SEVENTH BIENNIAL REPORT

OF THE

Commissioners of Pharmacy

FOR THE

STATE OF IOWA.

1893.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY.

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REPORT OF COMMISSION.

COMMISSIONERS OF PHARMACY OF STATE OF IGWA. DES MOUNES, IOWA, September 8, 1893.

To His Excellency, Horace Boies, Governor:

We have the honor to submit our seventh biennial report in brief as required by law; the work of the Board and its doings, and a corrected abstract of the State Pharmacy registers to date.

The period over which this report extends has been one very gratifying to the Commissioners. There has been a marked advance made in the science of pharmacy, and in the preparation of the applicants for examination, one of the essential requirements being that the applicant shall have at least one year's practical experience under the supervision of a registered pharmacist before making an application for registration.

Twelve years ago, when the Commissioners of Pharmacy rendered their first report, it showed 1,845 pharmacists registered without examination, and 259 by examination. To-day in our report submitted, we find that 1,800 pharmacists whose certificates are in force, have passed the Board by examination, while the old pioneers in pharmacy and the standard bearers have reduced their number to 571.

The necessity of an appropriation for the purpose of providing a suitable prescription case, and the necessary wares, implements and materials to be used for the office of the Secretary of the Board for laboratory use in conducting examinations, as set forth in the two last biennial reports, still continues.

There are many appliances seriously needed in co..ducting examinations in order to give practical evidence of correctness.

An appropriation of \$500,00 would be, we verily believe, a valuable and profitable investment to the State.

J. H. MITCHELL, FLETCHER HOWARD, J. H. PICKETT,

Commissioners of Pharmacy for the State of Iowa.

Attest:

SUEL J. SPAULDING, Secretary.

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PHARMACY NOTICE.

No. 4.

As Amended May 17, 1893.

For the purpose of facilitating the enforcement of the pharmacy law, the State has been districted, and the counties assigned to each of the Commissioners as follows. But applicants for examination can appear before either member of the Board or Secretary:

To COMMISSIONER FLETCHER HOWARD, SHELDON.—The counties of Allamakee, Bremer, Buena Vista, Butler, Cerro Gordo, Cherokee, Chickasaw, Clayton, Clay, Dickinson, Emmet, Fayette, Franklin, Floyd, Hancock, Howard, Humboldt, Kossuth, Lyon, Mitchell, O'Brien, Palo Alto, Plymouth, Pocahontas, Sioux, Winnebago, Winneshiek, Woodbury, Worth and Wright.

To COMMISSIONER J. H. PICKETT, OSKALOGSA.—The counties of Audubon, Benton, Black Hawk, Boone, Buchanan, Carroll, Calhoun, Cedar, Clinton, Crawford, Dallas, Delaware, Dubuque, Greene, Grundy, Guthrie, Hamilton, Hardin, Harrison, Ida, Iowa, Jackson, Jasper, Johnson, Jones, Linn, Marshall, Monona, Polk, Pottawattamie, Poweshick, Sac, Shelby, Story, Tama and Webster.

To COMMISSIONER J. H. MITCHELL, BLOOMFIELD, -Adair, Adams, Appanoose, Cass, Clarke, Davis, Decatur, Des Moines, Fremont, Henry. Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Muscatine, Page, Ringgold, Scott, Taylor, Union, Van Buren, Wapello, Warren, Washington and Wayne. Adopted April 24, 1891.

An Amended May 10, 1888.

The Commissioners desire to call the attention of all registered pharmacists to some of the important points of the law.

First-That none but registered pharmacists can conduct a drug store or pharmacy; they must be the principals and managers of the store in all its management; neither can they allow any one not registered to sell medicines or poisons, or dispense physicians' prescriptions, except under their direct supervision.

Supreme Court decision, State v. Norton.)

Second-Sales of medicines and poisons can only be made by a proprietor, principal or clerk who is a registered pharmacist, and who is required to keep a record of all the poisons sold, included in Schednie A.

Third-The certificates of all registered pharmacists must be conspicuously posted in the place of business or pharmacy which they are conducting, or in which they are employed, with the renewal certificate placed to the lower left hand corner and change of locality certificate (if they have changed their locality) in lower right hand corner of each certificate, to show to the public that their certificates of registration are in full force and effect.

Fourth-Under decision of Supreme Court and amendments to section 4 of the pharmacy law (chapter 75), all registered pharmacists who were registered without examination (green or red seal certificates), forfeit their registration when they have voluntarily sold. parted with or severed their connection with the drug business for a period of two years at the place designated in certificate of registration; that is, those who voluntarialy sever their connection with the drug business and remain out of business for a period of two years forfeit their registration, and those who have voluntarily sold out their business or removed to another place prior to April 19, 1888, forfeit their registration in two years from the day they sold out or severed their connection with the drug business at the place desig-

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nated in certificate of registration. All such who wish to re-engage or continue in the practice of pharmacy are required to be registered by examination. Provided, however, that any such pharmacists who have sold or may sell out their business at the place designated in their certificate of registration and remove to another place in the State, after April 19, 1888, and re-engage in the drug business within a period of two years from the time they sold out or severed their connection with the drug business, and have paid their annual renewal on or before the 22d day of March, of each year, their certificate will remain in force. Provided further, that pharmacists registered without examination (green or red seal), who may voluntarily sell, part with or sever their connection with the drug business at the place designated in their certificate of registration, after July 4, 1890, will not forfeit their resignation if they remain out of business for a period of two years or more, but their registration will remain in force so long as they keep their certificates renewed annually.

Fifth—Ail registered pharmacists, when they change their locality, are required to notify the Secretary of the Commission, and have their change of locality recorded, otherwise they are liable to a fine for each month's delinquency, and when so delinquent their certificates are not in full force and effect. (See Secretary's Notice No. 3.)

Sixth—A registered pharmacist's certificate is regarded "in full force and effect" when he holds a renewal of his certificate from March 22d to March 22d of the current year, and change of locality certificate if he has changed his location, unless subsequently forfeited or revoked. (Opinion of Attorney-General.)

Whereas, Annual renewals are not required or issued for the first part of a year preceding the 22d day of March, the pharmacist's certificate of registration is evidence that it is in full force and effect from the date of its issuance to the following 22d day of March; however, the certified statement up to date of the Secretary of the Commission of Pharmacy, under official seal of said Commission, is regarded the best legal evidence as to whether a person is registered or not.

JOHN H. PICKETT,
H. K. SNIDER,
C. A. WEAVER,
Commissioners for the State of Iouco.

Adopted May 10, 1888.

SECRETARY'S NOTICE.

No. 1. Before correspondents write for opinions they should first study the law, regulations and decisions, as compiled and published by the Board, and then make separate specific statements of facts, and not expect opinions on general statements.

No. 2. N. B. It may not occur to registered pharmacists the amount of time it takes in looking up the records of a registered pharmacist without having the number of his certificate, as well as the difficulty sometimes in identifying his name without his number. It is impossible to keep a correct alphabetical list of names, owing to the constant change, some names retiring and new names being added. When we have the number of a certificate we can turn to the records in a moment on the numerical list.

Having frequently made the request heretofore, we again earnestly request all registered pharmacists when corresponding or desiring any matters of information from this office to give the number of their certificates with their names.

Please notify the secretary of any traveling doctors or troupes selling medicine in your town or locality; this will aid in collecting licenses from these parties.

No. 3. As the secretary is accountable for all fees accruing under the law, according to the records of the office, a record of change of locality cannot be made and certificate issued, unless the fee required by law accompany the application for such change.

SUEL J. SPAULDING, Secretary,

ANSWERS TO CORRESPONDENTS.

The Commissioners of Pharmacy receive many letters containing questions like the following:

Can any one not a registered pharmacist, by employing one who is, open and lawfully conduct a drug store, himself acting as principal?

Can any one not a registered pharmacist who is the owner and proprietor of a drug store, and is having the business conducted by a registered pharmacist in his employ, acting as principal, continue the business lawfully when his registered clerk is absent?

Can any one not a registered pharmacist employ an active practicing physician, who is a registered pharmacist, and lawfully conduct a drug store by hanging the physician's certificate of registration up in the store?

Can a praeticing physician, who is a registered pharmacist, conduct a drug store lawfully, and leave his store in the hands of those who are not registered, while visiting his patients?

Can a registered pharmacist who is conducting a drug store lawfully, leave his business in charge of clerks who are not registered?

Upon all these points sections I and 2 are plain, and to all we must answer in the negative.

Any one not a registered pharmacist, who procures the services of another who is registered, believing thus the trust imposed by law in the registered pharmacist is also extended to himself, is in error.

The hanging up in a store the certificate of a registered pharmacists affords no legal right to dispense medicines to any one other than the person to whom the certificate was issued.

SYNOPSIS OF BOARD MINUTES FROM DEC. 17, 1891, TO SEPT. 7, 1893.

December 17, 1891.—Board met in their office in State Capitol, making up sixth biennial report.

April 26, 27, 28, 1892.—Board met in regular annual session, at their office in Capitol Building, to finish up the business of the old Board for the past year.

Treasurer's report presented and referred to Commissioners Harrison and Mitchell, as auditing committee; report approved.

Regulation 25 was adopted as follows:

REGULATION No. 25.

Adopted April 26, 1892.

Applicants for registration by examination will be deemed "competent and fully qualified" as provided in section 5, chapter 75, laws of 1880, and entitled to certificate as registered pharmacist, when fully twenty-one years of age, when having had at least one year of practical experience in a drug store or pharmacy, or, if a graduate of a recognized medical school at least two years in the actual practice of medicine, and when upon examination they shall give further satisfactory evidence of fitness:

Applicants for registration under twenty-one years but not less than eighteen years of age, having had a practical experience of at least one year in a drug store or pharmacy, who have upon examination given satisfactory evidence of qualification, will be registered as assistant pharmacists and certificates issued accordingly; and said certificates of assistant pharmacists will, upon application be exchanged for certificates of regular registration when the holders thereof shall have arrived at the age of twenty-one years.

J. H. HARRISON.

J. H. PICKETT. J. H. MITCHELL.

Adopted April 26, 1892. Old Board adjourned sine die. April 28.—Board met in their office, Capitol Building. Members present, Commissioners Harrison, Mitchell and Pickett.

J. H. Pickett, the reappointed member, and member from three years from date, presented his credentials, and the new Board organized by electing J. H. Harrison, president; J. H. Mitchell, vice president, and Suel J. Spaulding, secretary and treasurer.

The following resolution was adopted:

Whereas, The closing of Mr. C. A. Weaver's official term as secretary and treasurer, deprives the Board of his valuable help, council and companionship, therefore the Commissioners desire to place upon record their recognition of his faithful and efficient service, and of his courteous and admirable administration and conduct of the office during his incumbency, as well as of his invaluable service to the Commissioners of Pharmacy during his long service as Commissioner.

Recolved, That Mr. Weaver retires with the confidence, esteem and good wishes of the Board, and we think of the Registered Pharmacists through-

out the State.

April 29.—Board met at their office in State Capitol. Regulation No. 8 was amended and adopted as amended.

