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PARLIAMENT, Statutes

ANATOMY ACT, 1832

2.

ANATOMY ACT, 1871

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55 Geo. 3, c. 194. irregularity, may recover full satisfaction for the special damage in an action upon the case.

Ss. 27-30.

Act not to affect chemists and druggists.

28. Nothing in this act contained shall extend, or be construed to extend, to prejudice, or in any way to affect the trade or business of a chemist and druggist, in the buying, preparing, compounding, dispensing, and vending drugs, medicines, and medicinable compounds, wholesale and retail; but all persons using or exercising the said trade or business, or who shall or may hereafter use or exercise the same, shall and may use, exercise, and carry on the same trade or business in such manner, and as fully and amply to all intents and purposes, as the same trade or business was used, exercised, or carried on by chemists and druggists before the passing of this act.

Saving rights.

- 29. Nothing in this act contained shall extend or be construed to extend to lessen, prejudice, or defeat, or in anywise to interfere with any of the rights, authorities, privileges, and immunities heretofore vested in and exercised and enjoyed by either of the two universities of Oxford or Cambridge, the royal college of physicians, the royal college of surgeons, or the said society of apothecaries respectively, other than and except such as shall or may have been altered, varied, or amended in and by this act; [or of any person or persons practising as an apothecary previously to the 1st day of August, 1815;] but the said universities, royal colleges, and the said society, and all such persons or person shall have, use, exercise, and enjoy all such rights, authorities, privileges, and immunities, save and except as aforesaid, in as full, ample, and beneficial a manner, to all intents and purposes, as they might have done before the passing of this act, and in case the same had never been passed (e).
- 30. [Repealed and replaced by Public Authorities Protection Act, 1893, tit. "Public Authorities."]

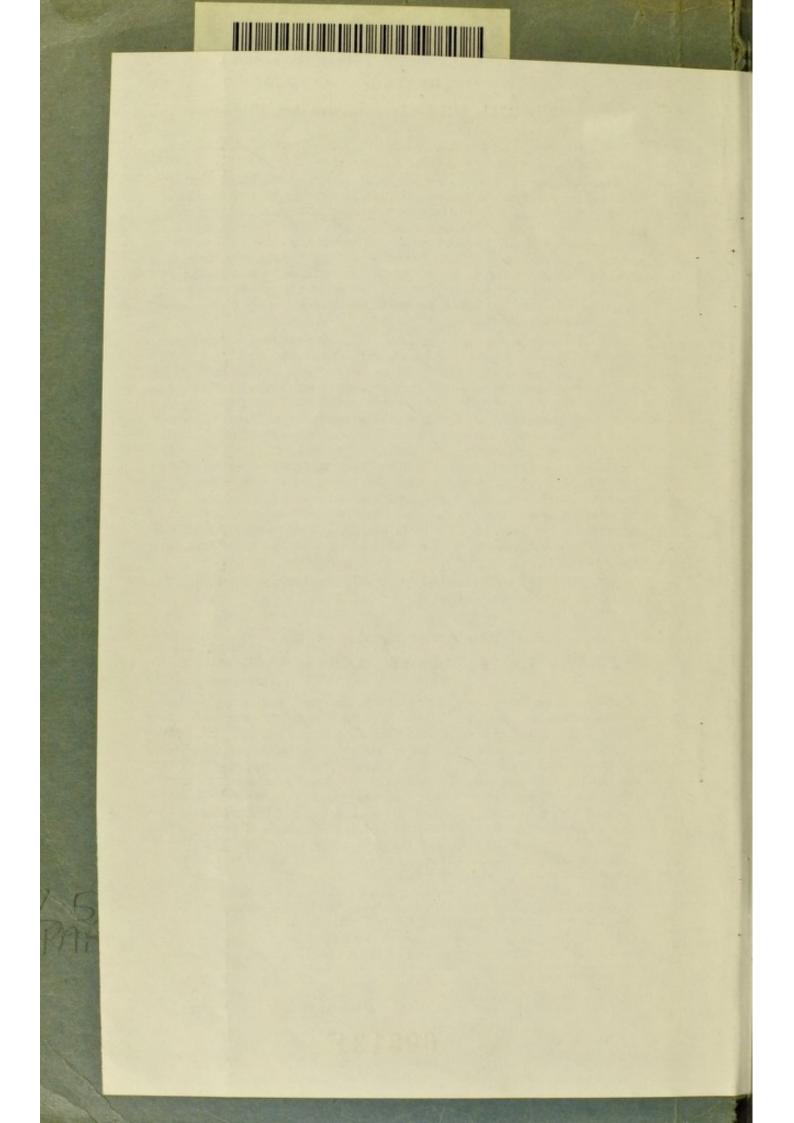
# The Anatomy Act, 1832.

