

The Pharmacy Acts Amendment Bill of 1883 : lecture on the proposed changes in the Pharmacy Act of 1868, and in the educational system of the Pharmaceutical Society of Great Britain: together with some remarks on the present position and future prospect of pharmacy in Britain. Delivered before a meeting of the Chemist and Druggists' Association of Glasgow on Tuesday, 10th April 1883 / by Daniel Frazer.

Contributors

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THE PHARMACY ACTS AMENDMENT BILL OF 1883.

L E C T U R E

ON THE

PROPOSED CHANGES IN THE PHARMACY ACT OF 1868,

AND IN THE

EDUCATIONAL SYSTEM

OF THE

PHARMACEUTICAL SOCIETY OF GREAT BRITAIN:

TOGETHER WITH SOME REMARKS ON THE

PRESENT POSITION AND FUTURE PROSPECTS OF PHARMACY
IN BRITAIN.

DELIVERED BEFORE A MEETING OF THE

CHEMIST AND DRUGGISTS' ASSOCIATION OF GLASGOW

ON TUESDAY, 10TH APRIL 1883.

BY

DANIEL FRAZER,

PHARMACEUTICAL CHEMIST, GLASGOW.

GLASGOW :
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1883.

C.

P R E F A C E.

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After the whole of this Pamphlet—that is, the Lecture, Appendix, and Title-page—was in print, and had received “the author’s” final revision, I felt that there was a want in it—it wanted a text! Where was it to come from? Reading with much pleasure the Lecture on “Pharmaceutical Politics,” delivered by Mr Giles in London on the 3rd instant, I came upon a passage in it that I venture to reproduce here as a most appropriate text—a reason why this Lecture should appear at all. Mr Giles, after giving a brief sketch of the attacks made by the Society of Apothecaries upon the Chemists and Druggists at the close of the last century, writes:—“Parliament seems to have penetrated the motives by which these attacks were instigated, and would not lend itself to the efforts of the Apothecaries to secure for themselves a monopoly which would have operated as a tax upon the public without equivalent advantage. From this we may learn (and it is of the utmost importance that we should learn, from whatever source the teaching may come) *that it would be absolutely useless to apply to Parliament for anything savouring of monopoly in these later days of more enlightened political economy.*”*—*Pharmaceutical Journal*, 14th April, 1883.

Than this I can seek for no stronger vindication for venturing to put in print the views upon “Pharmaceutical Politics” found in the following pages—and that even though Mr Giles’s views on the topics under discussion may be, and probably are, “as wide as the poles apart” from those held by myself.

DANIEL FRAZER.

GLASGOW, 16th April 1883.

* The italics are mine.

NOTE.—For Text of proposed Bill, see Appendix—page 29.

THE PHARMACY ACTS AMENDMENT BILL OF 1883.

L E C T U R E

DELIVERED BEFORE A MEETING OF THE

CHEMIST AND DRUGGISTS' ASSOCIATION OF GLASGOW,

ON TUESDAY, 10TH APRIL 1883.

GENTLEMEN,—Through the great kindness of our esteemed President, in convening the present meeting at my special request, I am permitted to address you on the proposed changes in the Pharmacy Act of 1868. These changes have been proposed by the Council of the Pharmaceutical Society itself. They (not we provincials) have broken the ice. Our footing as traders on the unbroken ice of the legal safeguards that to a large extent give us a practical monopoly in carrying on the more legitimate part of our business has not been an over-secure or comfortable one of late years. What will it be when we have to tread upon the broken ice? That the ice will be broken when we get into Parliament seems to me so manifest that I stand amazed at what I consider the judicial blindness of the wise men of Bloomsbury Square.

In vindication of this strong language I will, with your permission *first* discuss the proposed Pharmacy Acts Amendment Bill, as issued by the Council at their meeting in February last, along with some notice of the proposed changes in the educational system of the Pharmaceutical Society; and *second*, I will make some general remarks on the present position and future prospects of Pharmacy. I need hardly preface these remarks by saying that I by no means seek to commit a single person here to accept as his my views on the topics I now proceed to discuss

Our esteemed friend, Mr Kinninmont, with his usual honest impetuosity, lost no time in taking part in the discussion of the Bill that has been waged in the *Pharmaceutical Journal* since its publication there. In his letter, Mr Kinninmont expresses satisfaction with the action of the Council for having, in his opinion, "avoided everything which had the appearance of grasping at a monopoly."

Truly, appearances are sometimes deceitful—it is not all gold that glitters. To my apprehension the weakness of the Act lies mainly in the opposite direction. It so nakedly demands additional protection for ourselves in carrying on our business that I feel sure that when it reaches Parliament this feature of it will lead to the wrecking of the Bill as a whole, and to the sweeping away of some of the protection we now enjoy. With my views on such subjects I would not object to this ; but not so, I believe with some of you.

This feature is exhibited in the preamble. Its words are :—
 "Whereas, it is expedient for the safety of the public that sales of poisonous articles should be regulated ; also, that any seller or keeper of an open shop for the retailing, dispensing, or compounding of poisons and medical prescriptions should possess a competent skilled knowledge, and also that the sale of poisons should be further regulated."

There are two quite new things embraced in this preamble—the first being the bringing within the scope of the law several articles hitherto unrestricted in their sale to the public, and the second is the demand made in it to have the sale of *non-poisonous* agents, when in the form of "medical prescriptions," confined to pharmacists and other "qualified" men. Regarding the first, I remark that, as every pharmacist of any standing has hitherto labelled all the "poisonous" articles referred to in it as "poisons," little, if any, inconvenience will be caused by its enactment to us. But I would have opposed its introduction into the Bill as an unnecessary interference with trade in articles of enormous consumption, and from the sale of which no hint of any inconvenience has come from any part of the country, save from the Veterinary College of Lincoln. I would also have objected to it from being persuaded that, even if it be enacted, it will prove a dead letter, so far as the sale of the mineral acids by outsiders is concerned ; and I think it a serious mistake to pass laws that cannot or will not be enforced.

Some years ago, along with Mr Mackay and other members of the Council, I strongly opposed the introduction of the first four of these "poisonous articles" into the Poison Schedule." This took place originally in 1875, when a Bill, called "The Drugging of Animals Bill," was introduced into the House of Lords. Mr

Sandford brought it under the notice of the Council, and our law agent, then present, characterised it as too absurd to have any chance of passing. The Council then was unanimous in petitioning against it. On at least three occasions since then, when "white helibore powder" was included in the list, there was a considerable support given to the suggested additions to the Poison Schedules by some Members; but happily, the Council, by a majority, threw the suggestion overboard. But, in an evil hour, as I think it, our present Council at last yielded to the application of the men of Lincoln, and last summer it applied to the Privy Council to sanction their insertion in one of the Poison Schedules.

But, as those who interfere in other people's quarrels generally come off second best, so with our Council on that occasion. They got a direct rebuff. The Privy Council refused to add to our existing monopolies. Hence Clause Two of the present Bill, which is so generally denounced by pharmacists who are ignorant of its history and origin, as well as by those of our number who take all the protection they can get and ask, like little Oliver, for more.

I would still more have objected to the restriction sought, for the first time in Britain—though it is embraced in the Irish Act—of confining the sale of non-poisonous agents, when in the form of "medical prescriptions," to registered pharmacists and medical licenciates. If there is one thing more than another in which pharmacists have an almost absolute practical monopoly, it is the dispensing of prescriptions. So far as I know, the dispensing of prescriptions by others than pharmacists proper and medical men in their surgeries, is confined to two or three of the larger stores in London, Liverpool, and Manchester. But supposing that they are dispensed in even a dozen stores scattered over the kingdom, is it worth our while risking a battle on such a subject in the House of Commons? It is in these few stores alone, so far as I know, that our practical monopoly in the dispensing of prescriptions is in any way interfered with. It cannot be doubted that the existence of this monopoly will be made plain in Parliament by the representatives of the stores. And, whatever may be said as to injuries arising to the public from the unrestricted sale of poisons or of poisonous agents, as it cannot be alleged that injury or accident has arisen from the sale of any of the non-poisonous drugs, I cannot conceive of Parliament sanctioning this addition to the monopolies already enjoyed by pharmacists.

As directly bearing upon this point, and in proof that the views I am now enunciating have not been hastily or lightly arrived at, I will here, with your kind permission, quote the larger portion of the speech I delivered in the London Council on 3rd February 1881, when moving the first of eleven amendments I had tabled against the Bill, then under discussion, and which

with a few exceptions, is practically the same Bill as the one now before the country :—

In moving this amendment I acknowledge at once that I am aiming at the overthrow of one of the root principles that underlie this whole Bill—namely, the extension to non-poisonous drugs, when in the form of prescriptions, of the restrictive principle that has hitherto applied to only a limited number of poisonous agents. Though this newly-proposed restriction does exist in the Irish Pharmacy Act, it has not hitherto had a place in any of the numerous Acts that apply to this country. It is to this innovation that I venture to offer my strongest protest here in open Council, as I have done on three previous occasions when the Council sat in Committee. I don't seek to disguise the fact that I myself am quite conscious that this is a strong step to take, and one that should not be taken lightly. I hope, therefore, that you, Mr Chairman, will permit me, as briefly and as concisely as I can, to lay before yourself and the Council some of the arguments by which I have felt myself shut up to move as I am doing.

