

THE PHARMACY ACT OF 1871.

(Assented to 15th February, 1871.)

Preamble.

WHEREAS it is expedient for the safety of the public that persons engaged in the sale of dangerous, poisonous and medicinal substances, should be acquainted with their nature and uses; Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Restriction on sale of poisons, etc., and on the assumption of certain titles.

1. From and after the first day of July, in the year of our Lord one thousand eight hundred and seventy-one, it shall be unlawful for any person to sell or keep open shop for retailing, dispensing, or compounding poisons, or to sell or attempt to sell any of the articles mentioned in Schedule "A" of this Act, or to assume or use the title "Chemist and Druggist," or "Chemist," or "Druggist," or "Pharmacist or Apothecary" or "Dispensing Chemist or Druggist," in any part of the Province of Ontario, unless such person shall be registered under this Act, nor unless such person has taken out a certificate under the provisions of section twenty-one of this Act, for the time during which he is selling, or keeping open shop for retailing, dispensing or compounding poisons, or assuming or using such title.

Certain articles to be deemed poisonous.

2. The several articles named or described in Schedule "A," shall be deemed to be poisons within the meaning of this Act, and the Council of the Ontario College of Pharmacy hereinafter mentioned, may, from time to time by resolution declare, that any article in such resolution named ought to be deemed poison within the meaning of this Act, and thereupon the said Society shall submit the same for the approval of the Lieutenant-Governor in Council, and if such approval shall be given, then such resolution and approval shall be advertised in the *Ontario Gazette*, and on the expiration of one month from such advertisement, the article named in such resolution shall be deemed to be a poison within the meaning of this Act, and the same shall be subject to the provisions of this Act or such of them as may be directed by the Lieutenant-Governor in Council.

Certain poisons to be sold only in a certain manner.

3. It shall be unlawful to sell any poison named in the first part of Schedule "A," either by wholesale or retail, 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 if sold by retail, then also with the name and address of the proprietor of the establishment in which such poison is sold; and it shall be unlawful to sell any poison mentioned in the first part of Schedule "A," to any person unknown to the seller unless introduced by some person known to the seller; and on every sale of any such article the person actually selling the same shall, before delivery, make an entry in a book to be kept for that purpose, in the form set forth in Schedule "B," to this Act, stating the date of the sale, the name and address of the purchaser, the name and quantity of the article sold, the purpose for which it is stated by the purchaser to be required, and the name of the person, if any, who introduced him, to which entry the signature of the purchaser shall be affixed.

The Ontario College of Pharmacy, formation of.

4. For the purpose of more effectually carrying out the objects of this Act, it shall be lawful for the persons at the time of the passing of this Act engaged as principals or assistants in the business of an Apothecary, or Chemist and Druggist, and those persons who shall have carried on business as an Apothecary, or Chemist or Druggist, for a period of three years before the passing of this Act, in the Province of Ontario, to form themselves into a society to be called "The Ontario College of Pharmacy," and every per-

son so engaged in business on his own account, and every person who, at the time of the passing of this Act, has served an apprenticeship of three years, and has acted as Druggist's assistant for one year, shall, upon a payment of a fee of four dollars to the Treasurer of the said Society, be entitled to be enrolled as a member of the said Society, and every person so engaged as a clerk, assistant or apprentice, on payment of a fee of two dollars, shall be entitled to be enrolled as an associate of the said College.

5. Any associate may, upon passing such an examination as may be prescribed by the Council, be admitted and enrolled as a member of the said Council.

6. William Elliot, Hugh Miller, George Hodgetts, and W. H. Dunsbaugh of the city of Toronto; John W. Bickle, John Winer and A. Hamilton, of the city of Hamilton; B. A. Mitchell and William Saunders, of the city of London; E. H. Parker, of the city of Kingston; John Brown and John Roberts of the city of Ottawa; S. J. Parker, of the town of Owen Sound; James Mills, of the town of St. Catharines; J. Hawkes of the town of Cornwall; F. Brendon of the town of Brantford; F. Jordan, of the town of Goderich; C. Stork of the town of Brampton; C. Brent, of the town of Port Hope; E. Gregory, of the town of Lindsay; A. W. Kempt, of the town of Peterborough; and Henry John Rose, of the city of Toronto; Thomas Matchett, of Omamee, in the County of Victoria, and James Clements Holden, of the town of Belleville; and such other persons as may become members or associates of the said College under the provisions of this Act, shall be and are hereby constituted a body politic and corporate under the name of "The Ontario College of Pharmacy."

7. Until other persons be elected, as hereinafter provided, the persons first hereinbefore named shall be the Council or Board of Directors of the said Society, and shall act as a Board to grant certificates of competency to conduct the business of a Chemist and Druggist, and to be registered under this Act; and the said Henry John Rose shall be Provisional Registrar of said Society. The first meeting of said Council shall be held on the first Wednesday in July, one thousand eight hundred and seventy-one, at the City of Toronto, at such time and place as the Provisional Registrar and any two of the above-named persons may fix, and of which notice shall be given for at least four weeks prior thereto in the *Ontario Gazette*.

8. The said Pharmaceutical Council to be elected as hereinafter mentioned, shall consist of thirteen members, who shall hold office for two years. Any member of said Council may at any time resign by letter directed to the Registrar of said College; and in the event of any vacancy occurring, the remaining members of the Council shall fill up such vacancy from the members of the College.

9. The first election shall take place on the first Wednesday in October, in the year of our Lord one thousand eight hundred and seventy-one, at such place as shall be fixed by resolution of the said Provisional Council; and the Registrar to be appointed by the said Council shall act as Returning Officer at the said election, and the persons entitled to vote at such first election shall be all persons who are at the time of the passing of this Act engaged as Chemists and Druggists on their own account or in partnership with any other person in the Province of Ontario.

10. Every subsequent election shall be held on the first Wednesday in July in every second year, and the persons qualified to vote at such election shall be such persons as are members of the said Society.

11. The said Council shall, at their first meeting, elect from themselves a President and Vice-President,

Admission of members admitted and enrolled as a member of the said Council.

The Ontario College of Pharmacy incorporated.

Provisional Directors, &c.

H. J. Rose to be Registrar. First meeting.

Council, of whom composed.

Resignation of members and vacancy how filled.

The first election of the council, how to be held.

Subsequent elections, how to be held.

President and officers, how elected.