2 & 3 Will. 4, c. 75. An Act for regulating Schools of Anatomy. [1st August, 1832]

"Whereas a knowledge of the causes and nature of sundry diseases which affect the body, and of the best methods of treating and curing such diseases, and of healing and repairing divers wounds and injuries to which the human frame is liable, cannot be acquired without the aid of anatomical examination: and whereas the legal supply of human bodies for such anatomical examination is insufficient fully to provide the means of such knowledge: and whereas, in order further to supply human bodies for such purposes, divers great and grievous crimes have been committed, and lately murder (f), for the single object of selling for such purposes the bodies of the persons so murdered: and whereas therefore it is highly expedient to give protection, under certain regulations, to the study and practice of anatomy, and to prevent, as far as may be, such great and grievous crimes and murder as aforesaid: " Bs IT THEREFORE ENACTED, that it shall be lawful for his majesty's principal secretary of state for the time being for the home department in that part of the united kingdom called Great Britain, and for the chief secretary for Ireland in that part of the united kingdom called Ireland.

Secretary of state may grant licences to practise anatomy.

<sup>(</sup>e) Italicised words of s. 29 repealed given to this kind of murder, from Burke, who was executed for it in January, 1829.



immediately on the passing of this act, or so soon thereafter as may be 2 & 3 Will. 4. required, to grant a licence to practise anatomy to any fellow or member of any college of physicians or surgeons, or to any graduate or licentiate in medicine, or to any person lawfully qualified to practise medicine in any part of the united kingdom, or to any professor or teacher of anatomy, medicine, or surgery, or to any student attending any school of anatomy, on application from such party for such purpose, countersigned by two of his majesty's justices of the peace acting for the county, city, borough, or place wherein such party resides, certifying that, to their knowledge or belief, such party so applying is about to carry on the practice of anatomy.

2. It shall be lawful for his majesty's said principal secretary of state Secretary of or chief secretary, as the case may be, immediately on the passing of state to appoint this act, or as soon thereafter as may be necessary, to appoint respecting of tively not fewer than three persons to be inspectors of places where schools of anatomy is carried on, and at any time after such first appointment to appoint, if they shall see fit, one or more other person or persons to be an inspector or inspectors as aforesaid; and every such inspector shall continue in office for one year, or until he be removed by the said secretary of state or chief secretary, as the case may be, or until some other person shall be appointed in his place; and as often as any inspector appointed as aforesaid shall die, or shall be removed from his said office, or shall refuse or become unable to act, it shall be lawful for the said secretary of state or chief secretary, as the case may be, to appoint another person to be inspector in his room.

Ss. 1-7.

3. It shall be lawful for the said secretary of state or chief secretary, and to direct as the case may be, to direct what district of town or country, or of what district both, and what places where anatomy is carried on, situate within such every inspector district, every such inspector shall be appointed to superintend, and tend. in what manner every such inspector shall transact the duties of his office.

shall superin-

4. Every inspector to be appointed by virtue of this act shall make Inspectors to a quarterly return to the said secretary of state or chief secretary, as make returns the case may be, of every deceased person's body that during the of subjects preceding quarter has been removed for anatomical examination to removed for anatomical every separate place in his district where anatomy is carried on, dis- examination; tinguishing the sex, and, as far as is known at the time, the name and age of each person whose body was so removed as aforesaid.

5. It shall be lawful for every such inspector to visit and inspect, and to inspect at any time, any place within his district, notice of which place has places where been given, as is hereinafter directed, that it is intended there to anatomy is practised. practise anatomy.