My first speech was made and my first vote given in this Council nearly ten years ago, almost immediately after listening to a speech by Mr Richard Reynolds, and to other speeches by several friends, still, like myself, here. That speech, like that of Mr Reynolds, was made and that vote given against the imposing by legislative enactment of additional restrictions to those contained in the Act of 1868 upon myself and my fellow-tradesmen throughout the Kingdom in carrying on our business as dispensing chemists. Where I stood then I stand now, and in giving notice of the long list of amendments standing opposite my name in the agenda paper to-day I believe that I acted in entire harmony with the principles that guided my action then. I most earnestly decline now, as I declined then, to forge with my own hands additional chains for my already sufficiently burdened limbs. In addition to the moral obligations, as well as the civil responsibilities, under which we all act in carrying on a most onerous as well as honourable business, we carry it on under the restrictions imposed upon us by the Act of 1868. I act, I hope, loyally within the lines laid down for the conducting of our business by that Act; but I decline to be myself instrumental in narrowing still further these lines. I draw the line at "Scheduled Poisons"—I do not wish my liberty as a dispenser of medicines, where these do not enter, to be restricted by Acts of Parliament. I demur to the "safety of the public" calling for such additional legislation as is sought by this Bill, even at the call of some of those friends with whose action ten years ago I so heartily agreed. It will be replied to this, I know, that the chains I object to are not intended to encumber our limbs, but those of others outside of our society, whether these be "persons" such as the family grocer, or "corporate bodies" such as the Civil Service or other stores; but chains they are notwithstanding, and we cannot get them imposed on others and leave ourselves free.

The restrictions upon the sale or dispensing of "Scheduled Poisons" were imposed by Parliament in the interests of the public, and for their safety; but Parliament will, I believe, refuse to put obstacles not now existing upon the public in obtaining non-poisonous drugs where no call in their interests exists for such further legislation.

To the views thus expressed two years ago I adhere still—if possible with a stronger conviction as to their soundness than ever. The terms of the amendment I ventured to move against the preamble of the proposed Act for our adoption in 1881 were these :—“Omit ‘*and medical prescriptions*’; or if these words are

retained, insert after them the words 'containing scheduled poisons.'" To that, so long as restrictions are laid on the sale of scheduled poisons themselves, I don't object, much as I do object to the fettering of ourselves or others by any sort of legal entanglements not demanded by the laws of truth and justice.

I further ask your attention to what seems to me a remarkable change in the terms used in the preamble, and continued with a distinct emphasis throughout the Act, to describe the owner of the "open shop." In the Act of 1881 the terms were:—"Whereas, it is expedient, for the safety of the public, that all persons *selling* or keeping open shop for the retailing, dispensing, or compounding of medical prescriptions should possess a competent practical knowledge of their business." In the proposed Act now before us the terms are these:—"Whereas, it is expedient, for the safety of the public, that sales of poisonous articles should be regulated; also, that any *seller* or keeper of an open shop for the retailing, dispensing, or compounding of poisons and medical prescriptions should possess a competent skilled knowledge," &c. Lawyers don't generally substitute one term for another without a distinct purpose in doing so. What I want to know is this—Is the "seller" another name for the "keeper" of an open shop? or is it a lawyer's mode of getting at the proprietors of co-operative stores? If so, if the mere salesman in a co-operative store can thus simply be made responsible for the sale of poisons or "medical prescriptions" that he may make, then, most assuredly, the same law will be measured out to our own "unqualified" assistants. That such a result was intended by the authors of the Bill need not be insisted upon. That is not the question. If it become a part of the law of the land its interpretation and administration will fall into other hands than those of its authors and present supporters. For my own part, though I have as yet failed to get any pharmacist to agree with me, I hold that if this clause comes into court in its present form both judge and jury will interpret it in the way I have pointed out.

So much, then, for the preamble. My only apology for dwelling at such great length on it is that it is the keystone of the bridge—the arch on which the whole superstructure of the Bill rests.

The next, or "Definition Clause," as it is innocently termed, is also an all-embracing one, and demands our maturest consideration. Mr Kinninmont sees no monopoly even in it! I see in it, on the other hand, nothing but monopoly!

"Words importing the singular number only shall include the plural number." If they say one thing and mean another, why use such words at all? If you mean the plural, why not use the plural? Why, in short, not say in plain and unambiguous terms,

“Co-operative stores shall not be permitted to sell scheduled poisons or ‘medical prescriptions’ unless every single person in them be on our Register!” If that is what is meant by this clause, why not say so? Do the authors of it expect this clause to pass the gauntlet of a free discussion in the House of Commons without this fact being discovered by the lynx-eyed “fourth party,” if by no other? And, when discovered, when it is seen that the whole purport of it is to stab the co-operative stores and to prohibit their dealing in scheduled poisons or dispense prescriptions, I can only express my unbounded surprise at the innocency of our Council expecting to carry it. I hold now, as I have done all along, that it is a very foolish proceeding on our part, whatever it might be for other and disinterested parties to do, to attack the stores, and that, too, in the “house of their friends.” I said so over and over again long before the House of Lords decided in their favour and against our claims. With this decision in their favour in the highest Court of Appeal in the country, does any sane man expect that the House of Commons will sanction a Bill depriving the stores of their existing legal rights? No, emphatically I say, no. Don’t, then, risk such an encounter on the floor of the House of Commons as the introduction of this clause in the Bill will certainly provoke. Our Society has already, as I have said, suffered defeat in attempting to interfere with the dispensing of poisons by the stores. Why, then, court another and a still more disastrous one in the very face of Parliament itself—the law-making Court of the land? Does the present most sagacious and energetic President of our Society’s Council expect such a clause to be passed by men—many of whom are members of the stores themselves? Will they put their hands to the rope that is intended to hang them?

Having discussed the substance of the Second Clause while dealing with the preamble, I now pass on to the Third Clause. This is to compel wholesale drug houses to keep a record of their sales of poisons. I really do not see the need of it. Practically the thing sought is already done; and even where, in some rare cases, it may not be done, I for one would be slow to entangle our wholesale friends in the meshes of the law in the conducting of their business. It is bad enough that we are so entangled that not a few of us, I believe, would give a great deal to be free of it. Why so needlessly provoke a collision on the subject with the wholesale trade?

Then comes the Fourth Clause—or the first of two clauses bearing on the sale of patent medicines containing scheduled poisons. This is the labelling one. What shall I say of it; or rather, what will makers of and wholesale dealers in proprietary articles containing, in however minute and innocent a form, any

of the scheduled poisons, say of it! That they will oppose it cannot be doubted. Mr Davenport, Messrs Savory & Moore, Powell, the maker of Locock's Wafers; Messrs Edwards, Newberry, Barclay, and Maw & Sons will be up and stirring; and, as their interest in this matter is ours, we are pretty safe to leave it to them to fight our battle at this corner of the field. Only this will I ask here—How is it possible to secure that this labelling be done by makers in France, in America, or anywhere out of the United Kingdom? And if we cannot do this, how can we recover the penalties from men who are beyond our jurisdiction? For myself, I do trust that this attempt to assimilate the laws of this country to those that obtain on the Continent regarding the sales of such remedies as are here aimed at will be unsuccessful. It is bad enough when Messrs Jones, Brown, and Robinson, in their journeys on the other side of the Channel, are put to their wits' end to obtain five drops of laudanum or a teaspoonful of paregoric when a colic or a cough requires such medicaments for their alleviation or cure. Do not, for any sake, attempt to legislate for such restrictions in this free country; or, at least, don't do it so long as our rivers and canal banks are open to would-be suicides, and so long as six-chambered revolvers and nine-inch bladed knives can be obtained without let or hindrance by the would-be assassin, or even by "Number 1" himself!

I would here ask—On whom do our Councillors seek to impose these shackles? Is it on our enemies the stores or on ourselves? On ourselves in at least the first instance. It is we pharmacists, and we almost exclusively, and not the stores, who are the makers of those proprietary articles, and so it is ourselves that we are asked to burden with these legal restrictions! The Government of their own accord did impose a restriction on the sale of arsenic now many years ago, but they did it for a specific reason—the poisoning of children by its means in several districts in England; and if the Government of their own accord were now to impose such a restriction on the sale of any proprietary articles that can be proved to have been employed at all extensively for wilful poisoning, or that, through their potency, have proved to be dangerous agents in the hands of the public, I would not object. But why ourselves seek to impose these restrictions upon a whole class of remedies against which no such evidence can be adduced, and very many of which are of unquestionable value, and are largely prescribed by some of our most eminent medical men? You may like them or not like them, but you cannot put them down as long as the columns of our newspapers and the pages of our magazines, of our own *Journal*, and of the *Chemist and Druggist*, are open to the reception of their advertisements.

Fifth Clause. This is a penalty clause. It need not trouble us much. Our wholesale friends will take good care that it does not become law, and so we can quite safely leave it in their hands.

