

An investigation of the proposed scheme of medical reform, in reference to chemists and druggists : comprising an analysis Mr. Hawes's late Medical Profession Bill, a review of the Pharmaceutical Society, and a defence of the druggists' "counter practice" / addressed to Benjamin Hawes, Esq. M.P. and the chemists and druggists of the United Kingdom by G. Crook.

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AN INVESTIGATION
OF
THE PROPOSED SCHEME
OF
MEDICAL REFORM,
IN REFERENCE TO
CHEMISTS AND DRUGGISTS.

COMPRISING
AN ANALYSIS OF
MR. HAWES'S LATE MEDICAL PROFESSION BILL;
A REVIEW OF
THE PHARMACEUTICAL SOCIETY;
AND A DEFENCE OF
THE DRUGGISTS' "COUNTER PRACTICE."

ADDRESSED TO
BENJAMIN HAWES, ESQ. M.P.
AND THE
CHEMISTS AND DRUGGISTS OF THE UNITED KINGDOM.

BY G. CROOK, M.P.S.

LONDON:
R. HASTINGS, 13, CAREY STREET, LINCOLN'S INN FIELDS;
AND ALL BOOKSELLERS IN TOWN AND COUNTRY.

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I.
THE CHEMIST ;
OR,
REPORTER OF CHEMICAL DISCOVERIES AND IMPROVEMENTS,
AND
PROTECTOR OF THE RIGHTS OF THE CHEMIST AND
CHEMICAL MANUFACTURER.
EDITED BY
CHARLES WATT, LECT. ON CHEMISTRY, AND JOHN WATT, JUN.

It must be evident, that, so long as there existed a Journal peculiarly devoted to the interests and advantages of the middle ranks of the Medical Profession, they had vast opportunities of oppression and wrong towards those whom they considered obnoxious to their views, namely, the Dispensing Chemist and Druggist. It became indispensable that aid through the means of the press should be afforded to these also, in a publication having for its objects the maintenance of their rights, the promotion of their interests, and the advancement of their knowledge. With such intentions **THE CHEMIST** was commenced; and the extensive circulation it has now acquired, and the approbation it has met with from the contemporary press, afford the best evidence that the Editors have redeemed their pledge to the Public.

The Volume for the present year, forming Vol. II. of the work, is just published, price 7s. boards. This journal will be found to embrace the latest discoveries and improvements, *British* and *Foreign*, announced within the month, in Chemistry, Chemical Manufactures, Pharmacy, the Preparation of Medicines, and Reviews of the most important Chemical Works, &c. &c.

The present volume will be found to contain many important and interesting articles: the following are the heads of a few of them:—

On Atomic Chemistry—Composition of the Brain of Man—Estimation of Nitrogen in Organic Analysis—Essential Oils of Black Mustard and Cochlearia—Peculiar Class of Voltaic Phenomena—On Resins—Photogenic Dyeing—Mercury in the Ung. and Pil. Hydrargyri—Stains of Arsenic—Medical Reform—Marsh's Apparatus—Poisons, Contagions, and Miasms, by Professor Liebig—Salts of Lead—Palm Oil—Nitrate of Soda in South Peru—Minerals of Glasgow—Electro-Metallurgy—Soldering of Metals, and Damasking of Gold and Silver—Galvano-Plastic Processes—Recovery from the effects of Opium—Galvanism in Cases of Suspended Animation—Atomic Weight of Carbon—Analysis of the Waters of the African Coast and Rivers—Uric Acid in the Garden Snail, &c.—White Oxide of Arsenic in Cornwall—Foul Air in Chalk Strata—Galvano-Arsenical Apparatus—New form of Magneto-Electric Machine, and a Carbon Battery—Improvements in the Electrotype—Reduction of Metals by Galvanism—Beet-Root Sugar—Mode of Purifying Water—Investigations concerning Ulmic Acid—Action of Iodine on Chlorate of Potassa—Action of Metallic Tin on Solutions of Muriate of Tin—Carbonate of Silver—James' Powder for Distemper—Blistering Tissue—Nitrate of Mercury Ointment—Meetings of Chemists and Druggists—Pharmaceutical Association—On the Composition of the Air contained in Snow—Ammoniacal Gas—Atomic weight of Carbon—Phenyle and its Compounds—Albumen, Fibrin, the White Matter of the Blood, and Casein, by Dr. Liebig—Lampic Acid—Indigo—New Process for obtaining Potassium—Photography for taking Likenesses—Obtaining Steel of different qualities—Gold and Silver in Lead Mines—Gallic Acid—Lactic Fermentation—True Constitution of Atmospheric Air—Manufacture of Black Earthenware—British Association—Voltaic Process for Etching Plates—On Indigo—Manufacture of Copperas—Pure Solution of Opium—Collieries of Halifax—Action of Metallic Poisons on Vegetation—Preparation of Urea—Preparing Phosphorus—Chemical Nomenclature—Furnaces and Stoves of Wasseraufingen—Electrical Effects of the Gymnotus—Medical Education—Iodine and Mercury in Venereal Disease—Adulterations, Poisonings, Formulæ of Medicines, &c. &c.