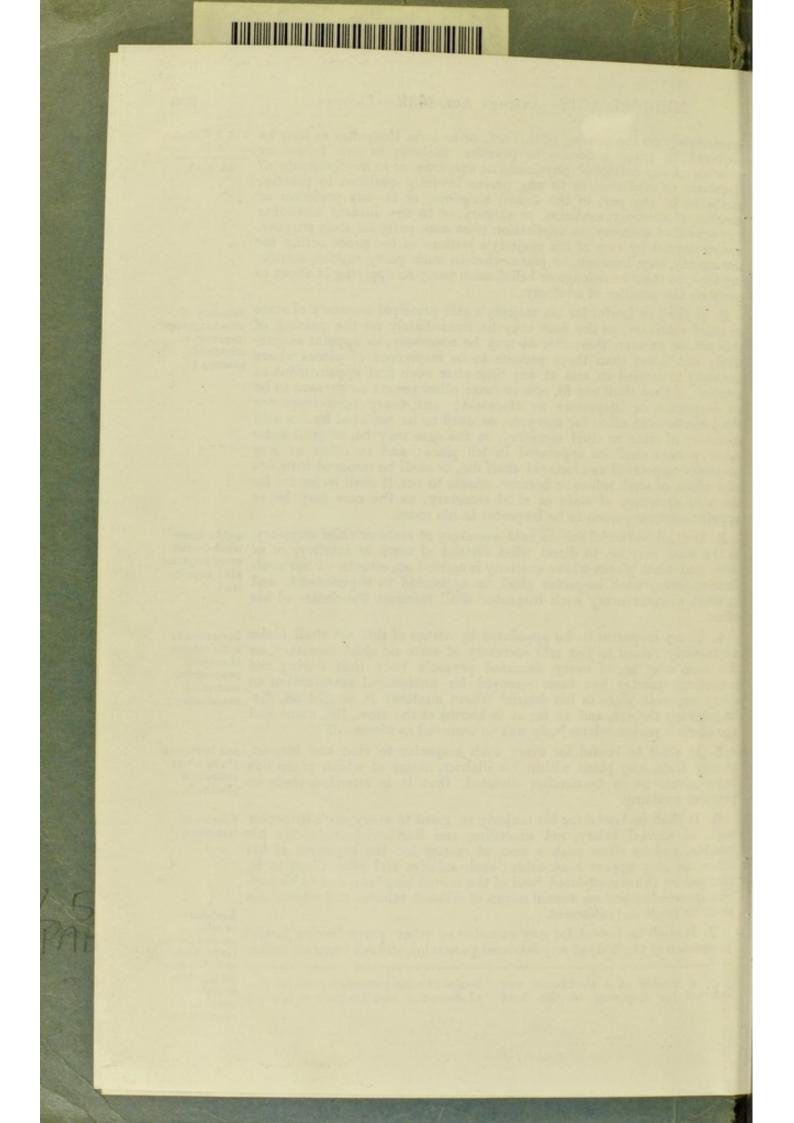
6. It shall be lawful for his majesty to grant to every such inspector Salaries to such an annual salary, not exceeding one hundred pounds, for his inspectors. trouble, and to allow such a sum of money for the expenses of his office, as may appear reasonable; such salaries and allowances to be charged on the consolidated fund of the united kingdom, and to be payable quarterly; and an annual return of all such salaries and allowances shall be made to parliament.

7. It shall be lawful for any executor or other party having lawful or other possession of the body of any deceased person (g), and not being an under- lawful custody

persons having of bodies may examination.

(g) A master of a workhouse was bodies of some paupers for the purpose permit them

indicted for disposing of the dead of dissection and for gain to himself. anatomical



Ss. 7-9.

2 & 3 Will. 4, taker or other party intrusted with the body for the purpose only of interment, to permit the body of such deceased person to undergo anatomical examination, unless, to the knowledge of such executor or other party, such person shall have expressed his desire, either in writing at any time during his life, or verbally in the presence of two or more witnesses during the illness whereof he died, that his body after death might not undergo such examination, or unless the surviving husband or wife, or any known relative of the deceased person, shall require the body to be interred without such examination (h).

Provision in directing anatomical examinations \_ after their death.

8. If any person either in writing at any time during his life, or case of persons verbally in the presence of two or more witnesses during the illness whereof he died, shall direct that his body after death be examined anatomically, or shall nominate any party by this act authorized to examine bodies anatomically to make such examination, and if, before the burial of the body of such person, such direction or nomination shall be made known to the party having lawful possession of the dead body, then such last-mentioned party shall direct such examination to be made, and in case of any such nomination as aforesaid, shall request and permit any party so authorized and nominated as aforesaid to make such examination, unless the deceased person's surviving husband or wife, or nearest known relative, or any one or more of such person's nearest known relatives, being of kin in the same degree, shall require the body to be interred without such examination.