Sixth Clause. Even more certain and successful will be the opposition of the makers and of the wholesale trade to this penalty-recovering machinery.

Seventh Clause. This is superfluous. The common law abundantly provides for this. Just as the great railway companies are responsible for the action of their servants, so are we for that of ours—and rightly are so.

This responsibility, both at civil and criminal law, on the part of pharmacists, not only for their own actings, but for the actings of everyone of their assistants and apprentices, is, I have all along held, the greatest safeguard that the public can have for the careful conducting of our most onerous business. Self-interest comes in here with immediate and immense force. If I, by any chance, take down this bottle instead of that one, and substitute a poisonous for a simple remedy, and fatal results follow, I am responsible at criminal law, and liable to be tried for culpable homicide or manslaughter; or, if I escape this, as happened in well-known cases in England and in Ireland some years ago, and I be only made responsible at Civil Law, I may have, in one of these cases, to pay two thousand pounds of damages, in addition to immensely injuring, if not ruining, my business. With such possibilities attached to the proper conducting of our business, even apart from all the feelings of grief and mortification engendered by our being the means of death, or of serious injury to another, can more stringent securities for the proper administration of our business be reasonably demanded of us? I think not; and certainly we ourselves should not, however much we may be annoyed at the stores, be instrumental in imposing still further penalties on the conducting of it.

Happily we have at last reached a clause to which I can give my most cordial support. I mean the one requiring the placing of a "qualified" assistant in every branch shop. But I wonder how many of the London Council agree with me in this. They have all accepted it, but how many of them love it? This I have no means of knowing; but this I know, that when I in Committee two years ago proposed, as I think I did—but at least I supported—the insertion of such a clause as the present in the Bill then before us, it was most strenuously and successfully opposed by the great majority of the then existing Council—one not largely differing from the present one.

I wanted such a clause then, and I welcome this one now, because I maintain that as long as the Act of 1868 exists in its integrity I have no right to open a second or a third shop, in

addition to the one qualified by my own attendance, unless I put a qualified assistant in it.

Ninth Clause. Though I have already referred to the substance of this clause, I wish here to draw your special attention to the exact wording of it—"Duly qualified persons to sell medical prescriptions and sell poisons." Hitherto the words "medical prescriptions" were modestly placed in the rear of "poisons." Now they are boldly put in the front, and "poisons" are made to play second fiddle to the prescriptions. There is also here a decided step taken in advance in the use made of the terms "seller" and "keeper." In the preamble it is "any seller *or* keeper of an open shop." Now it is boldly stated "unless the seller *and* keeper of any such open shop." If the seller and keeper are one, why "seller *and* keeper?" I would strongly urge, whatever may be your views as to the general purport of the Bill, that you get a clear and explicit explanation of all that is involved in the use of these words—"the seller *and* the keeper" of an open shop. Ask any lawyer how he would interpret the words, were he employed to defend you, in regard to their true meaning in a court of law.

The Tenth Clause is apparently aimed at the co-operative stores, or at medical men who carry on business in other names than their own. The penalty asked is a pretty heavy one, but as it does not affect aboveboard traders who don't object to their names being given, even where the firm under which they trade may not contain it, we need not greatly concern ourselves with it.

Eleventh Clause—A Clause of penalties that need not in any way disturb us law-abiding subjects of Her Majesty.

Not so with the Twelfth Clause.

It is remarkable above all the other clauses of the Bill from the quiet way in which it seeks such arbitrary powers for our Society that, if obtained in the terms of it, will, in my opinion, whatever the Council itself may have intended by it, completely override even the powers of the Privy Council itself. To the corresponding clause of the Bill of 1881 I moved that after "Britain" the words "with consent of the Privy Council" be inserted, but I was overruled by the authority of our legal adviser—he stating that that was necessarily implied. Well, if it is implied, why is it not so stated here, as it is stated in a much less important and less far-reaching clause—namely, the second, or "Poisonous Articles" Clause? There the authority of the Privy Council is recognised here it is completely ignored.

Further, I would oppose it even were this saving clause in it, on the ground of the demand it makes for powers to revolutionise the examinations and powers to alter the fees, and that means, judging by all antecedent legislation on the subject, to increase them. If it be carried, the Council shall practically, as repre-

senting the Society, have full power to institute a curriculum through which all our candidates must pass, and this, probably, without the Society, in its corporate capacity, being consulted in the matter. In the face of the large numbers of our best men who are leaving our ranks in consequence of even the existing standard of examinations in use, and their expense, and in face of the transference of large portions of our business to other traders—including the stores—are you willing to give your Council such enormous powers? Unless you are so prepared you better take care that, whatever other parts of the Bill be carried, this clause shall not. What makes me the more anxious upon this point is—(1st) That in the opinion of two members of the existing Council, as we shall see further on, the Council has already in its actings infringed the existing law; and (2nd) because of finding, in a letter to the Council to which I shall also refer later on, this sentence:—

But little alteration of the Pharmacy Act of 1868 is needed to effect all that is above indicated in the way of Parliamentary legislation; *the rest* can be accomplished by bye-laws and by the RESOLUTIONS OF THE COUNCIL. (*Note.*—By the Council; not by the Privy Council—not by the Society!)

And all this, too, in face of the closing sentence of Clause Two of the Act of 1852:—

Provided always, that all such original bye-laws, and all altered, amended, or additional bye-laws, shall be confirmed and approved by a special general meeting of the Members of the said Pharmaceutical Society and by one of Her Majesty's principal Secretaries of State.

Before parting with this part of my subject, I frankly repeat the opinion I have never ceased to hold—that I believe the examinations are already, in their stringency and in their expense, beyond the requirements of the case. As an evidence of this you have but to read the results of the February examinations:—

11 Majors Examined,	...	...	...	...	6 Failed!
84 Minors Examined,	...	...	...	...	56 Failed!!*

Thirteenth Clause. £5 of a penalty if I admit an apprentice into my premises before he has passed the preliminary! I don't know what it may be in England, where large premiums are often given by the apprentices; but in Scotland, where we pay ours salaries ranging from £10 to £25 a year, such apprentices cannot,

* "Indeed, looking at the results of the Examinations, I do not consider any material change at present desirable. The Minor examination, which confers all the privileges of the Pharmacy Act, as now conducted, affords a sufficient guarantee of competence to keep an open shop for retailing, dispensing, and compounding medicines. It is thoroughly practical, and any increased stringency could only have the effect of adding to the already large number of candidates who are rejected."—From DR. GREENHOW'S *Report on Examinations*, 8th March 1881.

judging by my own experience, be obtained. Though I have some six at present in my different shops, only one of them had passed his preliminary before entering. If it be replied, the penalty is only to apply to articed apprentices, then I reply it does not affect me, for I have ceased articling apprentices for many years. The demand for apprentices who have passed the preliminary is as likely to be obeyed, in Scotland at least, as was the old demand of calling spirits from the mighty deep. The reason is quite simple. The families who alone, or who almost exclusively, supply us with our apprentices, do not and cannot educate their children up to the point needed for passing the examinations until the candidates themselves earn the means of obtaining the needed education by their labours. Such, at all events in Glasgow, is my experience over the last forty or more years. I need not add that I oppose this clause, as I have done most of its predecessors.

Clauses Fourteen and Fifteen can pass without remark.

Clause Sixteen I don't object to. But why make two bites of a cherry—why not make a good bolt when swallowing so much? Why not at once abolish the Major Examination and declare all the present and future minors to be majors? Some say this would be an injustice to the existing majors. Well, call them majors No. 1, or "Fellows," if they like. It will cost no money and break no bones, and if it please them it will do us no harm.

Clause Seventeen. I think this quite right, having on several occasions seen the beneficial working of the principle it contains. It won't keep out any proper candidate, and it may be useful in keeping out an improper one. During my ten years of experience I only recollect of two cases in which it was put to active use, and in both cases I quite agreed with the action of my colleagues in the Council.

Clause Eighteen. This dog is so nearly dead that I hardly think it worth while spending a clause on him—giving him the last knock on the head.

Clause Nineteen. No objection to it.

Clause Twenty. I suppose we must have a little red tape now and then, and as there does not seem a formidable use of it here, I don't object to it.

Clause Twenty-one. Most certainly. Punish to your heart's content everybody guilty of falsehood. No punishment can well be too severe for wilful misrepresentations.

Clause Twenty-two. That is, that this Act is not to apply to Ireland. Most certainly not. It is, however, quite worth while, to show the hopeful progress our society is making in some points if it is losing in others, to recall how matters stood in 1875, when the Irish Act was before Parliament. After one of the keenest discussions at which I ever was present, the Council, in June of

that year, petitioned the House of Commons against the Bill, and petitioned for one to embrace the whole kingdom. Mr Sandford, Mr Schacht, and myself were the only opponents in a meeting of 18 members, and so the petition against it was sent to the House of Commons. In the *Journal* (that of 5th June 1875) reporting this discussion there is a list of 116 petitions sent in to Parliament against the Act—Edinburgh, Aberdeen, Dundee, Perth, Greenock, Dumfries, Montrose, Peterhead, and Elgin being the Scotch towns. Glasgow, happily, is not on the list.