Pharmacy notice No. 4 was amended and adopted as amended.

All regulations and notices in force were continued in force. Secretary Suel J. Spaulding was authorized to conduct examination of applicants for registration.

The Secretary was ordered to have 3,000 copies of official circular printed and distributed.

August 10, 1892.—The bond of Suel J. Spaulding, treasurer, was approved.

June 13, 1892.—Board met at Dubuque, Iowa, in special session for examination of applicants for registration. Members all present.

August 30.—Board met in their office in State Capitol for examination of applicants for registration. Members all present.

April 27, 1893.—The old Board met at the office in the Capitol building, all members being present, to finish the business of the old year.

The Treasurer's report was presented, and referred to Commissioners Pickett and Mitchell as auditing committee, and approved.

During the temporary absence of Commissioner J. H. Harrison, Commissioner J. H. Pickett offered the following resolution, which was adopted and ordered on the minutes:

WHEREAS, The official term of Commissioner J. H. Harrison will expire at the adjournment of this day's session; and

WHERMAS, The services which Mr. Harrison has rendered the State as Commissioner of Pharmacy has been of especial efficiency and valor,

Therefore, His colleagues desire to place upon record their testimonial

of approbation and high regard for his uniform courtesy, which entitles him to our lasting and grateful remembrance, and our most cordial good wishes for his future happiness and prosperity.

The Secretary having been agreeably associated with Mr. Harrison during his last year of office, joins the Commissioners in the above expression.

Before the old Board adjourned Mr. Fletcher Howard, of Sheldon, Iowa, presented his credentials as the new Commissioner to succeed Mr. Harrison.

The Board adjourned sine die.

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April 27, 1893.—New Board organized by electing J. H. Mitchell, president; Fletcher Howard, vice president, and adjourned to meet at their office in Capitol building May 17th.

May 17. - Board met at their office at Capitol building, all members present.

The by-laws were taken up for revision. Same were revised and adopted as revised.

Suel J. Spaulding was elected Secretary and Treasurer for two years from date.

Regulation No. 25 was taken up and the construction the Board put on same was that no one could be an applicant for registration until the said applicant had had one year's experience in a drug store conducted by a registered pharmacist and under said registered pharmacist's supervision.

Regulation No. 8 was amended and adopted as amended.

Pharmacy notice No. 4 was amended and adopted as amended.

Regulations Nos. 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22 and 25 were continued in force.

Special notices Nos. 1, 2, 3, 4, 5 and 6 were continued in force. Secretary's notices 1, 2 and 3 were continued in force.

The Secretary was instructed to notify all colleges of pharmacy that hereafter no diplomas will be recognized to the Iowa Board and certificates issued thereon unless those from colleges that require at least four years' practical experience in a drug store or pharmacy conducted by a registered pharmacist, and under his supervision before said college shall grant a diploma.

May 18.—Board met in their office in State Capitol, all members

The Secretary was instructed to conduct examinations during the term of his office.

The matter of R. C. Morse for reinstatement was taken up and the Secretary instructed to look up all papers in said case, for the Board to act on at their next meeting.

The examination of F. W. Loomis was taken up, and action on same postponed for further information and evidence.

Regulation No. 26 was adopted, as follows:

Applicants who apply for their percentage under seal of the Commission on Examinations held by the Commissioners, shall receive a certificate as follows, and the fee for same shall be two dollars:

J. H. MITCHELL, Bloomfield. FLETCHER HOWARD, Sheldon, J. H. PICKETT, Oskaloma.

COMMISSIONERS OF PHARMACY

FOR THE

STATE OF IOWA.

Principal office, Capitol Building, Des Moines, Iowa. SUEL J. SPAULDING, Secretary and Treasurer,

DES MOINES, IOWA, ---, 189-

To schom if may concern-Greeting;

I. Secretary of the Commissioners of Pharmacy of the State of Iowa, having custody of the State Pharmacy Register, hereby certify under the official seal of said Commission, that is a Registered Pharmacist of the State of Iowa, having passed the Examination...... with a percentage of ... per cent.

In Testimony Whereof, I bereunto subscribe my name and affix the seal of the Commission, this day of A. D. 189

......Secretary,

Board adjourned.

August 9, 1893.—Board met at the Julian Hotel, Dubuque, Iowa, for the purpose of conducting examinations. Members all present.

September 6.-Board met at their office in Capitol building, for the purpose of examining candidates for examination. All members present.

September 7.—Board met at their office in Capitol building making up biennial report.

SECRETARY'S REPORT.

From last report, September 15, 1891, to September 15, 1891,

REGISTRATIONS, REVOCALS, FORFEITURES, ETC.

Total number of examinations 682 Of this number 354 have passed successful examinations and gold seal certificates have been granted them; about thirty-six per cent of the examinations have been successful. Registered harmacists who have died 27 Number certificates canceled on owners request 18 Number certificates without examination 10 Super-seded by certificates by examination 10 Number certificates of feited by law 16 Total number certificates revoked, canceled, forfeited and super-seded (become void) 71 Number certificates issued during same time. Red seal 44 Gold seal 354 Showing a gain in the two years of 327 Number of certificates in active force in the State as per last report, September 15, 1891 Number of certificates in force in the State September 15, 1893 Showing 325 more September 15, 1893, than at last report, September 15, 1891 Of the above 2,400 certificates in force September 15, 1893, there were in active business as proprietors 15 Total in active business as proprietors 15 Residing out of the State. 155 Residing out o	Number of applicants examined on first examination Number of applicants examined on second or re-examination		
Registered as graduates	Of this number 354 have passed successful examinations a certificates have been granted them; about thirty-six per cent	and gold	I neal
Number certificates aneled on owners request. 18			-34
Number certificates canceled on owners request. 18 Number certificates without examination. 10 Superseded by certificates by examination. 10 Number certificates forfeited by law 16 Total number certificates revoked, canceled, forfeited and superseded (become void). 71 Number certificates issued during same time. Red seal 44 Showing a gain in the two years of. 327 Number of certificates in active force in the State as per last report, September 15, 1891. 2,075 Number of certificates in force in the State September 15, 1893. 2,400 Being 325 more September 15, 1893, than at last report, September 15, 1891. 325 Of the above 2,400 certificates in force September 15, 1893, there were in active business as proprietors. 1,639 In active business as cierks. 471 Total in active business. 1,530 Residing out of the State. 1355 Residing out of the State. 1355		27	
Superseded by certificates by examination		18	
Total number certificates revoked, canceled, for- felted and superseded (become void)	Number certificates without examination	10	
Showing a gain in the two years of	Number certificates forfeited by law	16	
Showing a gain in the two years of	many and the contract a	-	
Showing a gain in the two years of. 308 Number of certificates in active force in the State as per 1ast report, September 15, 1891. 2,075 Number of certificates in force in the State September 15, 1896. 2,400 Being 325 more September 15, 1893, than at last report, September 15, 1891. 325 Of the above 2,400 certificates in force September 15, 1893, there were in active business as proprietors. 1,439 In active business as clerks. 2,110 Total in active business. 2,110 Proprietors and clerks out of business. 155 Residing out of the State. 200			73
Number of certificates in active force in the State as per last report, September 15, 1891 2,075 Number of certificates in force in the State September 15, 1893. 2,406 Being 325 more September 15, 1893, than at last report, September 15, 1891. 325 Of the above 2,400 certificates in force September 15, 1893, there were in active business as proprietors. 1,639 In active business as clerks 471 Total in active business. 2,110 Proprietors and clerks out of business. 155 Residing out of the State. 290	Number certificates issued during same time. Red seal 40 dold seal 35		398
Number of certificates in active force in the State as per last report, September 15, 1891 2,075 Number of certificates in force in the State September 15, 1893. 2,406 Being 325 more September 15, 1893, than at last report, September 15, 1891. 325 Of the above 2,400 certificates in force September 15, 1893, there were in active business as proprietors. 1,639 In active business as clerks 471 Total in active business. 2,110 Proprietors and clerks out of business. 155 Residing out of the State. 290	Control of the Contro		997
Last report, September 15, 1891 2,075	Showing a gain to the two years of		496.4
1893	last report, September 15, 1891		2,075
September 15, 1891. 325 Of the above 2,400 certificates in force September 15, 1893, there were in active business as proprietors. 1,639 In active business as cierks. 471 Total in active business. 2,110 Proprietors and cierks out of business. 155 Residing out of the State. 290			2,400
September 13, 1981 1982 1983 1983 1984 1985	Being 325 more September 15, 1893, than at last report.		war.
there were in active business as proprietors. 1,639 In active business as clerks. 471 Total in active business. 2,110 Proprietors and clerks out of business. 155 Residing out of the State. 290			020
Total in active business as clerks	Of the above 2,400 certificates in force September 15, 1883,		1 400
Total in active business. 2,110 Proprietors and clerks out of business. 155 Residing out of the State. 290			
Proprietors and clerks out of business	In active business as cierks		-
Proprietors and clerks out of business	Total in active business		2,110
Residing out of the State			
			900
2 400		-	4-00
Registered assistants in active business	Registered assistants in active business	3	2,400

TREASURER'S REPORT.

From April 23, 1891, to April 24, 1892, of the Commissioners of Pharmacy for the State of Iowa, C. A. Weaver, Treasurer.

BECEIPTS.

From April 23, 1890, to April 24, 1891.

314 applications for examination 19 applications for graduates. 13 duplicates for certificates. 281 changes of locality. 72 renewals, delinquents. 2,083 renewals for 1892.		1,570 00 38,00 13,00 140,50 72,00 2,083,00
Total receipts		3,916.50
Apportioned as follows: One-third to J. H. Harrison		
One-third to J. H Mitchell	8	3,916.50

TREASURER'S REPORT.

From April 23, 1892, to April 24, 1893, of the Commissioners of Pharmacy for the State of Iowa, Suel J. Spaulding, Treasurer.

RECEIPTS.

From April 23, 1892, to April 24, 1893

From April 23, 1892, to April 24, 189	10.		
350 applications for examinations	- 5	8	1,750.00
20 graduates registered			58.00
138 delinquent renewals.			138.00
275 changes of locality			137.50
2,271 renewals for 1893			2,271.00
11 duplicate certificates issued			11.00
Total receipts		\$	4,365.50
Apportioned as follows:			
To J. H. Pickett	1,455.16		
To J. H. Mitchell	1,455.17		
To J. H. Harrison	1,455.17		
	-	8	4,365.50

REPORT OF C. A. WEAVER, THE SECRETARY AND TREAS-URER OF THE COMMISSIONERS OF PHARMACY FOR THE STATE OF IOWA.