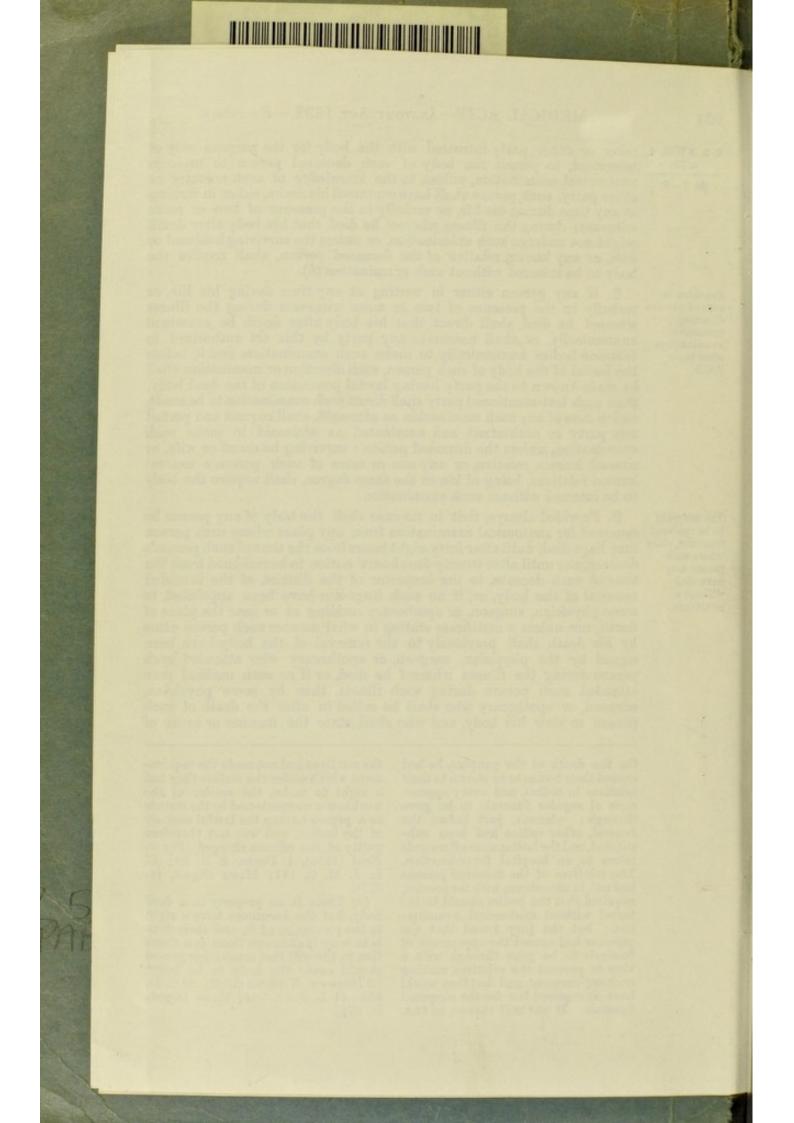
The body not to be removed from the place where such person may have died without a certificate.

9. Provided always, that in no case shall the body of any person be removed for anatomical examination from any place where such person may have died, until after forty-eight hours from the time of such person's decease, nor until after twenty-four hours' notice, to be reckoned from the time of such decease, to the inspector of the district, of the intended removal of the body, or, if no such inspector have been appointed, to some physician, surgeon, or apothecary residing at or near the place of death, nor unless a certificate stating in what manner such person came by his death shall previously to the removal of the body have been signed by the physician, surgeon, or apothecary who attended such person during the illness whereof he died, or if no such medical man attended such person during such illness, then by some physician, surgeon, or apothecary who shall be called in after the death of such person to view his body, and who shall state the manner or cause of

On the death of the paupers, he had caused their bodies to be shown to their relatives in coffins, and every appearance of regular funerals to be gone through; whereas, just before the funeral, other coffins had been substituted, and the bodies were afterwards taken to an hospital for dissection. The relatives of the deceased persons had not, in accordance with the proviso, required that the bodies should be interred without anatomical examination; but the jury found that the prisoner had caused the appearance of funerals to be gone through with a view to prevent the relatives making such requirement, and that they would have so required but for the supposed funerals. It was held that as, in fact,

the relatives had not made the requirement which under the statute they had a right to make, the master of the workhouse was protected by the statute as a person having the lawful custody of the bodies, and was not therefore guilty of the offence charged (Reg. v. Feist (1858), 1 Dears. & B. 59; 27 L. J. M. C. 164; Mews Digest, iv. 675).

(h) There is no property in a dead body, but the executors have a right to the possession of it, and their duty is to bury it although there is a direction in the will that some other person should cause the body to be burnt (Williams v. Williams (1882), 20 C. D. 659; 51 L. J. Ch. 385; Mews Digest, iv. 675).



death according to the best of his knowledge and belief, but who shall 2 & 3 Will. 4, not be concerned in examining the body after removal; and that in case of such removal, such certificate shall be delivered, together with the body, to the party receiving the same for anatomical examination.

Ss. 9-13.

10. It shall be lawful for any member or fellow of any college of Professors, physicians or surgeons, or any graduate or licentiate in medicine, or any surgeons, and person lawfully qualified to practise medicine in any part of the united others may kingdom, or any professor, teacher, or student of anatomy, medicine, or receive bodies for anatomical surgery, having a licence from his majesty's principal secretary of state or examination. chief secretary as aforesaid, to receive or possess for anatomical examination, or to examine anatomically, the body of any person deceased, if permitted or directed so to do by a party who had at the time of giving such permission or direction lawful possession of the body (i), and who had power, in pursuance of the provisions of this act. to permit or cause the body to be so examined, and provided such certificate as aforesaid

were delivered by such party together with the body.

11. Every party so receiving a body for anatomical examination Such persons after removal shall demand and receive, together with the body, a certifi- to receive with cate as aforesaid, and shall, within twenty-four hours next after such the body a removal, transmit to the inspector of the district such certificate, and also a return stating at what day and hour and from whom the body which shall be was received, the date and place of death, the sex, and (as far as is transmitted to known at the time) the christian and surname, age, and last place of the inspector. abode of such person, or, if no such inspector have been appointed, to some physician, surgeon, or apothecary residing at or near the place to which the body is removed, and shall enter or cause to be entered the aforesaid particulars relating thereto, and a copy of the certificate he received therewith, in a book to be kept by him for that purpose, and shall produce such book whenever required so to do by any inspector so appointed as aforesaid.