Clause Twenty-three. Commencement of the Act. Instead of fixing on a specific date, better say—"The Act shall come into operation in two years, or thereby, from the date of its receiving the signature of Her Majesty." This would give all a reasonable time to prepare for its operation.

The Schedule of Poisonous Articles.—On the merits of the proposed addition to Scheduled Articles, the only article in it that I think there is any colour for inserting here is the last one—carbolic acid. It certainly has been the cause of numerous poisonings by misadventure, and so I think there is a call for some restriction being put on its sale—much as I object to all unnecessary legislation of a restrictive character.

Having now gone over the Bill as issued by our London Council, and having frankly stated my views on what it contains, I will now, with your permission, refer to some three things it does *not* contain, but which formed parts of the Bill of 1881. Regarding the chief of these, namely, the Fifth Clause of that Act, as published in the *Journal* of 8th June of that year, I remark:—This clause was intended to prevent the widows of deceased pharmacists carrying on their husbands' business by means of a qualified assistant for a longer period than three years, except with the permission of the London Council. This clause formed the subject of much earnest debate in the Council. Mr Sandford pled with great eloquence against the insertion of this prohibitory clause. With his permission, I was allowed to move its rejection; while Mr Sandford seconded and supported it with all his known ability and earnestness. Notwithstanding of this, and of the fact that Messrs Mackay, Williams, Bottle, and others took the same view of the question, we could only command six out of nineteen votes, and consequently it stood a part of the Bill sanctioned by the Council at that time.

Now, it is not once referred to in the Bill of to-day, nor in the published discussion that took place when it was carried in the Council. The Council of to-day differs but little from that of two years ago—Messrs Young and Borland have taken the place of Mr Mackay and myself; Messrs Carteighie and Walter Hills the place of Messrs Sandford and Hills all the others are the

same. Whence, then, this change of view, or, at least, of action? Is it due to influence from without or from within? This I have no means of knowing; but this I do know, and you all may know, that at a meeting of the Executive of the Chemist and Druggist's Trade Association, held in Birmingham on the 19th February last, Mr Barclay, of Birmingham, moved for its insertion in the Bill of this year. Mr Barclay's motion was carried and remitted to "officers" of the Association and a small Committee to take such steps as they may deem desirable to carry out the wishes of the Executive in amending the Pharmacy Acts' Amendment Bill of 1883. One of these officers—Mr Hampson—occupied his place as President, and there were also present Messrs Andrews and Churchill. There is no record in the published reports of the London Council's proceedings of any of these gentlemen standing up in it for the insertion of this clause, as they all did two years ago. Neither, on the other hand, is there any record in the report of the Trade Association Meeting of their opposing Mr Barclay's motion. I have the highest respect for the personal qualities of all these three gentlemen, and I by no means intend to hint that they took one side of the question in Bloomsbury Square and another in Birmingham. Over and over again did I find myself in the position of appearing to support, or at least of not actively opposing motions in the Council against which I had protested in Committee, but being in a hopeless minority, did not renew a profitless opposition in the Council. That, I am convinced, was the case with Messrs Hampson, Churchill, and Andrews, in one or other of the meetings. I am, however, curious to know which view had the benefit of their personal support. Do they still hold the views on the subject they held in 1881, or have they come to accept the views then so eloquently pled by Mr Sandford and Mr Mackay? I sincerely hope they have. I also would like to know if Mr Schacht still holds the opinion he held then, when he moved that the widow should only have *one* year to wind-up her husband's business? Have such men as Messrs Greenish, Wooley, and Symes altered the views they then held and come to accept those of Mr Sandford that they so strongly opposed. It would indeed be quite a feather in my cap to find a band of such men as these accepting the views on this subject I so unsuccessfully advocated in their presence so long ago. I cannot too strongly express the surprise I felt at Mr Hampson's view on this special question, knowing well his leanings to "Women's Rights" in other fields.* On the merits of the question, I main-

* It is, however, only fair to add that the grounds of the opposition to widows carrying on their husbands' business was their want of that *personal* qualification that these gentlemen hold the Act of 1868 implied, and the safety of the public demanded.

tain that to deprive, through legislative interference, the widow of the means of carrying on her husband's business for her own behoof and that of her children, when she has them, is a piece of intolerable tyranny, and which, happily, no Parliament in these days, even when backed up by all the influence which Mr Barclay undoubtedly possesses, can for a moment be supposed capable of granting.

There were two other clauses of the Bill before the Council in 1881 that have disappeared from that of this year—namely, the first and the last enacting one. Thanks to Mr Mackay and the opposition all over Scotland, the first—that to allow of others than residents in Scotland being appointed to the Examination Board in Edinburgh—was lost by eleven to six, being the only one out of my eleven amendments that was carried.

The last clause to which I have to refer as having been in the Bill of 1881, but which has not been repeated in that of this year, is the one that proposed to exempt Minors from serving as jurymen. The Trade Association have, however, resolved to demand its insertion. So, I think, has the Scotch Council, and if so, in face of my protesting against their doing so. I have always opposed this proposed exemption, and for two reasons:—1st. I feel convinced that the application to Parliament will not only be unsuccessful, but will almost certainly lead to the deprivation of the Pharmaceutic Chemists themselves of the right of exemption which they now enjoy. 2nd. I oppose it on the merits as well. Though not professional men, we are generally very fairly educated, and enjoy a social position superior to many other classes of traders. The Government will not readily deprive themselves of some twelve thousand men so qualified for the office of jurymen as are the chemists and druggists of the nation. The wise course in the matter, I believe, will be “to let sleeping dogs lie.”

Having thus gone over the contents of the Bill, as well as noticed the omissions just discussed, I would like, with your permission, before proceeding to sum up and give my judgment on the case before you, to make some remarks on the present educational proposals of the London Council.

The report of the Committee on the Relation between Pharmaceutical Education and the Pharmaceutical Examinations was discussed and generally adopted by the Council exactly a year ago (see *Journal* of 15th April 1882). The Report then carried was remitted to the original Committee to put into a practical form. The resulting report was laid before our Council on the 7th March last, and adopted, after considerable discussion. I will now notice some of the more important innovations or novelties embraced in these reports, and leave you very much to form your own conclusions as to their practicability.

The most important of these is the sought-for establishment of a curriculum. This is to consist of 60 lectures in Chemistry and 20 on physics relating to it—80 in all, 48 lectures on Botany, and 40 lectures on *Materia Medica*; each of these lectures must occupy at least one hour in delivery. In addition to the lectures there is to be a three-months' attendance at Practical Chemistry of not less than five hours a day. Some of the things embraced in this curriculum are such as these:—The Laws of Gravitation—Cohesion—Adhesion—Elasticity—Molecular Attraction—Comparative Hardness of Bodies—Physical Condition of Gases—Mariotte's Law—Light: its Nature—Polarised Light—The Spectroscope and its Uses—the Making of Barometers and Thermometers, &c. The time over which the curriculum is to extend—

Ten Months,	...	...	Two Hours Daily.
Five Months,	...	...	Three Hours Daily.
		OR	
Three Months,	...	...	Five Hours Daily.

All the recommendations embraced in both Reports are, when finally adopted, to be "incorporated into the bye-laws, according to existing regulations, and to come into force on and after 31st December 1887."

In addition to the innovation of the curriculum itself there is the one already referred to in the first part of this lecture—the one rendering it necessary that the student attend in open shop for three years *after* registration before he can go up for the *first portion* of the qualifying examination. There is also this further innovation—*one year* at least must elapse between the passing of the *first part* of the qualifying examination and the date at which the candidate can enter for the second part of it.

All that I will add here is that, in both the discussions that took place in the Council when these reports were submitted to it, Messrs Williams and Hampson maintained that the powers sought in respect to the age of the candidate and to the breaking up of the examination into two parts, are illegal and beyond the powers of the Council. On this point Mr Williams is reported to have said:—"Probably certain clauses had been put into the new draft Bill which had been submitted for the approval of the Council at their last meeting, with the view of enabling the Council to alter the examinations in the way indicated; but at present he was quite clear the Council had no legal power to do so, and so on that ground alone he should feel bound to vote against these recommendations."*

* Mr Williams, in the debate on the educational proposals in April last year, is reported to have said that he "need not say that the examinations to be carried out under the scheme proposed would be of a totally different character to that ever contemplated by Parliament when the Pharmacy Act

Mr Hampson is reported to have said that "he believed the Act of Parliament had been unduly stretched already in imposing the condition that a candidate should be twenty-one, which was distinctly illegal, in his opinion* ; and the division of the examination into two parts, as now proposed, he believed, was utterly beyond the powers the Society now possessed."

I won't insult you by offering a single argument in vindication of my own, and, I hope, your condemnation of the curriculum and all its belongings.† But I do add this—my intense regret that Messrs Hampson and Williams, in their opposition to even a portion of the recommendations—that of dividing the examinations into two portions—had not the support of our much-respected representatives—Messrs Young and Borland.