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AN INVESTIGATION,
OF THE
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IN obtruding this paper on the attention of the Trade, the Author makes no apology, nor saith aught in justification, other than is contained in the following declaration : — That he has been constrained by a sense of the urgent necessity that exists for every Druggist in the kingdom putting forth his best energies on this occasion, and uniting in self-defence.

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In concluding this paper on the attention of the
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AN INVESTIGATION,

&c. &c.

THE question for the more immediate consideration of the Chemist and Druggist, appears to be,—under which system is he likely to realize the greatest amount of real benefit, i. e. under the protective system laid down in Mr. Hawes's Medical Profession Bill, as advocated by Dr. Marshall Hall, and other medical reformers; or the defensive system comprised in the Laws and Regulations of the Pharmaceutical Society. In order to effect a solution of this question, and arrive at a satisfactory conclusion, it will be necessary to entertain it impartially, to canvass the advantages and disadvantages of both plans, and to investigate the operation of the various provisions therein contained, unbiassed by that vindictive feeling to which a supposed attack upon individual interest too frequently gives rise. Agreeably with this opinion, I will endeavour to make an analysis of that portion of the Medical Bill which more especially affects Druggists.

THE ANALYSIS.

In the Preamble, it is set forth—

“That it would tend to the advantage of the public to alter and amend the laws touching the Medical Profession, and to make due provision for the prevention of persons, not being duly qualified, from practising medicine, and that all persons should be duly examined as to their knowledge, by competent persons, previous to being permitted to exercise the profession of medicine.”

An amendment of the laws which govern the medical profession is generally admitted to be desirable. Whether the alterations submitted by the Bill, are amendments, and likely to be advantageous

to the public, may be questionable; doubtless they would be more beneficial to certain members of the faculty. Should the following observations throw any additional light upon the subject, they may possibly enable my readers more readily to decide.

The first proposition is for making provision for the prevention of persons, not duly qualified, from practising medicine. By "persons not duly qualified," are meant those who have not obtained a license from one or other of the examining medical bodies. It will be seen that this, in connexion with the definition of the term "practising medicine," will be wholly impracticable. The second proposition is to provide for the due examination of all persons previous to their being permitted to exercise the profession of medicine. I presume no rational person will be disposed to question the propriety of this regulation for the future; therefore I will proceed to the interpretation clause. According to which, "the words 'practising medicine' shall be construed to include within their meaning the recommending, prescribing or ordering, either directly or indirectly, any medicine, remedy, or application whatsoever, for the relief or cure of any disorder, ailment, or illness of the body or mind, or any part thereof, or performing any surgical operation, minor or capital, or practising midwifery." Against this definition of the term "practising medicine," the Druggists have entered their protest, as being an infringement of their privileges: doubtless such prohibition would be highly advantageous to society, could it by any possibility be carried out without producing an evil at least commensurate with the benefit derived,—that of numerous cases receiving no attendance or advice whatever. To quote the observations of a contemporary,* "it certainly would be an excellent thing, could provision be made, that every case requiring medical or surgical treatment, of however small importance, should be attended to only by persons whose proficiency and skill should have been authenticated by high medical authority. But however good the theory, it is altogether impossible to bring it into practice." With a view to the better elucidation of this clause, I subjoin that part of Clause 33, which, under the head of "Disqualification," more especially refers to this subject:

"And be it enacted, That notwithstanding any law, charter or custom, no male person whatsoever shall be entitled or permitted to practise medicine for remuneration or gain, either directly or indirectly, in any part of the United Kingdom of Great Britain and Ireland, unless such person shall

* Mr. William Collins, Bath.

have obtained a certificate to practise the same according to the provisions of this Act."

A sweeping clause this, in all conscience! The subsequent countenance of nostrum-mongers appears odd enough. The editor of the "Pharmaceutical Transactions," in adverting to this subject, somewhat pithily remarks: "The question comes to this: should it be lawful for any member of the community to swallow a dose of medicine without medical advice? If this be allowed, from whom are the public to obtain information as to the doses and properties of the medicine? Undoubtedly, from the Druggists of whom they procure it." It is somewhat singular the originators of this Bill should not have seen the bearing of such a monstrous provision as this upon society in general, especially upon the Chemist and Druggist, and which I cannot pass over without designating it as an outrage upon the liberties and common-sense of the people. By the passing of this Act, "the Druggist would be liable to fine and imprisonment every hour in the day, for giving that information to his customers without which it would, in many cases, be unsafe to intrust them with the medicine which they are permitted by law to purchase." It may appear almost needless to advert to the effect of this measure, if put in practice; but, as its bearings upon society are little known, and have been, perhaps, as little investigated by the prime movers of the scheme, it shall be my endeavour to illustrate its operation in such a manner as may possibly prevent the perpetration of similar outrage for the future.

Without intending to cast any severe reflections upon a certain class of individuals, the motives which gave rise to this prohibitory clause must be evident to all; and it was very natural the purity of the originators' intentions should have been doubted, from the circumstance of the contemplated restriction being confined to those only who shall "practise for remuneration or gain," thus leaving non-medical men, or others who prefer to practise gratis, to kill or cure at discretion; and thus it is that the present outcry of medical reform appears to have for its main object a monopoly of fees. If society is to be allowed to administer to the relief of its members, the mother to the relief of her infant, and, above all, the empirical compounder of nostrums to revel in his slaughter uncontrolled, I ask, how is to be reconciled the prohibition levelled at Druggists exclusively? How is it, the one is so "monstrous an evil" in the estimation of "The Lancet," and the other not? Perhaps the editor will answer this question, and point out the monstrosity of the

demand which he asserts "neither wisdom nor justice can ever sanction." Apropos to this subject, is the following extract from Dr. M. Hall's Letter on Medical Reform, addressed to Sir Robert Peel:—"As to *quackery*, it is to medicine what *superstition* is to true religion. The injury it inflicts is sometimes negative rather than positive. It is true, it sometimes 'amuses the patient, whilst nature cures the disease;' * but it also, sometimes, like the *ignis fatuus*, leads the deluded patient onwards, until, his malady, assuming an irremediable character, he falls a victim to his delusion. But, in other cases, the very remedies themselves induce fatal effects. [Mark the following observations.] The only protection against these consequences is to instruct the public, and to convince them that, as a man must be a good mechanician to repair an engine, so the physician must be an anatomist and physiologist to be enabled to treat diseases with safety and success." Surely the same argument might be made available in the protection of the public from the inroads stated to be made upon its health by Druggists. Apply the same principle to the latter, and where is the necessity for the obnoxious provision under consideration? It is remarkable that Dr. M. Hall should show more leniency towards *quacks* than he is disposed to extend to the Druggist; and it is difficult to explain on what principle he decides, unless we are to understand that a little knowledge of medicine is equally as bad as a little knowledge of law. Had the same reasoning emanated from a less honourable man, or from one of less standing in society and the profession which he adorns, it might have given rise to the supposition that it originated in a knowledge of the fact, that the former added, whilst the latter detracted from his practice. Probably the reason so little disposition is shown to interfere with the sale of "quack-medicines," either on the score of morality or humanity, may be, that it would involve a question of revenue of too powerful and important a nature for them to wrestle with, with any prospect of success; therefore, *quackery!* with its numerous concomitants, must be countenanced! What says the editor of "The Lancet?" — I would respectfully suggest that Dr. M. Hall should inform us why the public shall not be able to exercise the same discretionary power as is conceded to it with respect to the use of quack medicines, in its choice of which of the various grades of the profession it will employ in the