12. It shall not be lawful for any party to carry on or teach anatomy Notice to be at any place, or at any place to receive or possess for anatomical examina- given to secretion, or examine anatomically, any deceased person's body after removal tary of state of of the same, unless such party, or the owner or occupier of such place, or some party by this act authorised to examine bodies anatomically, shall about to be at least one week before the first receipt or possession of a body for such practised. purpose at such place, have given notice to the said secretary of state or chief secretary, as the case may be, of the place where it is intended to practise anatomy.

places where

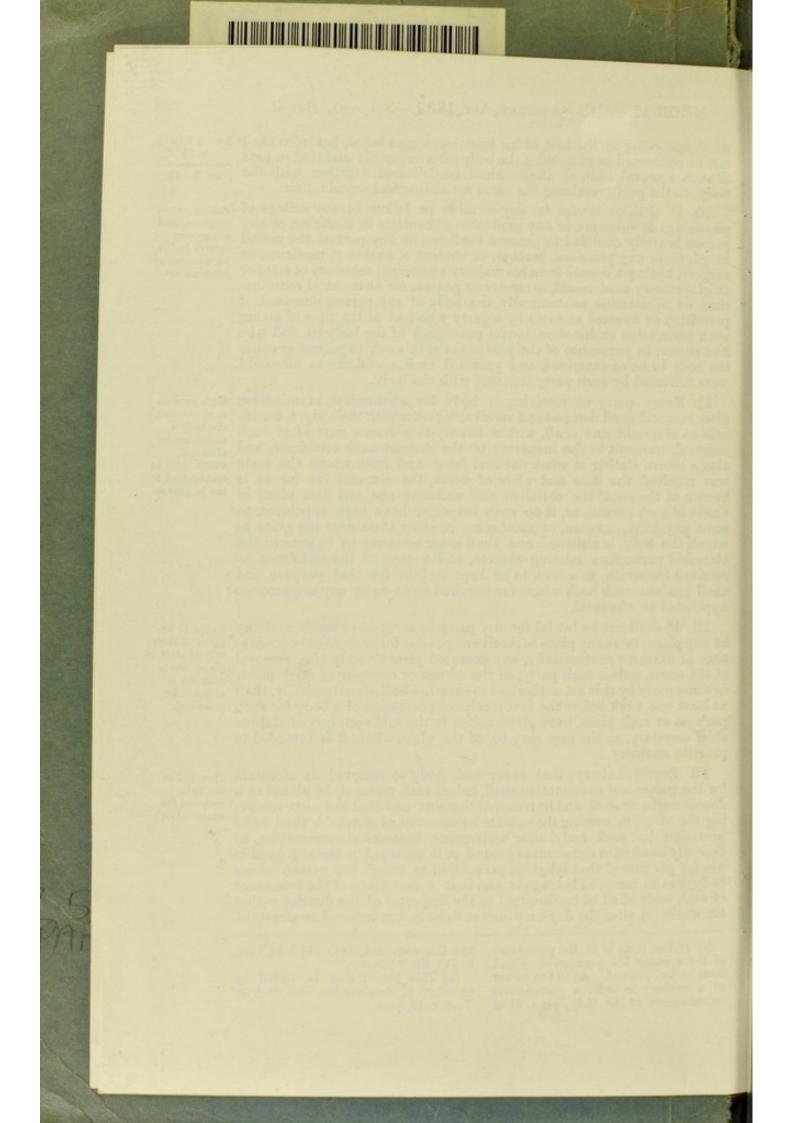
13. Provided always that every such body so removed as aforesaid How bodies for the purpose of examination shall, before such removal, be placed in a are to be decent coffin or shell, and be removed therein; and that the party remov- removed for ing the same, or causing the same to be removed as aforesaid, shall make examination. provision that such body, after undergoing anatomical examination, be decently interred in consecrated ground, or in some public burial ground in use for persons of that religious persuasion to which the person whose body was so removed belonged; and that a certificate of the interment, of such body shall be transmitted to the inspector of the district within six weeks (k) after the day on which such body was received as aforesaid.

the Coroners Act, 1887 (50 & 51 Vict.

<sup>(</sup>i) If the body is in the possession of the coroner his permission would have to be obtained. As to the power of a coroner to order a post-mortem examination of the body, see s. 21 of Vict. c. 16, post.

c. 71), tit. "Coroner."

(k) This period may be varied by secretary of state's order. See 31 & 35



Ss. 14-19.

Persons described in this act not to be liable to punishment for having in their possession human bodies.