In connection with the proposed changes in our educational arrangements, I here seek your indulgence for a very few minutes while I attempt to give a brief summary of proposals on the subject, emanating from a gentleman outside the Council and even of the Society itself, but who is of much, and most deserved, influence with most, if not all, its members. These proposals reached the members of Council in the form of a printed letter in the autumn of 1881—after the withdrawal of the proposed Pharmacy Bill of that year. This letter has not been published, and may, so far as my knowledge is concerned, have since then been withdrawn or been superseded by a later and a quite different one.

The following are some of the recommendations contained in the letter :—

was passed. Mr Schacht might say it was only one examination, but he contended it was distinctly three, and he could not mould three into one. He was quite sure it was never contemplated by Parliament when the Pharmacy Act was passed. They had already stretched the Act a long way when they made the original alteration of introducing the preliminary examination and insisting that there should be three years between that and the minor."

* Better late than never. When this restriction on the age of the candidate was proposed my own hand was the only one held up against it. Mr Mackay offered to second my motion if I would have accepted twenty years as the qualifying age, instead of putting no restrictions at all as I wished. I have no access at present to a report of this meeting, but feel sure that the facts are as stated. If wrong I will be most happy to be put right.

† The Home Secretary and the Postmaster-General are Lecturers or Professors in Cambridge. Does anybody know how many Students attend their lectures, or, for that matter, anybody else's lectures there? There are lectures in the Middle Temple, how many who pass their examinations and become full-fledged barristers attend a single lecture there or elsewhere? Is it not the fact, that in the great majority of cases in Cambridge the whole work is done by a series of examinations? Is it not the case that a man may, and sometimes does, pass all the examinations of the Temple, not only without attending any Law lectures anywhere, but without being necessarily once in a Law Office or Court? If it be so in these cases, how can the necessity of a Curriculum for the Pharmacist be vindicated before the Privy Council?

Preliminary Examination.—"This examination should be increased in scope and stringency. The following should be added to the present subjects of examination:—Algebra, Euclid, and French or German."

Minor Examination.—This is to qualify for "assistants" only, and the *Minor* shall not be permitted to be registered as a chemist and druggist as heretofore, nor to "commence business on his own account."

Major Examination.—Some knowledge of Microscopy to be added to it.

FEES.					
Preliminary, ...	...	...	...	...	£3 3 0
Minor, as above,	...	...	...	...	6 6 0
Major,	...	...	...	...	6 6 0

Total Examination Fees, ...	...	...	...	...	£15 15 0
Life Membership Ticket,	...	...	...	...	5 5 0
(Or Annual Subscription, £1 1s).					-----
					£21 0 0

"Assistants"—that is persons who have only passed the *Minor Examinations*—should not be permitted to carry on business on their own account or to manage a branch business, or the business of a deceased registered person for executors, &c."*

The close of the paragraph from which I have just quoted is as follows:—"The names of 'Pharmaceutical Chemists only' should therefore be published in the official register of persons entitled to carry on business, except those chemists and druggists already on the register."

The writer of the letter further suggested as a possibility, but does not recommend it, that in case the existing *Minors* might complain of the proposed change, "they might be permitted to qualify as *Pharmaceutical Chemists* by passing a somewhat modified examination, provided that was passed within a certain time—say one year."

As I think I can safely leave you to form your own conclusions as to the recommendations just quoted, I don't add what mine are, but leave them to be guessed at; and I do so with full confidence that all here at least will guess aright.

I wonder whether some of you are thinking of *Cowlairs* and *Queen Street Stations*, and of the rope that unites the two? It cannot surprise me though you were so thinking, for my yarn on the *Pharmacy Bills Amendment Act* has been so spun out that even I myself had begun to think that it might turn out to be as endless as that often-circling but never-ending rope. But the

* The etcetera here means the *Widow and Orphan Children of the Deceased*!!

longest lane has always a turning, and my story will have an ending. The only difficulty I now feel is—which of the many strands of my wearisome yarn should first be dealt with. As the “Safety of the Public” is the ground on which the present demand for further legislation in pharmaceutical matters is demanded, it had better come first in our review.

On this point, then, I demur to the assertion that the “public safety” calls for such further legislation as our Council is now seeking. I don’t think it does, and I ask what evidence can be produced that it does? Have the public demanded it—has the press advocated it? Certainly not. The Veterinary College at Lincoln, an ill-informed coroner here and there at long intervals, and an excitable doctor whose patients ventured to doctor themselves rather than trust him with their case, neither singly nor unitedly, form “the public” for whom laws are passed by Parliament. Is there a particle of evidence to prove that the “safety of the public” has been jeopardised through the defective education of the existing pharmacists of the country? I unhesitatingly say no. And if this be so with us—thirteen or fourteen pharmacists of all ranks—how is it with the non-pharmacists who have invaded our territory? Has our most able law-adviser, Mr Flux, has the indomitable Mr Barclay, with all the lynx-eyedness of himself and of Mr Haydon, been able to bring before the country any evidence of the abuse of the trust awarded by law to the stores for the selling of “poisons” and the dispensing of “medical prescriptions”? I answer:—I believe that no such evidence is producible. We may, therefore, dismiss the plea of the “safety of the public” as calling for this Bill.

“Protection of Trade” may probably be thought by many of you a fitting theme to be here dealt with. There is no theme so popular with the letter-writers in the *Journal* of the Society. When anything goes wrong—when the inevitable corn is trod upon, or when the pharmaceutical shoe pinches anywhere—up goes a letter to the *Journal* or to the *Chemist and Druggist* asking why the Council takes no steps to protect the interests of the afflicted letter-writers.

For a very simple reason. The Council are helpless in most of the cases for which their support is invoked—the Council can only step into the breach when the law has been invaded. So it is with Parliament. Parliament will only step in in the interest of the public, and not in that of the pharmacist. If there is any conflict at any time between these two interests, that of the pharmacist will undoubtedly go to the wall and that of the public will be cared for.

What led to the enactment of the Irish Act of 1875? Let it speak for itself:—“And whereas, a great deficiency exists

throughout Ireland of establishments and shops for the sale of medicines and compounding of prescriptions, and great inconvenience thereby arises to the public in many parts of the country," &c.

How did this deficiency in the supply of shops and establishments for the supply of medicines and the making-up of prescriptions arise? Through the over-education and the over-protection of Irish apothecaries. The education to qualify for passing was so high and so expensive that few entered the ranks, and there were whole districts and villages without apothecaries. Coupled with this was the strict protection to the apothecaries in the compounding of "medical prescriptions." There were druggists in abundance everywhere, but none of them had this privilege; and hence the "great inconvenience" to which the public were subjected, and which led to the passing of the Irish Act.

Like causes produce like results.

It is to a like restriction in this country that the present policy of our Council is directly tending. I strongly oppose the increasing of the stringency of the present examinations and the increased cost of them on two grounds—1st. Because I believe they are high enough already. I again insist upon it that no case has been made out for an increase in the character or the cost of the examinations. 2nd. I oppose the increase because of its inevitably thinning our ranks—that thinning that has begun to attract the attention of those of our number who ever give such matters even a passing thought. That this thinning process will go on as a sequence to the passing of the present Bill—if it ever be carried—is not denied by even our officials. The Vice-President of the Council, Mr Atkins, at a late dinner of the London assistants, and where Mr Carteighie presided, is reported to have said that "he was glad to address young men—the assistants of to-day, but the pharmacists of to-morrow. He envied them their age. He thought that whatever might be the changes of the future there were fair days in store for them. Their numbers might be reduced, but there would be a more elevated few possessing a higher degree of culture."

Yes, the "upper ten" of our ranks, perchance, may become the upper "five." Such a policy may profit the wealthier houses, but it will assuredly injure their less fortunate brethren. I don't say that this is the aim of the promoters of the measure under discussion, but I most unhesitatingly affirm that this will be the result. The toilers and moilers—the rank and file of the society—unable to procure apprentices or assistants to carry on their business, will be left out in "the race for riches"; and they, going to the wall, the upper ten or the "upper five," as the case may be,

will get one portion of their lost trade, and the store and the grocer will get the balance !

The Government, warned by the effect of the restrictive principle in operation in Ireland before the passing of their Pharmacy Act, will take care that no such restriction shall be allowed in this country.

The London *Times* (14th February 1881), writing on the then proposed Medical Amendment Act, wrote :—

The Bill of Mr Hardcastle is one which no British Parliament could ever sanction. Under the disguise of providing for *medical education*, it is a measure of scarcely-veiled trades-unionism," &c.

Were our Amendment Bill to reach the stage which Mr Hardcastle's did, could *The Times* more accurately or concisely describe it than by applying this very language towards it? Especially applicable would this description of it be were it applied in connection with the educational proposals of the Council. And if so applied to it, how long could you expect it to survive the castigation? Rather than run such a risk, better even yet, I say, withdraw the Bill; and instead of acting on the educational resolutions so lately adopted, pass one to reduce the preliminary fee to £1 1s and to make the Minor the only pass examination needed to qualify as "pharmaceutical chemists."