* This sarcasm of a late foreign writer, it is somewhat curious and worthy of remark, was originally applied to the practice of physic.

hour of need, viz., the Physician, Surgeon-apothecary, or Chemist and Druggist. The public must, and will be free, in the exercise of its judgment in a matter which so nearly concerns it as that of health; and, in reply to the above-quoted *apophthegm*, I would observe, that the amount of talent or skill required of the mechanist would depend upon the nature and extent of the injury he was called on to repair. It is not customary to employ the powers of the steam-engine to effect the labour of a pair of hands; neither can it be considered necessary to resort to the Physician for advice in the administration of the simplest remedy for the most trivial ailments. It remains only for the Druggist to qualify himself for the due and efficient performance of the trust which the public is disposed to confide in him; the fault lies not with the Druggist, or the public, but with the class who have deserted an original and necessary avocation, which the former are called upon by the wants of society to adopt.

Numerous as have been the arguments advanced, still more numerous are those that might be adduced, in support of this hypothesis, were it possible to conceive a difference of opinion can exist, upon reflection, as to the necessity of Druggists being permitted to advise in slight incidental cases, either medical or surgical. Neither, I presume, is it going too far, notwithstanding what has been advanced to the contrary, to suppose the Legislature would concede the "right" on the representation of the Chemists and Druggists that they are desirous only of exercising a discretionary privilege in tendering advice at the counter, subject to the same penalties and proceedings on exceeding the prescribed limits as can be, at present, enforced against them; in fact, from what has already taken place, it is only justice due to Mr. Hawes to state, had that much-abused gentleman's plan been more courteously received, there is little doubt but that he would have readily attended to any suggestion that might have been offered, with a desire to conciliate all classes whose interests were at stake, and would probably have framed his bill in accordance with this principle, or, at least, have inserted a clause to the same effect, whereby the Druggist's privileges would have remained unimpaired. But to return from this rather lengthened digression to the object in view.

Continuation of Interpretation clause.—“And the words ‘medical practitioner’ shall mean a person qualified under this Act to practise medicine.” As there can be no objection to this definition other than in its connexion with the preceding term, to which I shall

recur hereafter, I pass on to the next. "And the words Chemist and Druggist shall mean a person who shall sell, deal in, mix or dispense for sale, any drug or medicine for the cure or relief of any bodily disorder, ailment or illness, save and except such persons as shall have obtained a certificate to practise medicine." "And the word England shall include Wales." It is something in these revolutionary days to be able to retain the appellation of your business unchanged, and suppose nothing will be urged in opposition to this stretch of liberality on the part of those whose attention has been occupied in thus defining the province of the Chemist and Druggist; but there is an exception made in this definition of what constitutes a Chemist and Druggist, of which it will be necessary to speak, as it involves a principle of Medical Reform which has been a subject of much discussion.