Act not to prohibit postmortem examination.

Offences against this act.

Interpretation of certain words in this

- 2 & 3 Will. 4. 14. No member or fellow of any college of physicians or surgeons, nor any graduate or licentiate in medicine, nor any person lawfully qualified to practise medicine in any part of the united kingdom, nor any professor, teacher, or student of anatomy, medicine, or surgery, having a licence from his majesty's principal secretary of state or chief secretary as aforesaid, shall be liable to any prosecution, penalty, forfeiture, or punishment for receiving or having in his possession for anatomical examination, or for examining anatomically, any dead human body, according to the provisions of this act.
  - 15. Nothing in this act contained shall be construed to extend to or to prohibit any post-mortem examination of any human body required or directed to be made by any competent legal authority.
  - 16. So much of 9 Geo. 4, c. 31, as directs that the bodies of murderers may be dissected, repealed. Such bodies to be hung in chains or buried, as the court shall direct .- [Repealed 24 & 25 Vict. c. 95.]
  - 17. [Repealed and replaced with extensions by Public Authorities Protection Act, 1893, tit. "Public Authorities."]
  - 18. Any person offending against the provisions of this act in England or Ireland shall be deemed and taken to be guilty of a misdemeanor, and, being duly convicted thereof, shall be punished by imprisonment for a term not exceeding three months, or by a fine not exceeding fifty pounds, at the discretion of the court before which he shall be tried; and any person offending against the provisions of this act in Scotland shall, upon being duly convicted of such offence, be punished by imprisonment for a term not exceeding three months, or by a fine not exceeding fifty pounds, at the discretion of the court before which he shall be tried.

19. And in order to remove doubts as to the meaning of certain words in this act, be it enacted, that the words "person and party" shall be respectively deemed to include any number of persons, or any society, whether by charter or otherwise; and the meaning of the aforesaid words shall not be restricted, although the same may be subsequently referred to in the singular number and masculine gender only.

The Arsenic Act, 1851.

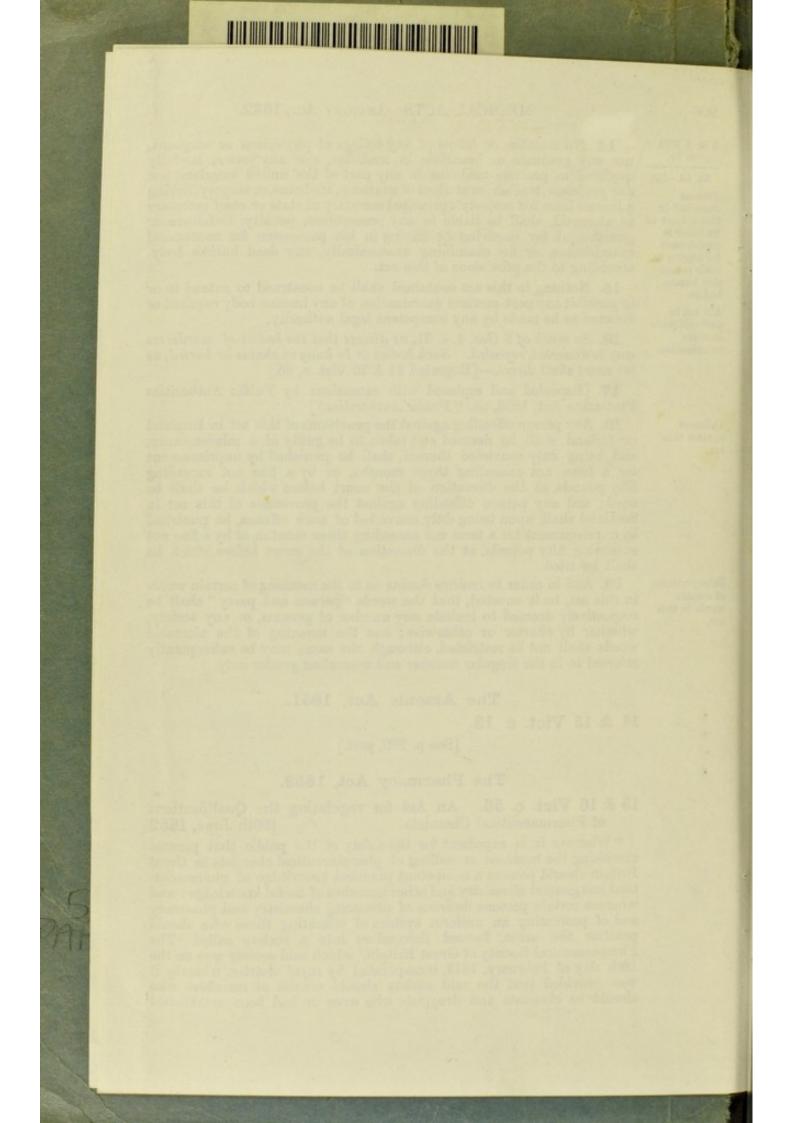
14 & 15 Vict. c. 13.