Concerning itinerant licenses issued in accordance with Section 10, Chapter 75, Laws of 1880, as now amended, and fees received therefor, for the year commencing April 24, 1891, and ending April 23, 1892, as follows:

DATE.	NAME	FEES COLLECTED BY-	AMOUNT.
1691	The state of the s		1000
April	White Wolf (Indian Medicine Man)	C. A. Weaver.	
April	M John T. Orten	C. A. Wenver.	100.00
May	H F. W. Whittler	U. A. Weaver	100.00
May	25 Samuel Wonzer	U. A. Weaver	100,00
Fully	6 Mrs. M. O. Mosley	U. A. Weaver.	100.00
Inly	15 Wesley Parks	J. H. Mitchell	100.00
Fuly	18 Frank L. Miller	J. H. biltonell.	100 00
Iuly	25 Dr. A. J. Emerson Clark	U. A. Weaver	100,00
July	5 Dr. T. Milan.	C. A. Weaver	100.00
August	6 Dr. J. G. Nichols	V. A. Weaver.	100.00
August	3(Dr. J. J. Orlder	C A Wasses	100.00
September	8 M. Beaty M. D.	I II Diakott	100.00
September	16 Dr. Louis Turner	C A Wangar	100.00
September	1 J. Sanford McElroy	C A Waneny	100.00
October	8 Dr. E. E. Smith	I II Pichatt	100.00
October	12 Dr. A. H. Flower.	C A Wonver	100.0
November	2 Dr. Rebecca Kech	C A Weaver	100.00
December	3 Dr. Alex. C. Sabin	I H Mitchell	100.0
December	5 Dr. Thos. H. Elder	J. H. Mitchell	100:0
December	15 Alonzo Galloway	J. H. Harrison.	100.0
1802	The state of the s	The state of the s	10000000
March	7 Dr. L. A. Badger	J. H. Pickett	100.0
March	7.Dr. Charles Burly Ham	J. H. Pickett	100.0
March			
April	6 W. A. Price	C. A. Weaver	100.0
October	1 Joseph Markley	J. H. Mitchell	100.0
	Norm.—The following named per		1
	sons applied for linerant 1		1 1
	censes and paid the soms speci	*	
	fied on account of Beense fee, th	0	
	several balances have not bee	n	
	paid and the Heenses have no	t)	
and the same of	yet been issued to the applicants	T. T. Transfer	80.6
June	20 F. D. Norton	C A Wounds	
August	6 C. A. Loekwood	I II Mitaball	
September	14 W. P. Long	I II Mitchell	
September	23 Dr. S. Canter	C A Wouver	25.6
December	24 Dr. S. Canter	O. M. Wood and Control of the Contro	
	Total receipts		. 8 2,810.0

Applied on Contingent Expenses of the Commission from April 23, 1891, to April 34, 1892, as follows:

23.201 0	19 mile	Address from at the country of	
October	93	To paid bill of expenses of Commissioner J. H. Mitchell\$	56.68
October	201.	To paid bill of expenses of Commissioner J. H. Harrison	27,75
October	99	To paid bill of expenses of Commissioner J. H. Pickett	39.00
	26.	To paid bill of expenses of Commissioner J. H. Mitchell (April	
April	2.00%	23, 1892)	72.02
Viene A	100	To paid bill of expenses of Commissioner J. H. Harrison (April	
April		23, 1892)	59.50
April	981	To pald bill of expenses of Commissioner J. H. Pickett (April	
Myrii	-	23, 1802)	68.80
April	96	To paid bill of expenses of the Secretary and Treasurer	
No. of Contract	-	(office expenses) for April 23, 1891, to April 23, 1892	179,38
April	96.	Salary of the Secretary and Treasurer for the year ending	
mpan	1101	April 28, 1892.	1,500,00
		Total8	2,002.51
		Balance due the Secretary	2.51
		natance due une medicinal immediation	
			2,000.00
		Balance paid in the State treasury8	810.00

REPORT OF SUEL J. SPAULDING, SECRETARY AND TREAS-URER OF THE COMMISSIONERS OF PHARMACY FOR THE STATE OF IOWA.

Showing itinerant licenses issued in accordance with Section 10, Chapter 75, Laws of 1890, as now amended, and fees received therefor, for the year commenting April 24, 1892, and ending April 23, 1893.

May 26 100	DATE.	NAME. FR	ES COLLECTED BY-	AMOUN
May 26 Leo. Without State Stat	Take .	Pibr A O'Leary Suel	J. Spaulding	8 1-30.
May	Miller.	Milion Whitney.	J. Summiding.	1000
Any	fav	E White Wolf Suel	J. Spaulding.	100.
August 20	Zar v	EH O Consway	Mitchell	1000
Dr. J. W. Houghtawout	Sav	S Augustus H. Warren J. H.	Pickett	100.
Dr. J. W. Houghtawout	day	S Dr. A. Shipman J. H.	Mitchell	100:
laly O. Mrs. M. F. Mosley Sue J. Spandfolk. 10 Mrs. M. F. Mosley Sue J. Spandfolk. 11 Mrs. A. Green Sue J. Spandfolk. 11 Mrs. August 5 Dr. N. A. Baker Sue J. Spandfolk. 11 Mrs. August 5 Dr. N. A. Baker Sue J. Spandfolk. 10 Mrs. August 5 Dr. R. E. L. Park Sue J. Spandfolk. 10 Mrs. August 5 Dr. R. E. L. Park Sue J. Spandfolk. 10 Mrs. August 5 Dr. F. W. Sanha. 10 Sue J. Spandfolk. 11 Miler. 10 Sue J. Spandfolk. 11 Mrs. Suptember 10 Sam' Wonzer. 10 Sue J. Spandfolk. 11 Sanhallong. 12 Suptember 10 Sam' Wonzer. 10 Sue J. Spandfolk. 11 Suptember 10 Sam' Wonzer. 10 Sue J. Spandfolk. 11 Suptember 10 Sam' Wonzer. 10 Sue J. Spandfolk. 11 Sue				100,
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Applied on Contingent Expenses of the Commission from April 23, 1893, to April 24, 1893, as follows.

April 24.	Amount collected. To expense bill, J. H. Pickett. To expense bill, J. H. Aurrison To expense bill, J. H. Mitchell Suci J. Spaniding, Secretary and Treasurer and office expenses 49.4	13 24 19	3,700.00
	Total expenses	8	2,600.00
	Ralance paid State Treasurer	8	1,760.00

PERMITS.

Issued by the different county courts up to September 15, 1893.

UNDER CHAPTER 35, LAWS OF 1800.

For a correct list of the number of permit-holders of the State (permits to dea' in intoxicating liquors), the clerks of the different courts issuing such permits have all courteously responded to letters of request for the number granted in their respective counties.

COUNTY.	No. permits reported.	COUNTY.	No. permit reported.	COUNTY.	No. permits
duir		Floyd	万	Monona	1
dams		Franklin	6	Monroe	
liamskee	- 6	Fremont	1 0	Montgomery	
ppanoose	1	Greene	- 8	Muscutine	10
udubon	1.24	Grundy	. 0	O'Brien	13
enton	- 9	Guthrie	. 0	Osceola	
ack Hawk	16	Hamilton	10	Page	
SONG	13	Hancook	1 6	Pulo Alto	1 13
ronier	- 5	Hardla	20	Plymouth	
uchanan	31	Harrison	-1	Pocahontas	
gena Vista		Henry	- 5	Polk.	AD.
utler		Howard	1 0	Pottawattamie	
alhoun	7	Hamboldt	1 9	Poweshiek	1
arroll		lda	1220	Ringgold	
ass.		lowa	10	Sac	
edar.	- 3	Jackson	- 6	Scott	١
erro Gordo	2	Jasper	2	Shelby	
berokee	1 3	Jefferson	1 4	Sloux	10
hickasaw	3 6	Jobnson	- 9	Story	
larke	1 6	Jones	10	Tama	
18.Y	8	Keokuk	34	Taylor	
layton	34	Kossuth	1 59	Union	3
Inton.	1 73	Lee	4 7	Van Buren	
rawford	- 3	Linn	1 11	Wapello	54.
allan	3 7	Louisa	2 3	Warren	
avis		Luoas.	1 00		
ecatur	1	Lyon	2		
elaware	1 3	Madison	3	Wayne	
es Moines	4	Mahaaka	19 45	Winnebago	
doktnson	: 192	Manhor	1 4	Winneshiek	3
ubuque	9.5	Marion	1 4	Woodbares	1
dipudue	1 (4)	Marshall	1 1	Woodbury	71
ayette	1 4	Mittabell	1 107	Worth	28

ABSTRACT

OF

State Pharmacy Register

TO

SEPTEMBER 15, 1893.

ABSTRACT OF STATE PHARMACY REGISTER.

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ABSTRACT-CONTINUED

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3838 Brown, H. F Sept. 19, 1		Rodney	Book Grown	Oet 10 79
3971 Ronney, A. F Jun. 2, 1		Cedar Rapids	Buck Grove	Town 20 112
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4000 Baker Charles D. Mar. 3,1	A COL	Toledo	Distance	Way 19 60
4004 Boschnagel, F Mar. 3,1		Riverside Cedar Rapids	Barrett Trant.	Stay Action
40th Bourne, Frank Mar. 7,	-11	Cedar Rapids	ham P. O.	Nov. 5, 91
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4031 Blaise, Theo. T. April 8.	2 04	Mararia		3010000000
4043 Baxter, George. April 29,	44	Moravia	Sutherland	Finb. 15, 93
4044 Bell, H. P May 5,	4	Oto	Lesler	Mar. 15, 92
		Spirit Lake	Pelmuhar	Sept. 14, 91
4058 Barmore, Virge A May 19,	G	Ogebolt		
4062 Bleser, J. H June 1. 4064 Benson, Nils J June 2.	10 00	Burlington	Pratrieburg.	Jan. 14, 92
ton Benson, Alls J. June 2,		Ludora		
4065 Brown, E. N June 2, 4094 Bosworth, A. H. Aug. 4,		Shellsburg	Centur Point	Oct. 13, 91
4112 Butterworth W.F.Sept. L.		Andrew	CHARLES TORONS	000
4128 Berkley, Sam. L. Oct. 2L.		Woodbine		
4139 Burgett, Wm. Q. Nov. 10.	111	Fort Dodge	Newell	June 7, 92
414s Biakeslee, J. H., Nov. 30.	40	Des Moines	tiskuloosa	June 6, 92
4149 Biair, Frank L. Dec. L.	40	Clarinda	3+7++ 044+×12++++	
4174 Barkalow, W. B. Feb. Z.		Atalissa	Atalissa	
4184 Barlow, O. J Feb. 18,		Des Moines	Valeria	Feb. 2, 93
4187 Bear, Winfield S. Feb. 20,		Wallagton		ALTOGODO TO THE
4188 Busby, Juo. 11 Feb. 26,	4	Oskuloosa	Des Molnes	Mar. 6, 93
4295 Bolding, W. R Mar. 30,	100	Alvord		
4215 Bertsch, Geo. P., April A.	(a)	Shourney	******** *****	Charles Anne
4235 Boody, Frank D. May 17,	99	Rolfe.	West Bend	Mar. 30, 93
4238 Blerke, John C May 24,		Des Moines		
4241 Brown, Harry L. June 7,		Columbus June'n		
100 t Dillor Gas W Inch 97	DEST-endished	MeGregor		The second
4252 Bille John June 7.	e By examinati'n	Quasqueton	Mt. Auburn	April 2, 93
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4260 Brauniich, Hugo, July 2,	90	Davenport		2007 743 755
42:0 Baker, Geo. B Aug. 2.	9h By examinati's	Keota.	Marshalltown.	Aug. 25, 02
42st Beauchamp, C. E. Aug. 2,	925	BloomBeld		**************************************
4311 Bauer, Julius A. June 6,	02	Des Moines	***********	Section 1
4210 Rowen, R. P Oct. 4.	92) 4	Muson City		
4968 Rarrows, C. H June 31.	935	Lamonf.		
4369 Bucker, W. G June 31.	0.00	Stoan	Holly Springs	May 5, 93
4374 Borman, W. H Feb. 7,	93)	Garner	****************	**** *******
4385 Beeker, Jno. G Feb. 22,	900	Dubaque		A *** ******
4380 Brooks, W. W Mar. 7,	92	Sibley	Acres 5474 645445	Series along
4414 Bauman, Robert, Mar. 24.	solt (*)	Little Rock		
4421 Bernhardt, J. M., Mar. S.	93	Alton.		
4444 Blair, Milton M., May 2.	600	Creston		
4451 Baldwin, Chas, E May 11.	Ki Graduate	Nashua	**********	CONTRACTOR NO.
4455 Bowman, I. L May 2,	33 By examinati's	Zearing	Televis agent barre	times
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4476 Hingburn, John F May 30, 23 By examinat'n Des Moines. 4476 Borrett, Alva W. June 24, 33 West Union 4516 Brunt, I W. . . . Sept. 5, 99 "Decorah