Soberly and seriously I mean all this, and had our Councillors but the faith to try the experiment, sure I am they would ere long see a more contented and better-to-do constituency than they can hope to see under the "spotless ideal" scheme of education that Mr Schacht considers so "exactly correct"

Though last, not least, the stores must not be overlooked in my summing up. I have already so largely referred to them that what I add here need not detain us long. We cannot close them; we must rest content with their existing side by side with us. Is their existence an unmixed evil, after all? I think not. The underlying principle on which they are conducted, and which has led to their success as trading companies, is the "ready cash" one; no credit given—no day-books kept. This may lead to a large measure of reform in this matter with others, and if so we may share the common good derived by others through the operation of the principle of ready-cash, small profits, and quick returns. When an omnibus proprietor wishes to run an opponent's bus off the line, he runs one of his own right in front of it and one behind. Well, you find that the stores are underselling you in proprietary and other articles. They are selling our specialties at rates that can yield them such bare returns for the capital invested that I do not despair of their giving up very large portions of it. Meanwhile they are making rich by having

remunerative prices for the staple articles of their trade. You add some of these to your business and undersell the stores in them. Do not attempt to compete with them in selling your own standard articles at prices under those of their own makers, because if you do, you will gain nothing by it. On such a topic, the just remuneration of us pharmacists, ponder well the wise words of the old Glasgow citizen and Professor—Adam Smith:—

Apothecaries' profit is become a bye-word, denoting something uncommonly extravagant. This great apparent profit, however, is frequently no more than the reasonable wages of labour. The skill of an apothecary is a much nicer and more delicate matter than that of any artificer whatever; and the trust which is reposed in him is of much greater importance. He is the physician of the poor in all cases, and of the rich when the distress or danger is not very great. His reward, therefore, ought to be suitable to his skill and his trust, and it arises generally from the price at which he sells his drugs. But the whole drugs which the best employed apothecary, in a large market town, will sell in a year, may not perhaps cost him about thirty or forty pounds. Though he should sell them, therefore, for three or four hundred, or at a thousand per cent. profit, this may frequently be no more than the reasonable wages of his labour charged, in the only way in which he can charge them, upon the price of his drugs. The greater part of the apparent profit is real wages disguised in the garb of profit.—*Wealth of Nations*, Book I, Cap. 10.

Every dog has its day, and the stores are having their days of prosperity just now; but days of adversity are sure to come to them, as they do to all, some time or other. Very many of the stores, started under most favourable auspices, have had to close their doors, and, be sure, there are "more to follow." But, do believe this—they will not be put down through any action of Parliament. So, do not invoke its aid for such a purpose until you can prove that by shutting the stores and drug-dealing grocers up you will thereby be acting in the interests of the public, and not in your own merely. I have one more morsel of comfort to give you on this subject. Stores are not new—they have been born and they have died in the past, as they will doubtless do in the future. Here is the advertisement of one of these, exactly as it appeared in the columns of the *Glasgow Mercury* of 1st December 1789:—

J O H N S W A N S T O N,

At his Shop a little West from the Candleriggs,

BEGS leave to acquaint his Friends and the Public, that he has just now imported, from the first markets in Britain, a complete Assortment of the following Articles, which he is selling, WHOLESALE and RETAIL, at very moderate prices, for ready money.

A parcel of fine Bohea, Congou, Souchong, Hyson, Gun-powder TEAS, in the original packages, from the Indiahouse.

Lemons, China Oranges, Wine Grapes, St. Katharine's Prunes, Turkey Figs, Jar and Muscatel Raisins, Currants, Almonds, Pistachia Nuts, Cashue Nuts, and Walnuts—Fine ENGLISH SUGARS, best Raw and Powder Sugars—Refined Liquorice in small boxes.—Patent Cocoa, Cocoa Shells, Churchman's Patent—Chocolate, Best Raw and Ground Coffee.—Red and White Port, Lisbon, and Sherry WINES—Florence Oil—Best French and English Vinegars—Pickled Mushrooms, Walnuts, Capers, Cucumbers, and French Beans; India Soy, Mushroom Ketchup, French Olives, Anchovies.—SPICERIES of all kinds.—Truffels and Morrels, Best Mustard, Hartshorn Shavings, Maccaronie, Vermicelli, Rice whole and ground, French Barley, Salloop, Sago, Millet, Isinglass, Basket Salt—Best French and Poland Starch, Blues of all kinds—Best Wax and Sparmaceti Candles, all sizes, Green and White Wax Tapers, Mogul Cards; Spanish Door Mats; Punch Ladles and Strainers.

Bailie's Patent Blacking Cakes, BING's and WALKER's Blacking Balls—A neat assortment of GLASSWARE.—CONFECTIONERY of all kinds, Citron, Orange, and Lemon Peel, Red and Black Currant Jellies, Marmalade, and Virgin Honey.—Oliphant's Powder and Pomatum, Lavender and Hungary Water, Essence of Peppermint, WARREN's Milk of Roses, STOUGHTON's Elixir, Pectoral Lozenges of Tolu, Hemmit and Ruspini's Tincture and Dentifrice, GREENHOUGH's Tincture for the Teeth and Toothach, Dragon Roots and Teeth Brushes, White Almond and Cream Wash Balls, Italian and Windsor Soap, Almond Powder, Essential Salt of Lemons, Best Swandown Puffs, &c. &c.—Best New KENTISH HOPS.

A few GOLDEN PIPPINS and NONPAREIL APPLES.

From the frequency with which his advertisements, even in those early days, appeared, it must be supposed that John Swanston did a roaring trade in his day—but, alas! his name and his fame have long, long since disappeared from the roll of Glasgow citizens. Not so with another early, but only a rarely advertising firm—and one that, unlike our hero of the ancient store, did not proclaim themselves as “selling at very moderate prices for ready money only.”

John Swanston and his successors, if he had any, are all unknown to fame now; not so with the other firm—the M'Aslan & Austin of 1789 are now flourishing more than ever, though under the more euphonious title of Austin & M'Aslan! Surely there is a moral not to be easily cast aside in this!

That Mr Swanston was not the sole poacher on the supposed sacred territory of the chemist and druggist of his times, the

following extracts from *The Glasgow Mercury* at the respective dates quoted, amply prove:—

(From "GLASGOW MERCURY" of Wednesday, February 13, 1788).

J. WHITE LA W,
H A I R - D R E S S E R and P E R F U M E R,
At his shops, No. 36, opposite the Old Guard, Trongate,
and No. 184, opposite Bell's Wynd, High Street,
G L A S G O W ;

Where the PUBLIC may be supplied, on the most reasonable terms, with the following articles, viz.

. The Essential Salt of Lemons,
for taking ink-spots or iron-moulds out of linen, lawns,
cambrics, &c. Each box 1 s.—Refined Liquorice, for
Coughs and Colds.—Milk of Roses, Tooth Powders and
Brushes.—The very best Blacking Balls and Cakes, for
Boots, Shoes, &c. at 1 s. or 6 d. each.

(From "GLASGOW MERCURY" of Tuesday, April 28, 1789).

M R S P I L S B U R Y ' S D R O P S .

.
N.B.—Mr Spilsbury's Drops are vended in bottles of
5 s. and 1l. 2 s. Also his Treatise on the Scurvy, Gout,
Diet, &c., fourth edition, price 2 s. with a hundred cures
relative to those disorders, and other irritating painful ma-
ladies arising from impurities of the blood, &c.—Sold by
James Duncan, bookseller, Trongate, Glasgow ; P. M'Ar-
thur, bookseller, Paisley ; William Muir, Kilmarnock ;
Mr. Boyd, Dumfries ; and by the general vendors of me-
dicines in Great Britain and Ireland.

From "GLASGOW MERCURY" of Tuesday, July 8, 1794).

Just received,
By Messrs. DUNCAN and CHAPMAN,*
Trongate, Glasgow,
A FRESH SUPPLY OF THE
C H E V A L I E R R U S P I N I ' S S T Y P T I C .

.
The Chevalier has every week instances of its won-
derful effects.

Where also may be had,

Ruspini's DENTIFRICE POWDER for keeping the
Teeth and Gums in a state of beauty and purity, 6s.
per box, duty included.

———— TINCTURE for do. 6s. per bottle, duty in-
cluded.

———— ELIXIR for the cure of the Toothache, 6s.
per bottle, duty included.

———— BALSAMIC STYPTIC for curing internal
and external Bleedings, 8s. 6d. per bottle, duty inclu-
ded.

* Printers and Publishers of *The Glasgow Mercury*, &c.

(From "GLASGOW MERCURY" of Tuesday, July 8, 1794).

A CERTAIN CURE FOR CORNS.
 INFALLIBLE
 GERMAN CORN PLAISTER.

This is the celebrated Plaister that gained so much reputation in Germany; and has been sold in London upwards of 50 years with the greatest reputation.

Price 1s 1½d the box, duty included.

Sold in London wholesale and retail by T. Axtell, Bookseller, No. 1, Finch-lane, near the Royal Exchange, Cornhill. Also, by appointment of the Proprietor, by Mr Baxter, South Bridge, Edinburgh; and by ANGUS M'DONALD, jeweller, Glasgow.

You see by these extracts that proprietary articles were, in those olden times, sold by almost everybody but druggists; and so, after all, perhaps it is the corresponding traders of our day that have to complain of us invading their territory, and not we of them invading ours!