The term "Chemist and Druggist" in the "Bye-laws of the Pharmaceutical Society," is construed to be "a person who has been regularly apprenticed to, or educated by, a vender of drugs or dispenser of medicines, and who does not profess to act as a visiting Apothecary or Surgeon; in this definition medical practice is alluded to, merely for the purpose of distinguishing the Chemist and Druggist from the Apothecary." It would appear, as the separation of the trade and profession of medicine, so forcibly urged by Dr. M. Hall, in the letter before referred to, was not contemplated by the Bill, it was necessary, in the interpretation of the term Chemist and Druggist, to make the above exception to the same end.

Dr. M. Hall, alluding to the Society of Apothecaries, observes, "It is a trading society. It has mingled the trade in drugs with the profession of medicine; and in this it has done as much to degrade the profession, as by raising the standard of education it has done to raise it. I presume the trade and the profession of medicine must be separated. Our profession never can be respectable or respected, until that separation has been accomplished. The Society of Apothecaries cannot, therefore, possibly subsist in its present amphibious condition." And in furtherance of this object, Dr. Hall suggests, "The Druggists should be incorporated amongst themselves, and be at once prevented from prescribing, and be protected in the sale of drugs; the members of the faculty should be prohibited from the sale of drugs, and be protected in their practice from the encroachments of the Druggists." "The members of the Society of Apothecaries *must* make their selection between the trade in drugs and the profession of medicine."

A correspondent of "The Lancet" observes, "Every one must concur in Dr. Hall's remarks on science being dishonoured by its union with trade: natures so opposite are here allied, that it is impossible they can kindly mingle. He who *prescribes* medicines to relieve the sick, and exercises his highest faculties to obtain that end, should not be seen the next moment behind a counter, dilating upon the virtues of an empirical nostrum, or recommending to a lady the purchase of a smelling bottle, as a useful article in case she may faint; and surely to trade in drugs for the purpose of profit, and profit only, is no fit occupation for any member of the profession," &c. The impropriety of the present connexion, together with its innumerable imperfections, have been so ably set forth by a fellow-labourer in the good cause, that I shall not attempt to enlarge further on the matter, additional exposure being conceived unnecessary. Vide—"A Statement of Facts on the subject of Medical Reform, addressed to its Advocates and the Public at large." Should there, however, be any sufficiently sceptical to imagine the case not clearly established, I beg to refer them to numerous stringent articles in "The Chemist," upon this subject. But with a view to the further consideration of the province of the Chemist and Druggist, as above defined to be exclusively his, it will be desirable to recite that portion of Clause 33, which relates to the disqualification of persons from exercising the trade of a Chemist and Druggist:—

"And be it enacted, That no person whatsoever shall be entitled to carry on the trade and business of a Chemist and Druggist in any part of the United Kingdom of Great Britain and Ireland, unless such person shall have obtained a license to carry on the trade and business according to the provisions of this Act."

This provision would effect that most desirable object, the restriction of the sale of drugs, for medicinal purposes, to the Chemist and Druggist; as herein is provided that protection from the numerous innovations upon the trade, of which the Druggist stands so much in need, and thus it would confer an immediate benefit, which it is utterly impossible the Pharmaceutical Society can afford, within any reasonable period. The advantages derived from this measure may reasonably be viewed as a set-off against a moderate curtailment of "counter practice;" and here the question resolves itself into one simply of commercial policy, viz., whether the protection thus obtained would not be an equivalent, in a pecuniary point of view, to any loss sustained by the operation of the contemplated restriction relative to Druggists practising?

There is an excellent exposure of the folly of grocers being permitted to sell medicines, in a letter on Medical Reform as affects Druggists, in "The Chemist" of October. It certainly is a redeeming feature in the proceedings of the reformers, that they did not overlook this evil amongst others in the ardour of their attack upon the Druggists. The following authentic anecdote forcibly illustrates the absurdity of the connexion of medicine with a trade in grocery, and at the same time affords an example of the ludicrous occurrences resulting from the existence of the custom. A farm-servant being sent to a neighbouring town for an emetic for a fellow-servant, owing to his peculiar dialect, or the grocer's little acquaintance with the articles in which he dealt, and still less familiarity with their operation, was referred to an adjacent ironmonger, and informed that he had gone to the wrong shop, as they did not sell "mattocs;"* the man insisted he was right, and was told to go to "Mr. S. the grocer and chymister." Still what he wanted could not be divined, until it occurred to this vender of plums and poison to inquire to what purpose it was to be applied, whereupon the labourer, in his accustomed unsophisticated brogue, replied, "*to mak our gal spew wid.*"