4476 Horrett, Aiva W June 24, 53

**Bill Brunt, I W ... Sept. 5, 60

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150 Coy, James W. July 24, 8	Are owner.	
154r Cunningnam, J.F. July 26, 8		
1609 Mark, Edwin A. Aug. 27, 80	46	
1017 Charmell I M Sant 17 H		
1675 Cherry, J. E. Aug. J. S.	100	Afton
1688 Campbell, Wm. J Aug. 26, 80	2 100	
1708 Carmichael, J. H. Aug. 24, S		
1880 Chambers, David July 30, 8	10	
1889 Chamberlain, L. Aug. 30, 80	10	
1005 Caldwell, S. W., Nov. 20, 8		Marion. Des Moines April 26, 50 1852, 50, 51, 50, 50, 50, 50, 50, 50, 50, 50, 50, 50
1968 Jotting, C. L Jan. B, 8	240	Shell Rock
2052 Caldwell, J. E Mar. 21, 8	100	lowa City Left the State.
2084 Cooper, H. T April 16, 8	1367	Shell Rock Left the State Out of business Grinnell Newton Mar. 22, 82 1882, — Left the State Out of business
2120 Comstock, C. E. May 16, 8	11 (74)	
2126 Coakley, J. W May 27. 8	19.	
2128 Cochran, M. H May 20, 8	199	
2134 Caritsle, D. W May 27. 8	1	
2135 Corf. Frederick. May 36, 8		Union
2163 Critz. Sylvester F July 13.8	11 01	
2178 Camp, Ell R July 25, 8	11	Keukuk
2145 Christy, W. D. Aug. 19, 8		
2B5 Clark, Chester C. Aug. 20, 8	- 44	Acton. Ottumwa
2204 Conger, E. J Aug. 10. 8		Manchester
2208 Castle, Cartie H. Sept. 2, 8	11	
2221 Crawford, R. W., Oct. 14, 8	1	Way tand. Fort Dodge Grant Dec. 5, 83 182, 83, 84, 85, 86, 87, 88, 80, 90, 91, 92, 93 Lewis Grant Dec. 5, 83 1882, 83, 84, 85, 88, 86, 90, 91, 92, 93 Company Co
2229 Carv. George T. Aug. 26, 8	1	Ottumwa Des Moines Nov. 29, 89, 182, 83, 84, 85, 86, 87, 88, 89, 60, 91, 92, 93
2234 Cogswell, S G Sept. 1, 8		Ottumwa Des Moines Nov. 29, 52 (82, 83, 9, 51, 55, 55, 55, 55, 55, 55, 55, 55, 55
2240 Chase, Cyrus B. Sept. 28, 8	11	
2245 Cornish, Fran. E. Oct. 6, 8	\$P.	
2252 Craig, F. M Oct. 17. 8		
2259 Cowger, Evan F. Oct. 27. 8		
2265 Cameron, C. E. Nov. 4, 8	44	
2276 Clarue, John H. Nov. 14, 8	1	Calliope
2310 Conrad, Sam'l. G Jan. 19, 8	- 11	Onling Manuston Intw 14 87 1882 81 85 86 87 88 80 90 91 92 83
2311 Cox, J. W Jun. 19, 8	3	Coin Hapiton 1822 84, 84, 85, 86, 87, -, -, - Left the State. Ragle Grove Nugent's Grove Nov. 17, 87 1882, 83, 86, 86, 87, 88, 89, 90, 91, 92, 93 in Illipois. Left the State.
2343 Clark, J. L. Feb. 34, 8 2351 Coquillette, W. E Feb. 25, 8	al as	Name of Grove Name of a Grove Nov. 17, 87 1982 83, 86, 85, 86, 87, 88, 80, 00, 91, 92, 93 in lilinois.
2351 Cognillette, W. E. Peb 25, 8	44	
2074 Cole, W. H April 7, 8	0 11	
2376 Clement, H. E. Mar. 28, 8		
2421 Channell, L. M. April 28, 8 2448 Crapser, Jule H. April 7, 8	9	Hampton Town Falls Sept. 11, 89 1881, 84, 85, 86, 87, 88, 80, 90, 91, 93, 93
2449 Crissinger, J. C. June 8, 8	60	Wasa ha myilla 1 1883, 84, 85, 85, 87, 88, 80, 91, 92, 93
2564 Corkhill, Chas. E. Jan. U. s	44	Rloomfield Montrose April 23, 85 1883, 84, 85, -, -, -, -, -, -, -, -, -, -, -, -, -,
2566 Connor, Arthur F. Jan. 10. 8	44	A VOCA 180, 80, 80, 80, 80, 80, 80, 80, 80, 80,
2075 Campbell, J. W., Feb. 6, 8	205	Mt. Avr. 1883 Out of quaineus
2619 Campbell, H. A. April II, 8	as as	Shalbe 1884, 85, 86, 87, 88, 89, 89, 90, 91,,
2022 Cunningham, A. S. April 24, 8	785	Numeri's Grave Goldfield Aug 37, 90 84, 85, 80, 84, 88, 89, 90, 91, 82, 90
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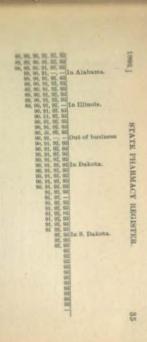
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STATE PHARMACY REGISTER.

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NAME.	DATE OF ROW BEG REGISTRA- TREES.	PLACE OF REGIS- THATION.	LATEST REPONTED ADDRESS.	DATE OF LAST CHANGE	CERTIFICATE HENEWED FOR.	HEMARKS.
Silvania, J. D. Silvania, J. D. Silvania, J. D. Silvania, W. G. Silvania, W. L. Silvania, W. L	Dec. 1, 2, 2, 3, 4, 5, 5, 5, 6, 7, 7, 8, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1,	nt'n Knawaii Knawilie June Seranton	Meriden Fredericksburg Abtardonesly Sheldon West Union Spencer Carlew Rockwell City Principal	April 22, 82 Cot. 28, 82 Cot.		Un Nobraska. Dux of business In Sabetha, Kaout of business In Slinois. Out of business Left the State. Left the State. Left the State. Out of business Left the State.