It may now very properly be asked what is to be the upshot of all this commotion, what the fruit of all these boilings up in the pharmaceutical caldron into which we have so long been looking to-night? For years the uneasy heads, that wear not crowns—of pharmacy, "troubled with thick-coming fancies" of dire disaster to our calling, through the competition of the stores with it on the one hand, and with dreams of crowds of entrants to our ranks through "cram" on the other, have at last entered the field of Parliamentary warfare with sword unsheathed and flag unfurled, to do battle with both their dreaded foes.

Through their Pharmacy Acts Amendment Bill the Council hope to deal a death-blow to the first and to all such; and through their Educational Resolutions they count upon obtaining an easy victory over the last. If they do succeed in getting all the powers they are now seeking, then the doom of the stores has come and the days of "cram" are over, and a right merry dance of exulting Professors, and of jubilant Councillors, in the halls of 17 Bloomsbury Square would speedily ensue to gladden the heart and cheer the spirits of the most worthy of all Secretaries and the most faithful of all Registrars.

But if they don't succeed—if Parliament should refuse to pass the Act, and the Privy Council withholds its sanction from the Resolutions—what then? It may be difficult even to surmise what Parliament may positively do, but I don't think that there can be any difficulty in settling before hand two things, at least, that it won't do. It won't legislate for our interest at the sacrifice of

that of the public; and it won't give our Society powers to override those of the Privy Council itself.

Not till it pass an analogous Act regarding its own powers, the transference of its powers of administering existing laws and of enacting new ones to the Cabinet, even with a Gladstone or a Salisbury at its head, will Parliament grant to our Council the powers sought in their Act and their Resolutions.

But what is very likely to happen is this—Our “glory” will be preserved or perhaps enhanced, but it will be done at the expense of our purse. All our existing titles, and more, if we ask them, will be sacredly preserved to us, but our trade will be divided. None but entrants through the portals of Bloomsbury Square will be allowed to emblazon over their doorways any one of all our legally-sanctioned titles; but, “licensed to sell poisons and poisonous articles” will most likely be seen written in more sombre colours over the humble doorway of the grocer and the general dealer. That is what I expect—the extension of the principle of Clause Two, expanded to embrace all the poisons of Schedules 1 and 2. Not only so, but I think it not improbable that the Chancellor of the Exchequer will seek to couple this new license with the old one of Patent Medicines, and double the amount for the double privilege, thus at once “dishing” the existing monopoly in “poisons,” the wished-for monopoly in Patents containing poisons, and greatly enhancing the revenue of the country. My reasons for thus thinking that some such results as these may follow from our rushing into Parliament are abundantly simple.

1st. “The Safety of the Public.” That has been so much cried about by our Council and the Trade Association, as well as by odd men here and there at intervals, that the Government imagine they must do something. That something need not be much. Possibly it may be thought by them that the “public safety” will be sufficiently conserved by their establishing over the country numbers of such licensed premises as I have named, and enforcing the labelling *as poisons*, or *as poisonous*, of all restricted articles. This would be sufficiently secured by the infliction of a heavy penalty for its infraction, or by liability to have the licence withdrawn for the second or third offence. Even less than this may be deemed adequate protection of the public. The labelling only, as provided for in Clause 2 of the projected Act, may be all the security the Government shall deem necessary.

2nd. Warned by the evils that arose from the restriction of drug establishments where the public in Ireland could have their prescriptions dispensed, and which called for the passing of the Act of 1875 to remedy the evil, the Government will take care not to sanction such fresh legislation as would lead to a similar incon-

venience and evil to the public of this country. That the convenience of the public, as well as their safety, will be most jealously guarded by Parliament may well be deemed certain when we remember the action the Privy Council took when it refused, at the request of our Council, to add the mineral acids to either of the existing poison schedules ; and that the sought for legislation and the accompanying changes in our educational system would tend directly to the reduction of the number of pharmacists, and of "shops for the sale of medicines and compounding of prescriptions" throughout this country, as did similar legislation in Ireland, is not only asserted, as we have already seen, by the Government Inspector of Examinations, but is even allowed, as we have also seen, by the Vice-President of our own Council—Mr Atkins.

And now, with a word of warning, I am done. If, on consideration of the facts and arguments I have at such unpardonable length placed before you, you should come to think with me that the continued protection of our titles may be the only shred of protection left to us at the close of the struggle that our Council, backed up by that of the Trade Association, have entered upon with the stores, then "Be strong, and quit yourselves like men," be up and doing, and on the twenty-third day of May next let your voice be heard in Bloomsbury Square—not for war, but for "peace, retrenchment, and reform"; that is, withdraw the Bill, cast out the Resolutions, and rest and be thankful with such protection and privileges as ye now enjoy.

If you, and others nearer the centre of influence, do this, and you succeed, then I won't despair of seeing brighter days for the pharmacist than he has seen of late, and that too without loss to that ideal "pharmacy," for which not a few of our men of science and men of "culture" appear willing to sacrifice its bone and sinew.

The tide has of late been running against you—but patience, brother, and it will turn, as all tides have turned for willing and patient workers ; and the waters will yet swell up to the brim, and the pharmacists of the future will float at least as prosperously on their breast as ever their predecessors did.

APPENDIX.

A BILL

INTITULED AN ACT TO REGULATE SALES OF POISONOUS ARTICLES, ALSO TO FURTHER REGULATE THE SALE OF POISONS, AND ALSO TO ALTER AND AMEND THE PHARMACY ACT, 1852, AND THE ACTS AMENDING THE SAME.

Preamble.—Whereas, it is expedient, for the safety of the public, that sales of poisonous articles should be regulated; also that any seller or keeper of an open shop for the retailing, dispensing, or compounding of poisons and medical prescriptions should possess a competent skilled knowledge, and also that sales of poisons should be further regulated. And for the purposes aforesaid, or some of them, it is expedient that the provisions contained in the Act passed in the 15th and 16th years of the reign of Her present Majesty, intituled an Act for regulating the qualification of Pharmaceutical Chemists, hereinafter described as the Pharmacy Act, 1852, and in the Acts amending the same, should be amended: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in the present Parliament assembled, and by authority of the same, as follows:—

1. *Definition Clause.*—Words importing the singular number only shall include the plural number.

2. *Regulations to be observed in the Sale of Poisonous Articles.*—It shall be unlawful to sell by retail any poisonous article for the time being in the Schedule of Poisonous Articles hereto, unless the box, bottle, vessel, wrapper, or cover in which the same is contained be distinctly labelled with the name of such poisonous article and the word "poisonous," and with the name and address of the seller thereof. And the Council of the Pharmaceutical Society of Great Britain may, from time to time, declare by resolution that any article ought to be added to the said Schedule of Poisonous Articles, and shall submit the said resolution for the approval of the Privy Council. And if such approval shall be given, such resolution and approval shall be advertised in the *London Gazette*, and on the expiration of one month from the advertisement any article named in any such resolution shall be deemed to be added to the said schedule.

3. *Regulations on Sales by Wholesale of Poisons in Part 1 of Schedule A to the Pharmacy Act, 1868.*—Notwithstanding any exception or thing in Section 17 of the Pharmacy Act, 1868, contained, every seller by wholesale of any poison for the time being in the first part of Schedule A to the Pharmacy Act, 1868, shall keep a record in writing of the name of such poison, the quantity sold, the name and address of the purchaser, and the date of the sale, and shall preserve such record for twelve calendar months.

4. *Labelling of Patent Medicines being or containing a Poison.*—It shall be unlawful to sell by wholesale or by retail any patent medicine or any article bearing a patent medicine stamp (herein comprised in the words patent medicine), being or containing a poison within the meaning of the Pharmacy Act, 1868, unless the box, bottle, package, or vessel in which the same is contained, the wrapper, if there be only one, or the outermost wrapper, if there be more than one, be labelled with the name and address of the first seller of the same, the name of the patent medicine, and the word "poison."

5. *Penalties for certain Offences.*—Any seller acting in contravention of either of the preceding sections shall, upon a summary conviction before two justices of the peace in England or the sheriff in Scotland, be liable to a penalty

not exceeding £5 for the first offence, and to a penalty not exceeding £10 for the second or any subsequent offence.

6. *Duly Qualified Keepers of Open Shops Entitled to Remedies in certain Cases.*—In case a duly-qualified keeper of an open shop for the sale of poisons is exposed to a penalty in respect of a sale by retail of a patent medicine not prepared for sale by him by reason of the box, bottle, package, vessel, or wrapper in which the same is contained not having been duly labelled in the manner hereinbefore provided, he shall, after having paid the same, be entitled to be indemnified in respect of the same; and any costs properly incurred by him in relation to the offence or conviction, or his defence thereto, by the owner of the said patent medicine, or by any intermediate seller of the same; and every intermediate seller shall be entitled to be indemnified over by the first seller of the said patent medicine, or any intermediate seller of the same: provided always that in claiming such indemnity the seller must prove that he purchased the said patent medicine not knowing it to be otherwise than properly labelled, and sold it in the same state in which he purchased it; and any seller or owner from whom such indemnity is claimed may prove that the conviction was wrongful, or that the amount of costs awarded or claimed was unreasonable.