[See p. 980, post.]

# The Pharmacy Act, 1852.

15 & 16 Vict. c. 56. An Act for regulating the Qualifications of Pharmaceutical Chemists. [30th June, 1852]

"Whereas it is expedient for the safety of the public that persons exercising the business or calling of pharmaceutical chemists in Great Britain should possess a competent practical knowledge of pharmaceutical and general chemistry and other branches of useful knowledge: and whereas certain persons desirous of advancing chemistry and pharmacy and of promoting an uniform system of educating those who should practise the same, formed themselves into a society called 'The Pharmaceutical Society of Great Britain,' which said society was on the 18th day of February, 1843, incorporated by royal charter, whereby it was provided that the said society should consist of members who should be chemists and druggists who were or had been established



on their own account at the date of the said charter, or who should have 15 & 16 Vict. been examined in such manner as the council of the said society should deem proper, or who should have been certified to be duly qualified for admission, or who should be persons elected as superintendents by the council of the said society: and whereas it is expedient to prevent ignorant and incompetent persons from assuming the title of or pretending to be pharmaceutical chemists or pharmaceutists in Great Britain, or members of the said pharmaceutical society, and to that end it is desirable that all persons before assuming such title should be duly examined as to their skill and knowledge by competent persons, and that a register should be kept by some legally authorized officer of all such persons: and whereas for the purposes aforesaid, and for extending the benefits which have already resulted from the said charter of incorporation, it is desirable that additional powers should be granted for regulating the qualifications of persons who may carry on the business of pharmaceutical chemists:" BE IT ENACTED,

1. The said charter of incorporation granted to the said society on the Charter, dated 18th day of February, 1843, save and except such part or parts thereof as 18th Feb., are hereby altered, varied, or repealed, shall be and the same is hereby con- 1843, confirmed and declared to be in full force and virtue, and shall be as good and firmed, save effectual to all intents and purposes as if this act had not been passed.

2. The council of the said pharmaceutical society shall be and the Power to same are hereby authorized and empowered to alter and amend the council to bye-laws of the said society made and established under or in pursuance alter bye-laws, of the said charter of incorporation, and to make and establish such new provided they or additional bye-laws as they shall deem proper and necessary for the by a general purposes contemplated by the said charter or by this act: provided meeting of always, that all such original bye-laws, and all altered, amended, or society and additional bye-laws, shall be confirmed and approved by a special the secretary general meeting of the members of the said pharmaceutical society, and by one of her majesty's principal secretaries of state (1): [ provided also, that the existing bye-laws of the said society shall continue in force until the next annual meeting of the said society to be held in the month of May, 1853 (m).]

3. Manner of voting.—[Repealed S. L. R. 1875.]

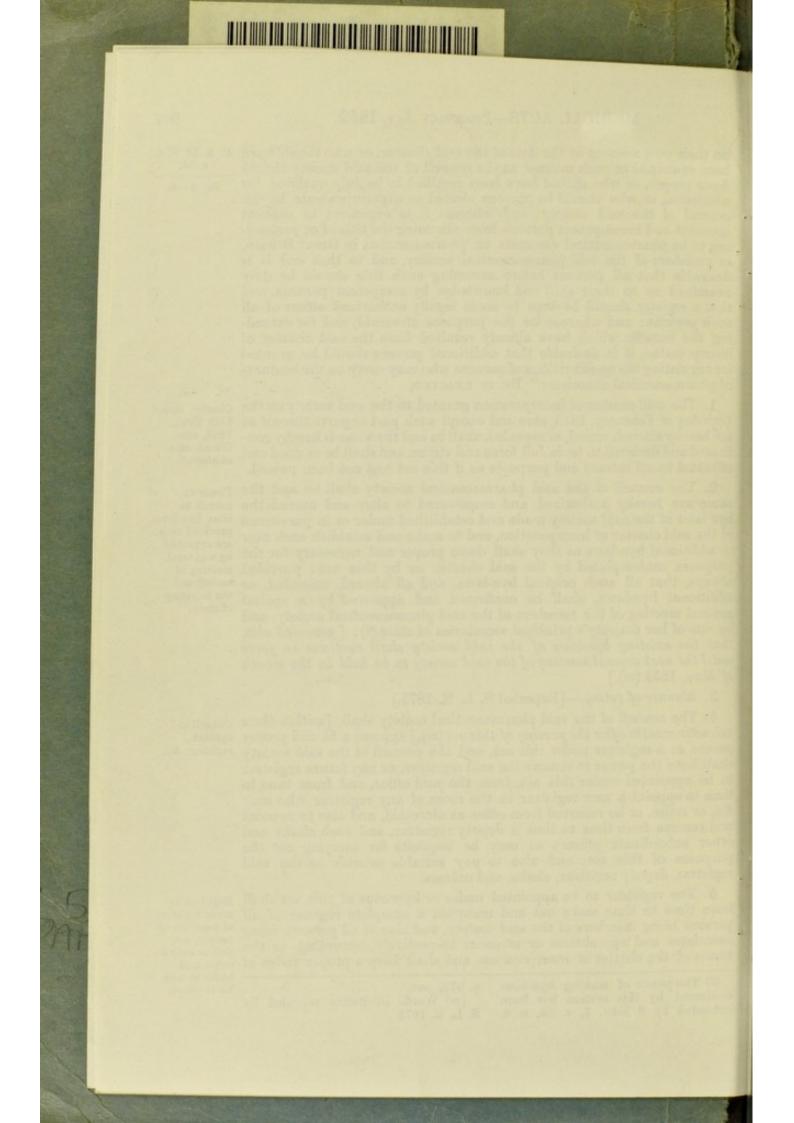
4. The council of the said pharmaceutical society shall, [within three Council to calendar months after the passing of this act (m), ] appoint a fit and proper appoint person as a registrar under this act, and the council of the said society registrar, &c. shall have the power to remove the said registrar, or any future registrar to be appointed under this act, from the said office, and from time to time to appoint a new registrar in the room of any registrar who may die, or retire, or be removed from office as aforesaid, and also to appoint and remove from time to time a deputy registrar, and such clerks and other subordinate officers as may be requisite for carrying out the purposes of this act, and also to pay suitable salaries to the said registrar, deputy registrar, clerks, and officers.