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nas Davis, W. B. Feb. 27, 50 1400 Dashtell, Mara A Feb. 22, 50	17 75	ndfanola	Indianola	petr recan
neo De Tar, Wm. T. Mar. 15, 48	16 730	tomes.		
nato Doob, G. W May 15, 66				
2000 Postal, Joseph L. Ang. 25.00		Softwar Roanids		
into Duffield, S. R Dec. 35, 50				
2506 Didd, Claude A. Jun. 30, 80	M - 18		Redheld	June 11: 00
2500 Davies, Wm. H. Feb. 12, 80	w 15	Augmenta		
2000 Davis, G. G Feb. 5, 80	44 1X	teres broker		
Billi Dennert, Prank. April 9, 66	10 18	Infrance		
Boan Dewey, Wm. H April 16, 80	7 13	doville	The wastern property to	201111111
Bar Dodd, Archie B. April 16, 60	4 2		Charles City	[2536] 25 (97)
2630 De Lano, A. H May 7.80	- 1	Lone Tree	DESCRIPTION OF THE PARTY OF THE	200000 200000
2700 Dunkte, W. B. Aug. 16, 80	10 16	illman	See Orthony	
2740 Dualil, Mrs. A. J. Sept. 25, 80	44	. Hapids (only).	HILLER SHEET HATE	
arne Doyle, C. E Oct. 14, 89	10	ORBB	CONTROL OF THE PARTY OF THE PAR	121122 40 40
2580 Dean, Alfred F. Dec. 16, 80	100	Dunlap	Rockwell Ulty.	THE PARTY OF
3091 Durrette, R. G Doc. 30, 86				
STREETS AND COURSE LAND L. W.	*	Auduhou	Des Motnes.	Personal Street
2811 Doan, Frank L. Jan. 29, 9	- (P)	Oremon	Memmen	- January services
2821 Dounden Chas. B Feb. 4, W.	77	Bayard		
3807 Drummond, F. O. Feb. 14, 90	99	Mt. Pleasant Moniton	Service Marine	15-5 00 00
2842 Downs, A. W Mar. 4, 90	*	Moniton	Unionville	Sup. 18 (83)
man Devendorf, W. A. Mar. 18, 90	38.	Union	SHOLK CHA	Spinite vill and
need Dayle, James P. 2 une 5, 90		Bonaparte	ALCOHOLD TO	Techy 14-91
Septiment of P. Light 19, 30	100	West Grove	Franklin.	Thurs in the
mest Dayton, D. D Nov. 4.90	-	Bock Valley	Story cuty	
2006 Dayton, D. D. Nov. 4, 90 2000 De Neui, John T. Nov. 11, 20		George Des Motnes	A.ded	Nov 10, 01
mont Donorlass, S. A., (Feb. 11, 91)		Shenandoah	Canaca Role	Dec. 10, 02
		Council Bluffs.	. Mreenment	Section and the
2000 Davia, George S., 1Feb. 24, 91	2	Collins.	Barres	Joly A. GI
antel Downs, Hurace S. Mar. 7, 101		Colesburg	Charter Cak.	June 15, 91
sim Dittmer, C. L April 7, 90		Carroli	Committee Con-	1
4074 Donnett, A. L Dune 9.90		Bedford	The state of the s	
Attal Donlavy, H. F., (Nov. 10.91)	74	Perry	Des Motores	Sept. 20, 16
4180 Diddy, Cad Feb. 17, 90		Davenport	Aren nancinon	Tanana in in
4207 Dogle, Wm. J April 1, 92	- 4	Sheldon		
4234 Dorr. O. B May 2,00 4255 Diebuer, W. F. July 5,00	- 16	Clinton		
and technica Mrs. M. H. July T. M.		Le Grand		
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	16	The months over	Webster City.	May 17, 50
4200 Davenport, H. A. Aug. 3, 92 4200 David, Laura B. Aug. 17, 92 4307 Dale, John E. Jan. 3, 92	(Sendonate	Alden		
specification, Lauren B. Dang, 11, on	By evaminati'n	Waterloo	Zearing	Mar. 14, 90
4m Davis Frank B. Feb. 25, 90	ALL WARRENCE IN			
4404 Duffield, O. J. Mar. 15, 93	20	Canterville		
4800 Invon. Geo. W July 5, 30	*	Colfax		
480 Dauquard, Theo. Aug. 1, 30	- 4	Davenport		
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Evans. John M. Encel. John L. Encels. Hago A. Encels. Hago A. Eddy Wm M. Edwards. M. G. Evans. Wm L. Edwards. M. G. Evans. Warren B. Evans. W	June 7, 80	An owner	Gowrle Clear Lake.			(1000) (100, 144, 165, 166, 167, 167, 167, 167, 167, 167, 167	
Emetes, Hugo A.,	June 18, 80 June 17, 80 June 2, 80	*	Davenport	*** > **** ******		60, 50, 50, 50, 50, 50, 50, 50, 50, 50, 5	
Eddy, Wm. M	June 2.80	0	Marendo			世 55. 66. 65. 66. 66. 66. 67. 67. 67.	
Katon, I. E.	June 6-50	As assistant	Keeta		Constitution of the last	概 私 妹 似 旅 后 無 纸 放 引 处 因	
Elliott, W. D	June 18, 80	As owner As principal As owner	Osage			(2) (2) (4) (4) (5) (5) (5) (4) (4) (5) (5) (5) (6) (6) (6) (6) (6) (6) (6) (6) (6) (6	
Eldridge, C. G	June 2,80	An orthograph	Sabula Ottumwa			医双耳及黑红灰灰灰的	5
Everett, F. J.	Ang. 7, 80	As owner	Fulrbunk		July 10, 10	经, 知, 知, 私, 私, 机, 机, 机, 机, 机,	Left the State
Enitok, Thess. B	Liuly II, 80	By examinati'n	Lebigh Orange City Little Sloux			82, 83, 84, 83, 80, 87, 88, 80, 60, 91, 92, 9	Test the ciate.
Elits, Clark	Haly 31, 80	By examination As owner	Clarion Dow City			(2) (2) (3) (4) (5) (6) (7) (7) (8) (8) (8) (1) (1) (2) (2) (2) (2) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4	30
Evans, Warren B	Sept. 23, 49	-	Dow City			82, 84, 84, 85, 86, 87, 86, 80, 91, 97, 9	The state of boundaries
Erwin, J. W	Oct. 25, 80 Sept. 20, 80	By examinati'n	North English Memory Red Oak	C	June 11, 86		Out of busines Left the State
Ecker, J. C	Nuv. 8, 80	As assistant		Grant		82, 83, 84, 65, 86, 87, 88, 89, 90, 91, 92, 9	To Kansas.
Epsy, Geo. W	Dec. 14, 80	As assistant By examinati'n	Breds	Sigourney	April 3, 85	82, 83, 84, 85, 80, 87, 88, 80, 91, 91, 94, 9	Left the State
Edwards, Geo. W	Auell 30, 81	-	Kauxville	2000 200200000	10.00 WW	82, 53, 51, 55, 50, 57, 50, 50, 50, 51, 52, 5	al ut
Kills, Geo. F	Feb. 17, 82	7	Grundy Center	Grundy Center Hedrick	June 9, 91 May 12, 83	83, 84, 85, 80, 87, 89, 80, 90, 91, 92, 9	Vota the State
Engeldinger, P	Supt. 5, 82		Sigourney Independence		11111111111	85, 84, 85, 86, 87, 88, 80, 90, 91, 60, 9	O Thirt ross carace
Ellis, G. V.	Aug. 20, 82	4	Des Motnes	Hawarden Des Moines	Aug. 2, 88	65, 84, 85, 86, 61, 88,	Cla Chicago.
Ensign, Charles.	June L 83		Scranton	***************************************	**********	85, 84, 85, 80, 87, 10, 90, 00, 01, 12, 1 80, 84, 85, 86, 87, 88, 89, 90, 91, 92, 9 85, 86, 85, 86, 47, 88, 90, 90, 97, 92, 9 84, 85, 80, 91, 91, 80, 90, 97, 92, 9 84, 85, 80, -, -, -, -, -,	Left the State
Ensign, Charles, Enfield, Frede, Jr Evans, James Everson, Wm. H Ellis, M. P Sogland, L. E. Eckers, John P. Erickson, Ernst.	Jan. 2.84	24	Scranton Coin. East Nodaway Promise City	16705101111 1		84. 50. 50. 57, 10. 50. 50. 57, 10. 50. 51 100. 50. 57, 10. 50. 51 100. 50. 57, 50. 50. 50. 50. 50. 50. 50. 50. 50. 50.	Out of busines
Everson, Wm. H	June 17, 84	2	Promise City			成長を持つつつつ:	Out of busines
Ellis, M. P	May II, 80	1 ± 8	Earlham. Council Bluffs. Grand Junction. Ottumwa. Northwood.	Cillmone City	Mar. 25, 86	85, 86, 87, 88, 89, 90, 91, 92, 9 1886, 87, 88, 89, 90, 91, 82, 9	0
England, L. E	Aug. 4. 85	Graduate	Ottumwa	Gilmore City.		86, 87, 88, 80,,,	Left the State
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		The annual letter	Descrab				
Engbertum, E.	Mar. 1, S	By examination	Decorals Waukon		D	施 近 無 施 施 強 医 如	
Engbertson, E.	Mar. 1, 55 June 1, 5 Mar. 21, 50 Auril 8, 5	By examinati'n	Decorals Wauton Signorney Casety	Valley Juncti'n	Feb. 15.70	此式 無	In Missouri.
Engbertnus, E. Enric W. C. Ellis, John W. Eaton, F. N. Elson, Hugh	Mar. 2, M June 1, S Mar 11, S April 3, S	By examineti's	Descrate Wanton Signariney Casey Lee Molone Mason City	Valley Juncti'n Northwood	Feb. 15.70	施 25, 級 25, 後 25, 22, 22	In Missouri.
Engbertman, E. Enrie W. C. W. Ellin, John W. Eaton, F. S. Elson, Hagin, Emery C. E. B.	Mar. 1, 85 June 1, 85 Mar. 11, 85 May 11, 85 July 10, 85 Oct. 7, 80	By examination	Descrals Wauken Signers Cases Des Moles Masen City Octomes Masen City	Valley Juneti'n Northwood Oskaloosa	Sept. 14, 87 Mar. 19, 88	施 25. 無 26. 他 31. EE 20	In Missouri. Left the State.
Engbertum, II. Engin W. C. Ellis, John W. Eaton, F. N. Eson, Hugh Enery Geo M. Ennis, C. H. Ericson, U. E.	Mar. 1. M June 1, M Mar. 21, M April 5, W May 17, M July 20, N Oct. 7, N Nov. 14, M	By examination	Descrah Waukon Sigourney Coasty 1 bes Molones Mason City Emils Shell Bock	Valley Juncti'n Northwood Oskaloosa	Feb. 16, 93 Sept. 14, 87 Mar. 19, 88 there, 31, 92	 (2) 原 施 美 第 空 回	In Missouri Left the State.
Engbertson, R. Fills, John W. Eaton, F. N. Eaton, F. N. Eaton, Geo. Eantle, G. H. Engel, Carl Engel, Carl Engel, Carl	Mar. 1. M Mar. 1. M Mar. 71. M April 8. H May 11. H Oct. 7. M Nov. 14. M Mar. 10. M Mar. 27. M	By examination	Decorals Wankon Sigourney Sigourney Des Stoines Mason City Ottomwa Emits Shell Rock Walssort Valley Walssort Valley	Valley Juncti'n Northwood Oskaloosa	Feb. 16, 93 Sept. 14, 87 Mar. 19, 88 there, 31, 92	 (2) (2) (2) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4	In Missouri Left the State.
Englectain, R. Earle W. G., W. C., W. C., W. C., C., C. C., C.,	Mar. 1. M June 1. M Mar. 1. M May 1. M May 1. M May 1. M Oct. 7. M Nov. 18. M Mar. 19. M Mar. 19. M Mar. 19. M Mar. 19. M	No.	Decorah Wainkon Sigouristy Les Molones Mason City Cottomwa Emith. Muscathee Missourit Valley. Carroll.	Valley Juncti'n Northwood Oskaloosa	Feb. 16, 93 Sept. 14, 87 Mar. 19, 88 there, 31, 92	施 25. 税 売 地 到 即 回	In Missouri. Left the State.
Engbertum, B. Earle W. G. Ellis, John W. Eaton, F. X. Eaton, F. X. Eaton, G. E. Emery, Ges. M. Eaton, G. H. Eriesson, G. H. Engel, Cast. Eliob. S. S. Eliob. Joseph F. Eliob. Jo	Mar. I. Mar. II. Mar. III. Mar. II. Mar. II. Mar. II. Mar. II. Mar. II. Mar. II. Mar. III. Mar. II. Mar. II. Mar. II. Mar. II. Mar. II. Mar. II. Mar. III. Mar. II. Mar. II. Mar. II. Mar. II. Mar. II. Mar. II. Mar. III.		Marshalltown	Valley Juneti'n Northwood Oakaloosa Hastlegs. Davenport Missouri Valley Templeton Strawberry Pt	Feb. 16, 50 Sept. 14, 87 Mar. 19, 88 Dec. 11, 92 Dec. 18, 90 Far. 22, 92 Dec. 4, 99 July 3, 91	施工が、原、売、売、売、買、空、回 が高、砂、切、砂、砂、砂、砂、砂、砂、砂、砂、砂、砂、砂、砂、砂、砂、砂、砂、砂、	In Missouri Left the State.
Englertmun, R. Sander W. C. States W. C. States W. C. States W. Saton, F. N. States, F. Sander, G. Sander, G. Sander, G. Sander, G. Sander, C.	Mar. E. M. Mar. T. M. M. Mar. T. M.		Marshalltown	Valley Juneti'n Northwood Oakaloosa Hastlegs. Davenport Missouri Valley Templeton Strawberry Pt	Feb. 16, 80 Sepp. 14, 87 Mar. 19, 88 Dec. 18, 90 Mar. 22, 90 Dec. 4, 90 July 3, 91 Jun. 21, 60		In Missouri. Left the State. Im Nebraska.
Engbertson, R. Earle W. G., V. Calone, F. N. Elson, Hugh Ennery, Geo. M. Ennery, Geo. M. Ellow, E. Ellow, Ello	Mar. 1. May 1. M		Marshalltown	Valley Juncti'n Northwood Oakaloosa Hastiogs Davesport Missouri Valley Templeton Strawberry Pt. Odges. Des Moines	Peb. 16, 50 Sept. 14, 87 Mar. 19, 88 Dec. 18, 50 Mar. 31, 62 Dec. 4, 88 July 3, 91 Jan. 21, 62 Nov. 26, 69	 (2) (株 (株 (株 (株 (株 (株 (株 (株 (k)))))) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4	In Missouri Left the State. In Nebraska.
Elch. Joseph F. Ehle, Chauncy I. Eaton, Claude I. Eckerman, H.F. Ecgleon, C.J. Evans, Paul W. Elcler, Frank.	Nov. 20, 8 Jan. 15, 8 May 21, 8 1 July 16, 8 Oct. 1, 8 Jun, 29, 9		Marshalltown Strawberry Point Avoes Ogden Maivern Iowa City Gladbrook	Valley Juneti'n Northwood Oakaloosa Hastlegs. Davenport Missouri Valley Templeton Strawberry Pt	Feb. 16, 80 Sepp. 14, 87 Mar. 19, 88 Dec. 18, 90 Mar. 22, 90 Dec. 4, 90 July 3, 91 Jun. 21, 60	 (2) 展 形 美 男 型 新 新 美 型 型 新 新 数 (In Missouri Left the State.
Elch. Joseph F. Ehle, Chauncy I. Eaton, Claude I. Eckerman, H.F. Ecgleon, C.J. Evans, Paul W. Elcler, Frank.	Nov. 20, 8 Jan. 15, 8 May 21, 8 1 July 16, 8 Oct. 1, 8 Jun, 29, 9		Marshalltown Strawberry Point Avoes Ogden Maivern Iowa City Gladbrook	Valley Juneti'n Northwood Oakaloosa Hastioga Davenport Missouri Valley Templetole Strawberry Pt Odgen Des Moines Van Horne	Peb. 16, 50 Sept. 14, 87 Mar. 19, 88 Dec. 18, 50 Mar. 31, 62 Dec. 4, 88 July 3, 91 Jan. 21, 62 Nov. 26, 69		In Missouri. Left the State. In Nebraska.
Elch. Joseph F. Ehle, Chauncy I. Eaton, Claude I. Eckerman, H.F. Ecgleon, C.J. Evans, Paul W. Elcler, Frank.	Nov. 20, 8 Jan. 15, 8 May 21, 8 1 July 16, 8 Oct. 1, 8 Jun, 29, 9		Marshalltown Strawberry Point Avoes Ogden Maivern Iowa City Gladbrook	Valley Juncti'n Northwood Oakaloosa Hastiogs Davesport Missouri Valley Templeton Strawberry Pt. Odges. Des Moines	Feb. 16. 50 Sept. 14. 87 Mar. 19. 50 Dec. 18. 50 Har. 21. 60 Dec. 4. 50 July 3. 91 Jun. 21. 60 Nov. 26. 60 Oct. 5. 91	 (2) (株) (株) (株) (株) (株) (株) (株) (株) (株) (株	In Missouri. Left the State. In Nebraska.
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2527 Hardesty, Frank Sept. 13, 82 By	examinat'n	Avoca	Atlantic	July 13, 85
2540 Henderson, J. S., Oct. 17, 82		Bose Hill	Muchaermore	10 1112
9540 Hostetter, J. L., Dec. L 52	10	Neola		
9830 Harvey, S. N Dec. 30, 83	2	Clarinda		
0550 Hershey, D. A Jan. 9, 85		Dyersville		0.0000000000000000000000000000000000000
9N(0) Holbrook, G. A., [Feb. 20, 80]	44	Dyersville		The state of the s
9509 Harisen, J. H [Feb. 5, 50]		Collins	Moville	May 3, 88
osto Hunio J. W. Feb. 20, 84		West Branch	Chelnda	Oct. 14, 84
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9400 Highen, O. B April 17, 85	7	Cascade	O's Edill Worth	100000000000000000000000000000000000000
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2704 Holtzschuberr, O Nov. 28, 83	.00	Creston	Occum with	Children Co.
2706 Hunter, J. C June 16, 83	360	Dubuque Le Mars	Adam Committees	April 7, 87
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2708 Harvey, John T. May 28, 84	(48)	Ulinton.		MASS 2000 2000 2000 2000 2000 2000 2000 2
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2782 Hampton, R. B. July 15, 84	188	West Liberty	Neola	Sent. 22, 02
9080 Howard, Geo. R. July 20, 84	(40)	Tama City	Chienton	Fob. 24, 80
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2807 Hopkins, W. B., Sept. 16, 84 2812 Heltz, J. Wm. Nov. 5, 84	(44)	Burlington	Det Herora	100000000000000000000000000000000000000
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9000 Hill. F. M Oct. 19, 85	19	Sheldon		
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2008 Hinsdale, M. H May 18, 86;	94	Le Mars		
20000 Hines, J. W., 1210.V. 48, 800	44	Fairfield		
2031 Hampson, Jas. C. June 15, 86	94	Audubon	Ewlen	Feb. 8, 50
2021 Honaton C. W. Aug. 3, 86	39			
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2080 Hall, Lincoln Oct. 19, 20]	**	Lake Ully	The same of the sa	
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3834 Kenefick, T. H Feb. 19, 99	Ackier.	Belmost De	E 12, 21		90. 91. 92. 93	
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160 Long, G. P. June 16, 80 As assistant	Downs			82, 93, 84, 85, 90, 97, 80	89, 90, 91, 92, 93	
190 Lewis, William June 21, 60 As owner	Champaninghoup	Maria Company		82, 62, 64, 65, 66, 67, 50	, so, no, or, or, or,	
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1051 Litchfield, A. N. June 4, 86 As owner	PicasantVille	E 41 411111 P 4441 10	*****	60, 60, 84, 85, 86, 87, 89	10 00 01 00 00	
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3018 Waterberry, D.D. June 25, 86 Graduate.	Fayette
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SYNOPSIS OF STATE PHARMACY REGISTER.

