

penalty. Certain provisions of the law of pharmacy are an obstacle to a corporation carrying on the business of druggist.

"To obtain registration as a druggist, it is necessary that the person licensed should be a licensed clerk; it is necessary that he should take a course in medicine upon two subjects and a course in botany and it is necessary that he should be a licensed clerk for the preceding four years (art. 4024, par. 4). The same article adds that there are three classes of persons in pharmacy: the certificated apprentice, the clerk with a diploma, and the licensed druggist.

"The provisions I have just cited clearly indicate that a corporation cannot be a licensed druggist under those conditions. A natural person alone can fulfil the required conditions for admission to the profession.

"Well, then, the respondent argues, we are subject to the obligations of natural persons, but we have no rights.

"That is evidently the goal of the law.

"The association, has succeeded in having its powers enlarged to such an extent that all competitors are subject to such conditions as practically put them out of existence; or maybe, the legislature thought—and this is the only presumption upon which we can base our decision—that it would be of the greatest imprudence if the sale of drugs was not put immediately under the supervision of a competent person.

"Whatever be the motives of it, the provisions of the law seem to clearly indicate that companies, of the nature of the one sued in the present case, should not have the right to open establishment for the sale of drugs.

"Now, the appellant claims \$1,000 because the respondent kept two establishments open during two hundred days, and the fine claimed is \$25 per day for each store.