Independently of cutting off all extraneous competition in the sale of drugs for medicinal purposes, this provision would ultimately be the means of consummating that great desideratum which should form the chief object in the scheme of Medical Reform, "the separation of the trade and profession of medicine."

Clause 41 contains an enactment closely connected with the preceding, from which much advantage would be derived by the Druggist; it will be advisable to take the same into consideration, pursuant to which I transcribe it:—

"And be it enacted, That no Medical Practitioner shall employ any person as an assistant who does not possess a diploma of qualification, or a certificate to practise medicine, unless such persons so being assistants to any medical practitioner shall be apprentices for any period not exceeding seven years, and duly registered."

The obvious effect of this clause would be the establishment of that barrier between the practice and sale of medicine now generally contended for, by confining those general practitioners who choose to obtain a license to carry on the trade of a Chemist and Druggist to the employment of their own members, the Druggist's assistant being no longer available; and as it is not to be supposed young men, possessing certificates to practise, will content themselves with

* Mattoc, s., a pickaxe.—*Johnson's Dictionary.*

being mere dispensers, or, as the case may be, mere venders of drugs, the duties of the retail and dispensing departments would necessarily devolve upon themselves, to the no slight hindrance of their practice and professional advancement, which would eventually be the means of restricting them to practice, causing them to close their shops and dispensaries. It is a common practice with apothecaries, or as they are termed in modern parlance, "General Practitioners," to engage young men educated as Druggists as their assistants, although by so doing the assistant may be subjected to a fine of £5; thus it appears these gentlemen are not very scrupulous about infringing the Act themselves, although extremely eager to enforce its enactments against their rivals for any slight trespass upon their peculiar province.

Clause 30 provides "That the Medical Senate shall make bye-laws to regulate the education of students, and the examinations for diploma of qualification to practise medicine, or to carry on the trade of a Chemist and Druggist."

This clause has been violently opposed, and has caused much ill feeling, owing to a very general, though doubtless erroneous opinion, that Chemists and Druggists would be subjected to much annoyance from the power possessed over them by their opponents, and it has been suspected that they would be influenced by private pique or interest in the exercise of a rigorous examination for the sole purpose of rejection and exclusion; but on an impartial view of all the circumstances of the case, I confess I can find no grounds for arriving at that conclusion. It should be borne in mind, the Senate would comprise nine persons selected by the councils from amongst themselves or others, three each council, to continue in office five years, whereby it would, most probably, consist of all classes of the Profession, Physicians, Surgeons, and General Practitioners, and as the councils are to be elected from and by the whole body of Medical Practitioners, every three years, the council for each kingdom to consist of twenty members, there surely can be no plausible objection to a Senate thus constituted being empowered to make bye-laws to regulate the examination either of Practitioners or Chemists and Druggists. Moreover, the extent of the Druggists' privileges being accurately defined, and the fact of the Apothecaries being incorporated into the one faculty of "Medical Practitioners," there would be no grounds for anticipating any kind of opposition whatever, as the chief cause of their present differences, the infringement of each other's prerogatives, would be removed, and, as a

necessary consequence, no inducement could exist for the Examiners to extend the examination of the Chemist further than would be necessary to ascertain that he possessed the requisite qualifications for the efficient performance of the several duties of his profession. The examiners, it should also be observed, would be appointed annually by the councils from amongst themselves or others; the supposition, therefore, that they would be influenced by any vindictive feelings towards their late, though no longer rivals, is too preposterous to be entertained, and can only be attributed to the alarm occasioned by an unjustifiable attack upon existing privileges, and an imperfect acquaintance with the provisions of the Act. In Clause 28, there is provision made that it shall be lawful for any member of the Senate, if he think fit, to be present at any examination to be holden by any examiners appointed by virtue of the Act.