September 25, 1893.

Number of certificates issued to those who were in business at the pa	ssage
of the law without examination: Green seal certificates	1,884
Number of certificates is sued to graduates without examination: Red seal certificates	171
Number who passed successful examinations to whom gold seal certificates were issued.	2,012
Total number of certificates issued to September 15, 1893	4,517
Of this number There were revoked for violation of law. Registered pharmacists reported dead. Canceled by request of the owners. Certificates without examination superseded by certificates by examination. Certificates without examination forfeited as per section 4 of the law. Green seal certificates delinquent. Gold seal certificates in force whose owners reside out of the State. Green seal certificates in force whose owners, or most of them, are in active business in the State as proprietors and clerks. Gold and red seal certificates in force, and whose owners, or most of them are in active business in the State as proprietors and clerks. 1,004	
Total in force in the State	2,26
Total	4,51

CERTIFICATE.

IOWA COMMISSIONERS OF PHARMACY, OFFICE OF THE SECRETARY, STATE CAPITOL, DES MOINES, IOWA.

I, Suel J. Spaulding, Secretary of the Commissioners of Pharmacy for the State of Iowa, hereby certify that the foregoing Abstract of the State Pharmacy Register is copied from the original Register on file in this office, and that the same is true, correct and complete.

In testimony whereof, I have hereunto set my hand and affixed seal of the Commission, this 15th day of September, [SEAL.] A. D., 1893.

SUBL J. SPAULDING, Secretary of the Commissioners. SUPREME COURT DECISIONS.

SUPREME COURT REPORTS.

IN THE SUPREME COURT-OCTOBER TERM, 1887.

THE STATE OF IOWA v. J. F. CLOUGHLEY, Appellant.

Appeal from Audubon District Court-Hon, E. H. Dermer, Judge.

The defendant was convicted of the crime of nuisance by the verdict of a jury, and the court prenounced sentence, imposing spon him a fine of five hundred dellars.

JNO. M. GRIGOS and TURO. F. MYRIS, for Appellant, A. J. BAKER, Attorney General, for the State.

REED, Judge:

It is charged in the indictment that defendant kept a building and a place in which he kept intoxicating liquors with intent to sell the same contrary to law, and in which he sold such liquors contrary to law. The indictment was returned on the 37th day of August, 1886, and it is alleged that the offense was committed on the 1st day of that month. The defendant is the proprietor of a drug store. He is also a registered pharmacist. And on the 9th day of June, 1886, the board of supervisors of the county issued to him a permit to buy and sell intoxicating liquors for the "actual accessibles of medicine."

First. It is first insisted that the verdict is not supported by the evidence. There was evidence, however, which tended to prove at least one sale of whisky in defendant's drug store before the date of this permit. It is true that the sale was not made by defendant in person, but the jury might well have found that it was made from his stock, and by a clerk in his employ. At that time defendant had no authority to sell liquor for any purpose. The sale was unlawful and the jury might have found from the evidence that it was made by the clerk in the ordinary course of his employment. There was also evidence which tended to prove numerous sales after the permit was granted, some of which the jury might have found was not for "the actual necessities of medicine." It was proven that on one occasion a person applied to defendant to purchase a bottle of beer, and that defendant sold and delivered to him a bottle of liquor which had the appearance of beer. The castomer, who was examined as a witness in the trial was not able to testify with

certainty that the liquor in the bottle was beer. It is insisted that there was not sufficient evidence either as to the kind of liquor sold or that it was intoxicating.

As the defendant, by delivering it to the customer in answer to his request for boer, represented it to be that kind of liquor, the presumption, as against him, is that it was beer, and the statutes class beer as an intoxicating liquor, Chapter 8, Acts of the Twentieth General Assembly.

acts of the 1 weather are kinds of beer not in fact intoxicating, the burden was on defendant if there are kinds of beer in question was of that kind, if he claimed such to be the fact. It is clear that we ought not to disturb the judgment on this ground.

Second. Defendant effered to prove that he is a practicing physician, and that he was engaged in the general practice of his profession at the time of the transaction in question. His counsel attack when this offer was made, that he would follow it with proof, that the sales in question were made by him in the course of his practice as a physician. But the evidence was excluded. It may be conceded for the purpose of the case, that a physician who, in the course of his practice, should find that his patient required intoxicating liquors, might lawfully dispense such liquors to him. That, however, does not appear to have been the character of the transactions in question. The liquors were dispensed, not upon the judgment of the physician as to the needs of his patients, but upon the demands of the customers. That is, they did not apply to defendant for medical treatment for their diseases, and leave it to him to determine what remedies should be administered, but determined for themselves that whisky or beer was the proper remedy for their maladies, and applied to him to supply it; the transaction on his part was commercial rather than professional.

Third. The district court instructed the jury that on proof of the sale of intoxicating liquor is defendant's place of business the burden would be on him to prove that the sales were lawful. The instruction is right. The sale of intoxicating liquors generally is forbidden by the statute. It permits the sale, however, for special purposes by persons holding permits to sell for these purposes. The privilege of selling for those purposes is in the nature of an exception, prohibition being the rule of the statute. Defendant claims that his sales were within the exception, and the burden is on him to prove that fact. 1 Greenleaf on Evidence, Sec. 79.