5. The registrar to be appointed under or by virtue of this act shall Registrar to from time to time make out and maintain a complete register of all make registers persons being members of the said society, and also of all persons being of members of associates and apprentices or students respectively according to the associates and apprentices or students respectively, according to the and to keep an terms of the charter of incorporation, and shall keep a proper index of index and

be required,

<sup>(1)</sup> The power of making bye-laws conferred by this section has been extended by 8 Edw. 7, c. 55, s. 4,

p. 972, post.
(m) Words in italics repealed by S. L. R. 1875.



### The Pharmacy Act, 1869.

32 & 33 Vict. c. 117. An Act to amond the Pharmacy Act, [11th August, 1869] 1868.

"Whereas it is expedient to amend the provisions of the Pharmacy Act, 1868, in regard to duly qualified medical practitioners and veterinary surgeons, and in other respects:"

BE IT ENACTED AS follows:

Reserving rights of persons registered before act of 1868.

- 1. Nothing contained in the first fifteen sections of the recited act shall affect any person who has been registered as a legally qualified medical practitioner before the passing of this act; and the said clauses shall not apply to any person who may hereafter be registered as a legally qualified practitioner, and who, in order to obtain his diploma for such registration, shall have passed an examination in pharmacy; nor shall the said clauses prevent any person who is a member of the royal college of veterinary surgeons of Great Britain, or holds a certificate in veterinary surgery from the highland and agricultural society of Scotland, from dispensing medicines for animals under his care.
  - 2. [Repealed by S. L. R. 1883.]

3. Nothing contained in section seventeen of the said recited act shall apply to any medicine supplied by a legally qualified medical practitioner to his patient or dispensed by any person registered under the said act, provided such medicine be distinctly labelled with the name and address of the seller, and the ingredients thereof be entered, with the name of the person to whom it is sold or delivered, in a book to be kept by the seller for that purpose.

4. [Repealed by S. L. R. 1883.]

Schedule (F) amended.

Excepting medicine

legally

qualified

supplied by a

medical man.

5. Schedule (F) of the said recited act is hereby altered by substituting for the second column headed "Name of Purchaser" a column beaded "Name and Address of Purchaser."

### SCHEDULE (A) (f).

# The Anatomy Act, 1871.

34 & 35 Vict. c. 16. An Act to amend the Act of the Second and Third Years of William the Fourth, Chapter Seventy-five, lor regulating Schools of Anatomy. [25th May, 1871

"Whereas it is expedient to amend the act of the session of the second and third years of king William the fourth, chapter seventy-five, 'for regulating schools of anatomy: " BE IT ENACTED as follows:

1. This act shall be construed as one with the recited act, and the and short title. recited act and this act may be cited as "The Anatomy Acts, 1832 and 1871," and each of them may be cited as the Anatomy Act of the year in which it was passed,

2. It shall be lawful for one of her majesty's principal secretaries of state in that part of the united kingdom called Great Britain, and for W chief secretary for Ireland in that part of the united kingdom called Ireland, from time to time, by order, to vary the period limited by seetled thirteen of the recited act as the time within which certificates interment are to be transmitted to the inspectors of districts.

Construction

Power to secretary of state to vary period for transmission of certificates of interment to district inspectors.

