

act, provided, that nothing in this act shall be so construed as to prevent any practicing physician from supplying medicines in connection with professional practice, nor to restrict the sale at retail of patent and proprietary medicines and compounds prepared and compounded for medicinal use by wholesale dealers in drugs and medicines, when sold in the original package, box or bottle; and no penalty shall hereafter be enforced against any person for the sale of patent or proprietary medicines or compounds prepared by wholesale dealers in drugs and medicines when sold as aforesaid; and no penalty shall hereafter be enforced against any person for the sale of proprietary or patent medicines or drugs other than poisonous. Exception.

SEC. 390. That the Maryland College of Pharmacy shall nominate bi-ennially of the most skilled and competent pharmacists of the city of Baltimore, ten persons, from amongst whom the Governor shall appoint three commissioners, whose duty it shall be to faithfully and impartially execute or cause to be executed all the provisions and requirements of this act. They shall, upon application, and in such manner and at such place as they may determine, examine each and every person who shall desire to engage in vending, at retail, drugs, medicines or chemicals for medicinal use or in compounding and dispensing physicians' prescriptions in the city of Baltimore, touching his competency and qualifications, and upon being satisfied that the person so examined is competent and qualified to vend, at retail, drugs, medicines and chemicals for medicinal use, and compound and dispense physicians' prescriptions safely, and without jeopardy to the health and lives of the people of the city of Baltimore, they or any two of them shall grant such person a certificate of competency and register him as a pharmacist. Commissioners to be appointed by the Governor.  
  
Their duties

SEC. 391. That the commissioners appointed under this act shall be styled and known as the commissioners of pharmacy and practical chemistry, and shall hold office for two years and thereafter until their successors have been appointed and have qualified. Said commissioners shall, within thirty days after notification of their appointment, each subscribe to an oath before the clerk of the Superior Court of Baltimore City, to impartially and faithfully discharge the duties prescribed by this act. Commissioners of Pharmacy.

The position of any commissioner appointed under this act, who shall fail to so qualify within the time and in the manner named, shall be vacant. The Governor shall fill all vacancies occurring from amongst the person nominated by the Maryland College of Pharmacy under section 390 of this act. Failure to qualify