Clause 32.—“ And be it enacted, That the senate shall cause their registrar to publish, under their direction and authority, a book containing a list of medicines and compounds, and the manner of preparing them, together with the true weights and measures by which they are to be prepared and mixed, and containing such other matter and things relating thereto as to the said senate shall seem requisite, to be called ‘The British Pharmacopœia,’ and the senate shall be empowered to alter, amend, and cause to be republished such Pharmacopœia as often as they shall deem it necessary, and every Chemist and Druggist shall mix, make, and compound all and every the medicines and compounds therein named according to the receipts and directions therein contained, and according to no other formula, and to use the weights and measures therein prescribed, and to obey in all respects the orders and matters there set down and directed.”

The establishment of a national Pharmacopœia, in which would be concentrated all the useful articles of the existing three, together with the rejection of all those that have become obsolete, and which experience has proved to be useless, thereby diminishing the list of *materia medica*, would indeed be an era in the profession of medicine and pharmacy, and would be hailed with satisfaction by pharmacologists in general; as by reducing the number of preparations required to be kept by the dispenser, it would greatly tend towards simplifying the process of dispensing. The above enactment would also go far towards the removal of that “drag chain” upon the progress of pharmacy,—the fraudulent competition in the sale of medicines, by compelling all to compound the same description of commodity.*

* Vide various powerfully written articles on the adulteration of drugs in “The Chemist.”

If the spirit of the above enactment should not meet with the approbation of all, it is presumed, they who can censure it are themselves the defaulters ; as the provision empowering the Senate to alter, amend, and republish as often as they shall deem it necessary, is evidence sufficient that no barrier to either improvement or discovery is contemplated : and surely the constitution of the Senate would be a sufficient guarantee that a work, equally practical and worthy of the advanced state of pharmaceutical chemistry as the present Pharmacopœia, would be produced ; especially as the wholesale manufacturer is not, even now, tied down by the College to an invariable form of preparation of those articles which are readily tested as to purity and strength.—See pages 6 and 9 in the Preface to Phillips's Translation of the Pharmacopœia.

For further arguments in support of this enactment, the reader is referred to an Appendix to the eighth edition of Dr. Paris's Pharmacologia, pages 5, 6, and 7.

Clause 44, "And be it enacted, That from and after the passing of this Act, every Medical Practitioner, and every Chemist and Druggist, shall be exempt from serving on all Juries and Inquests, and all Parochial Offices whatsoever, and in the Militia, and as a Constable, and their names shall not be returned in any list of persons liable to serve such offices as aforesaid."

The exemption here provided from serving these several offices must be acknowledged necessary, as being essential to the public safety, by not withdrawing the superintendence of the Druggist from his business ; it would likewise have the effect of placing the Chemist and Druggist more on a level with other professions, and would materially tend to his advantage, as these numerous calls upon his time cannot be looked upon in any other light than so many interruptions to the efficient performance of the already sufficiently onerous and important duties connected with his calling.

Clause 39, provides that any person who shall sign a declaration that he has carried on the trade of a Chemist and Druggist, or been an assistant or an apprentice, previous to the passing of this Act, shall obtain a licence to carry on the business of a Chemist and Druggist, in all respects the same as if he had obtained a diploma. Thus, the present race of Chemists and Druggists would be enabled to exercise their business as heretofore, unfettered by any of the foregoing restrictions, saving that which prohibits them from practising ; and if it is admitted that any advantage would have accrued from any of the enactments previously considered, it must

likewise be admitted, *that* advantage would have been immediate,—a circumstance which cannot be supposed, in connexion with the above clause, to militate either against the interests of the trade or the future success of the measure.