Fourth. The court also directed the jury that if it was proven that persons deank intesticating liquors in defendant's pharmacy, that fact would be presumptive evidence that the liquors so drank had been unlawfully sold or given to the parties by defendant. It is expressly provided by Chapter S3, Acts of the Twenty first General Assembly, that the fact of drinking intoxicating liquor in the place of business of registered pharmacists shall be regarded as presumptive evidence of the unlawful sale of the liquors.

We have found no error in the record.

APPIRMED.

THE STATE OF IOWA v. NORTON. Filed December 14, 1885.

- CRIMINAL LAW: Trial introduction of evidence before reading indictment or
 opening statement. The failure to read the indictment to the jury and make
 an opening statement before introducing evidence will not be ground for setling aside the conviction, when the defendant offered no objection to the
 evidence, and the indictment was read when the objection was raised.
- INTOXICATING LIQUOUS: Keeping place for sale of. It is no defense, or indictment of a druggist, who was not a registered pharmicist, for keeping liquor for sale uniawfully, that the sales were made by his clerk who was a registered pharmacist, and for medical purposes only.
- 3. -- : Fine. A fine of \$250 held not excessive.

Appeal from Hamilton District Court.

The defendant was indicted for keeping in a certain building, introcicating liquous, with intent to sell the same in the building in violation of law. There was a verdict of guilty, and judgment was rendered upon the verdict. The defendant appears.

N. B. HVATT. Attorney for Appellant.

A. J. BAKER, Attorney General, Attorney for the State.

Anams, J.—I. Upon the trial of the case the district attorney, by oversight, omitted to read to the jury the indictment, and omitted to make a statement of the case, but proceeded at once and introduced the evidence in behalf of the State, and rested. The defendant then filed a motion for an order directing his acquittal and discharge, on account of the fact that the indictment had not been read, and no statement of the case had been made, but the court overruled the motion, and allowed the indictment to be read, and offered to allow the defendant to make a statement in respect to his defense, which the defendant declined to make. The defendant insists that the court erred in overruling his motion. But, in our opinion, the defendant's position cannot be sustained. Possibly, if the indictness had not been read at all, no conviction should have been allowed. But it was read, and the only irregularity was in the time in which it was read. That irregularity we think was waived by the defendant by his failure to interpose an objection to the introduction of evidence before it was read.

II. The defendant kept a drug store, and the liquor, alleged to have been kept with an intention to sell the same in violation of law, was kept in the drug store, or in a room connected therewith. The defendant claimed that the liquor was kept for the purposes of medicine, and that whatever had been sold had been sold for such purposes; and while he did not claim to be a registered pharmacist, he offered to show that his prescription clerk was, and that all sales were made by him. But

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the court, upon objection by the State, excluded the offered evidence that the clerk was a registered pharmacist. In excluding such evidence, the defendant contends that the court erred. It is provided in Chapter 75 of the Acts of the Eighteenth General Assembly that "it shall be unlawful for any person not a registered pharmacist to conduct any pharmacy or drug store." If the person conducting the drug store in question was the defendant, then he was engaged in an unlawful business, for he was not a registered pharmacist. But he contends that it was his clerk, and not himself, who was conducting the drug store, and that if he had been allowed to show that his clerk was a registered pharmacist, he would have shown that the business of the drug store was lawful. There is no doubt but that a person may lawfully become the owner of a stock of drugs without being a regristered pharmacist. But being such proprietor is quite different from conducting a drug store. A room or building in which the business of selling drugs is conducted is a drug store, and the conductor of the store within the meaning of the statute, is, we think, the person who has the ultimate right to control the business in respect to its continuance or discontinuance, the employment of clerks, the fixing of prices. etc. It matters not with what power a mere clerk may be clothed. He cannot be said to be the conductor of the store while his powers are merely derivative. In our opinion the design of the statute was to prohibit persons not registered as pharmacists from engaging in the responsible business of buying and selling drugs as dealers. In our opinion it was not material that the defentant's clerk was a registered pharmacust, so far as the question before us is concerned.

111. The court rendered judgment of a fine of \$250. The defendant insists that the judgment is excessive. But no good reason is shown to us why it should be reduced.

1V. It is said that the verdict is not sustained by the evidence, but we think it is. We see no error.

AFFIRMED.

IN THE SUPREME COURT-MAY TERM.

H. K. SNYDER v. W. E. CLOSSON, Appellant.

Appeal from Buchanan District Court-Hon. John J. Ney, Judge.

Action upon a promissory note. The case was tried without a jury and judgment rendered for plaintiff. Defendant appeals.

E. E. HASNER and CHAS. E. RANSIER, for Appellant.

W. W. HOLMAN, for Appellee ..

BECK, C. J.—I. The defendant for answer to the petition, shows that he is a resident of Independence and a dealer in proprietary medicines, having his fixed and permanent place of business in the town of his residence; that while in Charles City introducing and advertising his medicines the plaintiff demanded that he should pay \$100, for which plaintiff would procure for appellant a lease from the Commissioners of Pharmacy, authorizing defendant to act as an itinerant vender of drugs and nostrums and to act as a traveling "quack doctor," and plaintiff threatened that unless defendant would pay or give his note for \$100 the plaintiff

would file an information against him and cause his arrest at Charles City; that to avoid the threatened arrest though guilty of no violation of the law, as plaintiff charged, he gave to plaintiff the note in suit, which defendant alleges is wholly without consideration and void.

The court below found the following facts upon which judgment was rendered for plaintiff:

"That the defendant is a manufacturer of proprietary medicines, having his permanent manufactory and residence in Indopendence. Iowa, on which be pays taxes into the treasury of Buchanan county, lowa, and from which he supplies drug stores and other stores throughout the State, and also supplies such as call for his remedies, both wholesale and retail; that such business has been conducted in such manner for several years.

"That during the fall of 1889, and up to September 20th of that year, the defendant attended the county fairs in different parts of the State, and at such places, for the purpose of advertising and introducing his medicines, caused a booth to be erected and had a band of music and singers, and made speches to the people settling forth what he claimed his medicines would cure, and sold said medicines to ail persons he could induce to purchase the same.

"Among said medicines was a pain relief, a dyspepsia care, and a liniment for unimals whose curative properties he stated."

. "That defendant claimed his said remedies would cure diseases and injuries to man and heast."

"That the plaintiff claimed that such acts constituted the defendant an itinerant vender of drugs and nostrums and a traveling doctor, and threatened to cause the defendant to be arrested as such itinerant vender and traveling doctor under sections 25%2 and 2534 of McClain's Code.

"That defendant is not a doctor, and does not claim to be one, nor does he diagnose or treat disease, except in selling his proprietary modicine as above set forth.

"That for the purpose of avoiding such arrest, the defendant cave the note in controversy, and the plaintiff, who is one of the Commissioners of Pharmacy, issued to him the Licensu which is attached hereto and made a part of these flodings."

 Chapter 75, Acts of the Eighteenth General Assembly (1880) Section 10, Miller's Code, page 1285, contains this provision:

"Any itinerant vender of any drag, nostram, ointment or appliance of any kind, intended for the treatment of diseases or injury, who shall by writing or printing, or any other method, publicly profess to cure or treat diseases, or injury, or deformity, by any drag, nostram, manipulation or other expedient, shall pay a license of one hundred dellars per annum, etc."

III. The only question in the case is this: Upon the facts as found by the court below is defendant subject to this statute?

His clearly was an itinerant vender of the nostrums (patented or proprietary medicine) which he advertised, for according to the findings of the court, he traveled to the fairn in different ports of the State, and "sold his nostrums to all persons he could induce to purchase." To constitute an itinerant vender it is not necessary that the persons should travel all the time and have no fixed place of sale. He may have a place of business where he sells his goods during a part of the time, and he may travel for the sale of his nucleions at other times.

It cannot be said that one who has a drug store in one town of the State which be superintends and personally unawages a part of the time, may the other parts of the year travel through the State to the country fairs and put off his nontrums by the acts disclosed in the finding of facts.

Section 12 of the act just quoted, authorizes any person not a registered pharmaciant to sell proprietary medicine, but it does not authorize all persons to itinerate for the ourroses of making such sales.

The finding of facts showed that defendant did publicly recommend his nos-

He thus, in the language of the statute cited, did "publicly profess to " " cure diseases" by the nostroms he sold.

We reach the conclusion that defendant was subject to the statute and liable for the amount prescribed as payment for license.

The judgment of the district court is

AFFIRMED.

THE SUPREME COURT OF IOWA-JANUARY TERM, 1892.

THE STATE OF IOWA ON BEHALF OF THE IOWA COMMISSION OF PHARMACY E. F. C. A. Goenss, Appellant.

From Marshall District Court-Hon, J. L. Stevens, Judge.

Action to recover of defendant one hundred dollars license as an itinerant vender of drugs, under section 2532, McClain's Code.

The case was submitted to the court upon an agreed statement of facts, and judgment entered against the detendant, from which he appeals upon a certificate of the trial judge, as follows:

CERTIFICATE.

 John L. Stevens, judge of the district court of lows within and for Marshall county, hereby certify that the above entitled cause involves the determination of questions of law upon which it is desirable to have the opinions of the Supreme Court of lows.

The questions are as follows: First. Is section 2532 of McClain's Code in conflict with and in violation of section 5 of article 1 of the Constitution of Iowa, and article 1, section 8, of the

Constitution of the United States?

Second. Can a citizen of lowa, being a regularly authorized practicing physician, possessed of the physician's certificate from the State Board of Medical Examiners, under Chapter 104 of the Laws of 1836, sell his medicines which are prepared by him from a formula or prescription of which he is the owner and propretor, providing such medicines do not include any intoxicating liquors or poisons, in any county in the State wherein his said certificate is duly recorded under section 2549 of McClain's Code, and also recorded in the county of his residence under the same section, whether he is a resident of said county or not, without a license, as provided by section 2532 of McClain's Code, provided said sales are made by him from town to town to all persons desiring to buy, and publicly professing to care diseases by said medicines?

Third. Can any person, being a citizen of Iowa, whether a physician or registered pharmacist or not, sell proprietary medicines and such other domestic remedies as do not include any intoxicating liquors or poisons in any county of the State of Iowa, where he does not reside, without a license, as prescribed by section 2532, of McClain's Code, provided such person make said sale from town to town to all persons indiscriminately, professing to cure and treat diseases with such rem-

edies.

Fourth. Is a person an initerant vender within the meaning of section 2632 of McClain's Code, who, being a resident of Iowa, goes about the State from city to city, publicly, by written and printed circulars and oral addresses, pr-fessing to care diseases, and publicly advertising and selling medicines prepared from his own formals, be remaining but a few days or weeks in a place for such purpose; but who, being a duly registered physician of lowa, anthorized to practice medician in any county in the State, records his certificate in each county in which he so publicly professes to care and sells such medicines, as provided by section 2549 of McClain's Code.