7. *Persons Keeping Open Shops to be liable for their Assistants, Apprentices, and Servants.*—All the provisions of the Pharmacy Act, 1868, which apply to sales of poisons, and all the provisions of this Act which apply to sales of poisonous articles, or to sales of poisons, whether as patent medicines or otherwise, or to medicines compounded from medical prescriptions, shall be deemed and taken to apply to any seller on whose behalf any sale is made by any assistant, apprentice, or servant; and such assistant, apprentice, or servant shall be deemed to be the agent of the seller on whose behalf any such sale is made.

8. *Regulation for Conducting Branch Businesses.*—It shall be unlawful for a duly qualified keeper of an open shop for retailing, dispensing or compounding medical prescriptions or poisons to keep open shop in more places than one, unless he shall engage and employ at each branch shop a person who would himself be a duly-qualified keeper of an open shop for retailing, dispensing, or compounding medical prescriptions or poisons, and such person is *bonâ-fide* occupied in such branch shop: provided always that each partner in a duly qualified partnership may keep a separate open shop for retailing, dispensing, or compounding medical prescriptions or poisons.

9. *Duly Qualified Persons to Sell Medical Prescriptions and Sell Poisons.*—It shall be unlawful to sell by retail, or to keep open shop for retailing, dispensing, or compounding medical prescriptions or (whether as patent medicines or otherwise) poisons within the meaning of the Pharmacy Act, 1868, and any Act amending the same, unless the seller and the keeper of any such open shop be a pharmaceutical chemist, or chemist and druggist, or a medical practitioner entitled to and acting within the exemption concerning certain medical practitioners made by Section 1 of "The Pharmacy Act (1868) Amendment Act, 1869," or entitled to and acting within the exemption concerning certain executors, administrators, and trustees made by Section 16 of the Pharmacy Act, 1868: provided, nevertheless, that nothing in this section contained shall extend to or interfere with the business of wholesale dealing in patent medicines, nor with the business of wholesale dealers in selling poisons in the ordinary course of wholesale dealing, or of any member of the Royal College of Veterinary Surgeons of Great Britain, or person holding a certificate in Veterinary Surgery from the Highland and Agricultural Society in Scotland, or whose name appears on the register of "existing practitioners" under the Veterinary Surgeons Act, 1881, in dispensing medicines for animals under his care.

10. *Persons Keeping Open Shop must, on Application, Inform the Registrar of the Name or Names of Proprietor or Proprietors, and Penalty for Non-Compliance.*—The Registrar of the Pharmaceutical Society of Great Britain may,

at any time, and from time to time, deliver, or cause to be delivered, to the seller or the keeper of any open shop for the retailing, dispensing, or compounding of medical prescriptions or poisons, or at any shop purporting to be the shop of a pharmaceutical chemist, or pharmacist, or chemist and druggist, or chemist, or druggist, or whereat there shall be assumed, used, or exhibited any name, title, or sign implying that it is the shop of a person registered under the Pharmacy Act, 1852, or the Pharmacy Act, 1868, a notice signed by him requiring delivery to him within seven days thereof of a statement in writing of the name and address of such seller, or the keeper of such shop, and of his qualification so to sell or to keep such shop, and thereupon such seller, or the keeper of such shop, shall, within such seven days, cause to be delivered to the said registrar a statement accordingly, and in default thereof every such seller or keeper of such shop shall be liable to a penalty of £5 for each day so long as such default shall continue, and every person afterwards, during continuance of the default, found selling poison at, or compounding medical prescriptions at, or acting in the management of the business at such shop, shall be liable to a penalty of £5 for each such offence, and the said penalties may be sued for, recovered, and applied in the manner provided in Section 11.

11. *Penalties and Recovery, and Application of Certain Penalties.*—Every seller or keeper of an open shop for retailing, dispensing, or compounding medical prescriptions or poisons, acting in contravention of either of the three preceding sections, numbered 8, 9, and 10, shall, for each contravention, be liable to pay a penalty of £5, and the said penalties of £5 may be sued for and recovered in the manner provided by the Pharmacy Act, 1852, for the recovery of penalties under that Act, and all and every sum and sums of money which shall arise from any penalties so recovered for offences incurred under Sections 8, 9, and 10 of this Act, or under the said Pharmacy Act, 1852, or under Section 15 of the Pharmacy Act, 1868, shall be paid to the Treasurer of the Pharmaceutical Society of Great Britain, and shall by him be applied to the purposes of the said Acts and this Act, or either of them. And in any action or proceeding for the recovery of any penalty directed to be sued for by the Registrar of the Society in the name and by the authority of the Council of the said Society, the name of the said Society alone may be used; and it shall not be necessary to give evidence of the appointment of the said registrar, or of the authority of the said Council, and the full amount of the penalty incurred shall be recovered.

12. *Regulations may be made by Bye-law to Sub-divide Examinations, &c.*—It shall be lawful for the Pharmaceutical Society of Great Britain, from time to time, by any bye-law, to make, alter, or amend regulations respecting examinations, so as to divide or sub-divide the same, and to require and regulate periods of time and of practical experience, or any course of study between examinations, or any divisions of the same, and to regulate the notices to be given and the fees to be paid by candidates on the giving of notices for, or the passing of, examinations or the several divisions of the same, and on registration.

13. *Certificates of having passed Preliminary Examination Requisite to Apprenticeship.*—On any division or sub-division of examinations there shall be provided a division to be called the preliminary examination, and a register of the persons who have passed the same; thenceforth any pharmaceutical chemist, or chemist and druggist, who shall take as apprentice any person who has not previously obtained from the Registrar of the Pharmaceutical Society a certificate to the effect that he is registered as having passed the preliminary examination, shall be liable to a penalty of £5, to be sued for and recovered in the manner provided in Clause 5.

14. *Certificates may be accepted in Lieu of Preliminary Examination.*—It shall be lawful for the Society, from time to time, by any bye-law, to accept evidence of degrees, qualifications, or certificates granted by other examining

bodies in lieu of the said preliminary examinations, and thereupon to authorise the registrar to register the person entitled to the same as having passed the preliminary examination.

15. *Certificates of Death and Expense of same.*—Notwithstanding the provisions of Section 11 of the Pharmacy Act, 1868, every registrar of deaths in Great Britain shall, on transmitting to the registrar under the Pharmacy Act, 1852, of every certificate of the death of any pharmaceutical chemist, or chemist and druggist, charge the cost of such certificate and transmission as an expense of his office.

16. *Certain Persons to be Registered as Pharmaceutical Chemists, and eligible for Membership.*—Every person who, after December 31st, 1886, shall obtain a certificate of competent skill and knowledge and qualification under Section 6 of the Pharmacy Act, 1868, shall be entitled to be placed on the Register of Pharmaceutical Chemists, and shall be eligible for election to membership of the Pharmaceutical Society of Great Britain, according to the bye-laws thereof.

17. *Certain Persons to be eligible for Membership.*—Every person who, on or before December 31st, 1886, shall have been registered as a chemist and druggist by reason of having obtained a certificate of qualification from the Board of Examiners, shall be eligible to be elected a member of the Pharmaceutical Society of Great Britain, according to the bye-laws; but no person shall, in right of membership acquired pursuant to this clause, be placed on the Register of Pharmaceutical Chemists.

18. *Certain Claims for Registration not Valid unless made before 1st January 1885.*—No claim for registration as a chemist and druggist made by notice, accompanied by certificates of having carried on business before the passing of the Pharmacy Act, 1868, shall be valid or effectual unless notice in accordance with Section 5 of the said Act be given prior to the 1st January in the year 1885.

19. *Repeal of Section 11 of Pharmacy Act, 1852, and Section 20 of Pharmacy Act, 1868.*—Section 11 of the Pharmacy Act, 1852, and Section 20 of the Pharmacy Act, 1868, are hereby repealed.

20. *Penalties under Act not to Exempt from other Penalties.*—No penalty under this Act shall exempt any person from being liable to any other penalty, damages, or punishment to which he would have been subject if the Pharmacy Act, 1868, or this Act, had not been passed.

21. *Penalty for Wilful Falsification of Register, or for obtaining Registration by False Representation.*—Any registrar who shall wilfully make, or cause to be made, any falsification in any matter relating to the said registers, and any person who shall wilfully procure, or attempt to procure himself, to be registered under the Pharmacy Act, 1852, the Pharmacy Act, 1868, or this Act, by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration, either verbally or in writing, and any person aiding or assisting him therein, shall be deemed guilty of a misdemeanour in England, and in Scotland of a crime or offence punishable by fine or imprisonment, and shall, on conviction thereof, be sentenced to be imprisoned for any term not exceeding twelve months.

22. *Extent of Act.*—This Act shall not extend to Ireland.

23. *Commencement of Act.*—This Act shall come into operation on the first day of January, one thousand eight hundred and eighty-four, and may be cited for all purposes as "The Pharmacy Act Amendment Act, 1883."

Schedule of Poisonous Articles.

Sulphuric acid, commonly called oil of vitriol.

Hydrochloric acid, commonly called spirits of salts.

Nitric acid, commonly called aqua fortis.

Solution of chloride of antimony, commonly called butter of antimony.

Carbolic acid.









