pharmacy the sum of two dollars; and a like sum shall be paid to said secretary by graduates in pharmacy and by such licentiates of other boards who shall apply for registration under this act; and every applicant for registration by examination shall pay to the said secretary the sum of five dollars before such examination be attempted; provided, that in case the applicant fails to sustain a satisfactory examination by the said board, his money, the said five dollars, shall be refunded to him.

Registration fee.

SECTION 10. Every registered pharmacist who desires to continue the practice of his profession shall annually, during the time he shall continue in such practice, on such date as the board of pharmacy may determine, pay to the secretary of said board a registration fee, the amount of which shall be fixed by the board, and which in no case shall exceed two dollars, in return for which payment he shall receive a renewal of said registration. Every certificate of registration and every renewal of such certificate shall be conspicuously exposed in the pharmacy to which it applies.

Salary.

SECTION 11. The secretary of the board of pharmacy shall receive a salary which shall be determined by the said board; he shall also receive his traveling and other expenses incurred in the performance of his official duties. The other members of said board shall receive the sum of five dollars for each day actually engaged in such service and all legitimate and neces-

ary expenses incurred in attending the meetings of said board. Said expenses shall be paid from the fees and penalties received by said board under the provisions of this act, and no part of the salary or other expenses of said board shall be paid out of the public treasury. All moneys received by said board in excess of said allowances and other expenses hereinbefore provided for, shall be held by the secretary of said board as a special fund for meeting the expenses of said board, said secretary giving such bonds as the said board shall from time to time direct. The said board shall, in its annual report to the governor and to the Wisconsin Pharmaceutical Association, render an account of all moneys received and disbursed by them pursuant to this act.

SECTION 12. Any person not being or not having in his employ a registered pharmacist, within the full meaning of this act, except as provided in section 4, who shall, after the expiration of ninety days from the passage of this act, keep a pharmacy store or shop for retailing, compounding or dispensing medicines, or who shall take, use or exhibit the title of a registered pharmacist, shall for each and every such offense be liable to a penalty of fifty dollars. Any registered pharmacist or other person who shall permit the compounding and dispensing of prescriptions or the vending of drugs, medicines or poisons in his store or place of business except under the supervision of a registered pharmacist, or except by a registered assistant pharmacist, or any pharmacist or "registered assistant," who while continuing in business, shall fail or neglect to procure his annual registration or any person who shall wilfully make any false representation to procure registration for himself or any other person, or who shall violate any other provision of this act, shall for each and every such offense be liable to a penalty of fifty dollars; provided, that nothing in this act shall in any manner interfere with the business of any physician in regular practice or prevent him from supplying to his patients such articles as may seem to him proper, nor with the making and vending of proprietary medicine or medicines placed in sealed packages with the name of the contents and of the pharmacist or physician by whom prepared or compounded, nor with the sale of the usual domestic remedies by retail dealers, nor with the exclusively wholesale business of any dealers except as hereinafter provided.

Penalty for non compliance with the law.

Proprietor held  
responsib.le.

SECTION 13. Every proprietor or conductor of a drug store shall be held responsible for the quality of all drugs, chemicals and medicines sold or dispensed by him, except those sold in the original package of the manufacturer, and except those articles or preparations known as patent or proprietary medicines. And should such proprietor or conductor of a drug store knowingly, intentionally and fraudulently adulterate or cause adulterated such drugs, chemicals or medicinal preparations, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable to a penalty of not less than seventy-five dollars nor more than one hundred and fifty dollars, and his name stricken from the register.

Sale of poi-  
sons.

SECTION 14. No person shall sell at retail any poisons commonly recognized as such, and especially aconite, arsenic, belladonna, biniodide of mercury, carbonic acid, chloral hydrate, chloroform, conium, corrosive sublimate, creasote, croton oil, cyanide of potassium, digitalis, hydrocyanic acid, laudanum, morphine, nux vomica, oil of bitter almonds, opium, oxalic acid, strychnine, sugar of lead, sulphate of zinc, white precipitate, red precipitate, without affixing to the box, bottle, vessel or package containing the same, and to the wrapper or cover thereof, a label bearing the name "poison," distinctly shown, together with the name and place of business of the seller, nor shall he deliver any of the said poisons to any person without satisfying himself that such poison is to be used for legitimate purposes; provided, that nothing herein contained shall apply to the dispensing of physicians' prescriptions specifying any of the poisons aforesaid. Any person failing to comply with the requirements of this section shall be deemed guilty of a misdemeanor, and shall be liable to a fine of not less than five dollars for each and every such omission.

Suits how  
prosecuted.

SECTION 15. All suits for the recovery of the several penalties prescribed in this act shall be prosecuted in the name of "the people of the state of Wisconsin," in any court having jurisdiction; and it shall be the duty of the state's attorney of the county wherein such offense is committed, to prosecute all persons violating the provisions of this act upon proper complaint being made. All penalties collected under the provisions of this act shall inure one-half to the board of pharmacy and the remainder to the school fund of the county in which the suit was prosecuted and judgment obtained.

**SECTION 16.** All acts or portions of acts regulating <sup>Repealed.</sup> the practice of pharmacy and the sale of poisons within this state, enacted prior to the passage of this act, are hereby repealed; provided, nothing in this act shall be so construed as to prevent any person who has once been a registered member, and may have forfeited his membership by non-payment of dues or fees, from renewing his membership by paying the required dues or fees without examination.

**SECTION 17.** This act shall take effect and be in force from and after its passage and publication.

Approved March 18, 1882.

[No. 86, S.]

[Published March 26, 1882.]

### CHAPTER 168.

**AN ACT** to secure suitable highways and streets to fair ground and cemetery associations.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** Whenever any cemetery association, or industrial or agricultural association owning land in any city, village or town in this state shall file a petition with the clerk of such city, village or town, setting forth that such association owns land in such city, village or town, describing it, and used or intended to be used by such cemetery association for the burial of the dead or used or intended to be used by such industrial or agricultural association for fair grounds, and to which there is no laid out highway or street, and praying that such city, village or town shall lay out a street or highway from the nearest street or highway to such land, the common council of such city, trustees of such village, or supervisors of such town shall make out a notice, which shall be served on the owners or occupants of the land through which the proposed highway or street is to be laid, which notice shall contain a copy of the petition filed as aforesaid, and the time when said common council of said city, trustees of such village or supervisors of such town shall meet to take action upon said petition, which shall be within ten days after the service of such notice. If the common council of such city, the trustees of such village, or the board of supervisors of such town shall ascertain that such association owns land in such city, town or village which is used or which is hereafter to be used for the purposes mentioned in section 1 of this act, and that there is no street in said city, village or highway

In regard to cemetery associations.