J. L. STEVENS.

BINFORD & SMELLING, for Appellant, BROWN AND MILLER, for Appelle,

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(1rvgs, J.-1. We first inquire whether said section 2532 is in conflict with section 6, article 1 of the Constitution of Iowa.

"All laws of a general nature shall have a uniform operation; the general assembly shall not grant to any citizen or class of citizens, privileges or immunities, which, upon the same terms, shall not equally belong to all citizens."

Appellant's contention is that section 2532 "Discriminates in favor of the citizers of one city and against all other resident merchants of Iowa," and cites in support, The City of Marshalltonen v. Blum, 58 Iowa, 184, and The Touen of Pacific Junction v. Duer, 64 Iowa, 38.

In the former case an ordinance which imposed a license upon persons whose business it was to sell merchandise at retail upon the streets or from house to house, with a promise that it should not apply "to persons retailing their own productions, or of their own manufacture, if they reside in, and the goods are manufactured in Marshall county, lowa," was held to be unconstitutional because of the provise. In the latter case an ordinance, providing that transient merchants should pay a license, and defining transient merchants to be "every non-resident person who shall sell, exchange, or dispose of any goods, wares, or merchandise of his own, or of other non-resident owners," was held to be unconstitutional because of the discrimination in favor of resident merchants and against all others.

Section 2532, as far as applicable to the question before us, is as follows:

"Any itinerant vender of any drug, nostrum, ointment or appliance of any kind intended for the treatment of diseases or injuries, who shall, by writing or priming, or any other method, publicly profess to cure or treat disease, be injury, or deformity, by any drug, nostrum, manipulation, or other expedient, shall pay a license of one hundred dollars per annum."

This law is of uniform operation; it applies alike to all itinerant venders, and its privaleges and immunities are open to all venders upon the same terms. There is no discrimination in favor of the citizens of one city as against another nor against resident merchants of any place in lows. All resident merchants may sell proprietary medicines and domestic remedies without being registered as pharmacists, as authorized in section 2534, and are alike protected from competition with itinerent venders.

It will be readily seen that there is no such discrimination in this law as in the oscillance referred to; indeed we fail to discover any feature of discrimination in this law; it operates upon all persons and places alike and grants no privilege or immunity to any citizen or class of citizens that does not equally belong to all citizens.

It is argued that, taken in connection with section 2534 it discriminates in favor of domestic remedies and against all others. Under section 2534 any person may sell, at his established place of business, domestic remedies of any kind that do not contain intoxicating liquors or poison, without registering as a pharmacist, but if he becomes an itinerant vender thereof, he must pay license, as required by section 2532. The regulation is as to all domestic remedies. No question is made in argument, under the constitution of the United States, and we think no question is involved in the case.

11. We are of the opinion that a physician's certificate does not exempt one who is an itinerent vender, as defined in section 2532, from the provisions of that section. That he may dispense his own prescriptions without being registered as

a pharmacist, as provided in section 2534, or that he may remove to another county and practice medicine by having his certificate recorded, does not give him the right to pursue the business of an itinerant vender without paying license

111. There can be no doubt but that under section 2534 any person may keep and sell at his place of business, proprietary medicines and other domestic remedies specified, without being a physician or registered pharmacist. It is equally clear that if he "make said sales from town to town to all persons indiscriminately, professing to cure and treat disease with such remedies," he is an itinerant wender and subject to the provisions of section 2532.

Under the facts stated in the foorth question certified. We are in no doubt but that a person so pursuing the business is an itinerant vender within the meaning

A certificate authorizing him to practice medicine in the State does not authorize him to become an itinerant vender as defined in section 2332, nor exempt him from liability as such.

The right of a physician given in section 2534 to dispense his own prescriptions without being a regular pharmacist and the right to remove to another county to practice, upon having his certificate recorded as authorized under section 2549 does not make him any the less an itinerant vender as defined in section 2532 if he conducts the business as stated in the fourth question certified.

As to who are itinerant venders see Snyder v. Closson, 50 N. W. Rep. 678.

The judgment of the district court is

AFFIRMED.

SUPREME COURT OF IOWA-OCTOBER TERM, 1893.

STATE OF IOWA v. JOSHUA BURKE, Appellant.

From Davis District Court-Hon. J. C. Mitchell, Judge.

The defendant was charged by indictment as follows:

"The said Joshua Burke on the 7th day of September A. D., 1891, in the county and state aforesaid, did then and there sell and vend liniments, nostrums, oistments and other drugs to one Asa Hale, the said Joshua Burke then and there being an itinerant vender of said drugs and nostrums, and did then and there publicly profess to said Asa Hale, to whom he then and there sold said durge and nostrums that the said drugs and nostrums then and their sold would cure diseases, injuries and deformities, the said Joshua Burke then and there not being licenses as an itinerant vender of drugs, nostrums and ointments as required by statute,"

Defendant having plead not guilty the case was tried to a jury and a verdict of guilty returned. Defendant's motion for a new trial being overruled judgment was entered on the verdict, from which defendant appeals.

McCrary & Chaig and Eighelberger & Taylon, for Appellant.

HON JOHN Y. STONE, Attorney-General, and PAYNE & Sowens, for the State-GYEN, J.—I. This prosecution is under section 10, chapter 75 acts Eighteenth General Assembly, as amended in section 2, chapter 137, acts Nineteenth General Assembly, and section 3, chapter 83 acts Twenty-first General Assembly.

The section as amended provides as follows: "Any itinerant veeder of any drug, nostrum, ointment or appliance of any kind, intended for the treatment of diseases or injury, who shall by writing or printing, or any other method, publicly profess to cure or treat diseases or injury, or deformity, by any drug, nostrum, manipulation or other expedient, shall pay a livense of one hundred dollars per annum, to be paid to the transurer of the Commission of Pharmacy, whereupon the secretary of said commission shall issue such liceuse for one year. Any person riotating this section shall be deemed guilty of a misdemeanor and shall upon conviction, pay a fine of not less than one hundred nor more than two hundred dollars."

McClain's Code section 2532.

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It appeared without question on the trial that at and for several years prior to the time charged the defendant was in the employ of S. F. Baker & Co., manufacturers of proprietory medicines at Keckuk, lows. That he traveled with a team and wagon carrying the medicines manufactured by said company and selling the same from house to house to whomsoever would purchase.

The defendant did not hold himself out as a physician nor assume to determine what the ailments of people were, but he did distribute printed circulars issued by Baker & Co., representing their medicines to be cares for certain diseases named in the circulars and the defendant represented that the medicines were as recommended.

Section 12 of said acts of the Eighteenth General Assembly provided that that act should not apply to the sale of proprietary medicines. Said section was amended by section 4 of said act of the Nineteenth General Assembly, by adding the following words: "Manufactured in the State when same are sold and distributed by agents from an established place of business."

Said section 12 as amended was repealed by section 4 of said act of the Twentyfirst General Assembly, and the following enacted in lieu thereof:

"Secretor 12. Physicians dispensing their own prescriptions only, are not required to be registered pharmaciets, provided that nothing in this act shall prevent any person not a registered pharmacist or not holding a permit from keeping or selling proprietary medicines, and such other domestic remedies as do not include any intoxicating fiquors or poisons."

Appellant contends that said section 12, as originally enacted, is not repealed, but only the amendment thereto made by the act of the Nineteenth General Assembly, and therefore the act does not apply to the sale of proprietory medicines.

The repeal is not of the amendment alone, but expressly of said section 12, "as amended."

It is entirely clear under this view of the law and the undisputed facts that the defendant was amenable to pay the license provided and if he did not do so was guilty of the misdemeanor charged.

II. Appellant offered to prove by E. S. Baker that at his request a provision exempting manufacturers of proprietary medicines from the provisions of the act was agreed to by the Pharmacy Commission and incorporated in the original bill. Also to prove certain statements of the committeemen at the time the law was passed as to its effect.

Appellant complains of the refusal to admit this evidence but fails to point out any reason for the complaint.

Surely in such a case as this, the statute is not to be restricted or expanded in its operation by agreements the Pharmacy Commissioner construed according to the statements of legislators except as they have expressed their intention in the law itself. There was no error in excluding this evidence.

1898.1

HI. After the arguments were closed the court suggested to the county attorney that he had failed to prove that the defendant had no license. The county attorney claimed that it was for the defendant to show that he had a license. He also claimed that he had proven by the witness, Mitchell, that defendant admitted to him that he had no license. The court caused the reporter to read the testimony of Mitchell in hearing of the jury and it appearing that Mitchell had not so testified, and the county attorney stating that he had omitted by oversight to question Mr. Mitchell on that subject, was permitted to recall Mr. Mitchell and prove by him that defendant said he had no license. It was within the discretion of the court to allow the witness to be recalled, and there was no abuse of that discretion. The court had a right to inform itself as to what had been proven by causing the evidence to be read and it was not prejudicial to appellant that it was read in the hearing of the jury as it was already before the jury.

IV. The state was permitted over appellant's objection to examine in chief three witnesses who were not before the grand jury and none of whose names were upon the indictment. Appellant's objections were that no proper notice had been served, and for the reason that the indictment charges selling to Asa Hale alone testimony of sales to any other person would not be competent.

Notices that these witnesses would be examined were served upon the defendant in person on October 11, and on October 12 the trial was commenced without any motion by the state for leave to introduce this evidence, and without any demand on the part of the defendant for a continuance.

As to the last one of the three examined there was no other notice, but as to the other two notices in due form were served more than four days before the commencement of the trial, by reading the same to the defendant's wife and leaving copies thereof with her at defendant's house.

The first of these witnesses examined testified that defendant was selling medies and that he purchased from him condition powders which defendant recommended as good for cattle and horses.

The second witness testified that the defendant was traveling selling Dr. Baker's make of medicines, that she bought some of the medicines, that defendant gave her a circular like the one in evidence and said that the medicines would do what the circular and directions said.

The third witness stated that on the preliminary trial defendant testified that he was selling Dr. Baker's medicines from house to house on the recommendation of the circular in evidence which be distributed and that the medicines were good for what they were recommended in the circular.

The defendant in his testimony states that he was selling Dr. Baker's medicines from house to house to all who were willing to buy. That he distributed circulars such as that in evidence, that he never inquired after their diseases, that he sometimes told them what kind of medicines he had and what they were recommended for and that his recommendations were simply that the medicines were good for the diseases named in the circular.

The court instructed the jury not to consider the evidence in relation to the sale of preparations for stock.

It will be observed that while the defendant was not examined as to the transactions and declarations related by these three witnesses he does not deny them and admits every material fact testified to by thom.

While it may be true as stated in the objections that proper notice had not been served and that it was error to permit these witnesses to be examined, it was error without prejudice to the defendant as their statements of material facts were not only uncontroverted but were in effect admitted by the defendant.

Evidence of sales and professions made to other persons at or before the time charged was competent to show that defendant was an itinerant render, and that his professions were public.

The court properly instructed that under this indictment the jury must find that the defendant did make a sale to Ass Hale.

Our conclusion is that there was no error prejudicial to the defendant and that the judgment of the district court should be AFFIGMED.