Having completed the analysis of that portion of the Medical Bill which involves the interests of Chemists and Druggists, the elements of which have been duly developed, as the process has proceeded, I beg to refer those who are desirous of a further acquaintance with the abbreviated clauses, or such as have been altogether omitted, as not requiring consideration, to a summary of the same at the end of this paper; those who require more, to the Bill itself: and in order to effect a solution of the original question, I proceed to a

REVIEW OF THE PHARMACEUTICAL SOCIETY.

In a review of the Society, it is not my intention to adopt the plan pursued with respect to the Medical Profession Bill; but, rather that of a general review of its operation in connexion or comparison with the latter; particularly as there is nothing in the Act as herein defended, opposed to the existence of the Society. But, it is presumed, the Society must limit its attention to the education, instruction, and support of its members, thereby upholding the respectability of the trade, and conducing to the advancement of pharmacy. With a view to explain this opinion, I will state the objects with which the Society was established, also the principles upon which it is established, in its own words: “The Pharmaceutical Society of Great Britain is instituted for the *purpose of uniting* the Chemists and Druggists *into one ostensible, recognised, and independent body*—for *protecting their general interests*,—and for the *advancement of pharmacy*, by furnishing such a system of education, as shall secure to the profession and the public, the safest and most efficient administration of medicine.” Let the Society discard the first of these objects from its more immediate consideration, that is to say, its method of attaining it, and by confining itself to the carrying out the last object; by the means, and upon the principle there stated, the second will be inevitably secured; I repeat, let the last object be kept in view, if possible, to the exclusion of all others, and let the educational system be of a nature, and conducted in such manner as shall not fail to ensure the object contemplated; and when the proficiency of its members shall be secured, then, and then only, can they honestly maintain their “right to prescribe:” they

can do so now only on the plea of custom, or the wants of society, which is certainly rather more rational. Henceforth let them assert their right on the score of their competency, in connexion with the more moral ground of necessity,—necessity consequent upon the secession of the Apothecaries from duties to which the Chemists and Druggists aspire, and which they are required by an unanimous public to assume; but which, like the dog in the manger, in the fable of old, the Apothecaries are unwilling to resign, and equally unable to avail themselves. This is the true state of the case, and it is needless to speculate upon the cause of this secession, and consequent change of positions, though some might, possibly, ascribe it to the very general dissemination of knowledge now so prevalent, and the consequent advancement of the age in the arts and sciences; whilst others would attribute it to a spirit of pride, emulation, or ambition.

But to return to the consideration of the plan pursued by the Society. The necessity of instituting a board of examiners distinct from the existing medical corporations,* as contemplated by the Society, may be questionable; the propriety of this step has not been sufficiently established, and may be more independent than politic, as, after all, it will be obliged to avail itself of professors from the adverse ranks of existing medical bodies,—the very thing so violently, though somewhat absurdly, opposed at the outset. Certainly, there would be this difference,—being employed by the Society, they must act in unison with such method and regulations as are propounded by its laws.

The establishment of a school of Pharmacy is a great desideratum; and the various objects contemplated in connexion with the school are all highly praiseworthy and equally desirable, and deserve the support of the whole body of the trade, and others interested in the progress of the science of Pharmaceutical Chemistry. Such, for instance, as the periodical assemblage of the trade with members of the Faculty, for scientific discussion, and reading papers on subjects which relate to their daily avocations, with the subsequent publication of the proceedings in the form of “Pharmaceutical Transactions;” the construction of a laboratory for the use of members of the Society, and others desirous of prosecuting practical research in the science of Chemistry and Pharmacy, in connexion with a museum of *Materia Medica*, and a library of standard works for the use of

* I am informed a deputation has been appointed to wait upon the College of Physicians with a view to the consideration of this subject.

members and students, also the instituting of lectures on chemical and pharmaceutical operations. These are the objects which form, as they should do, the basis on which is founded the educational system of an institution designated the "Pharmaceutical Society of Great Britain." It will be well with the Society if it confine itself to similar objects, which alone form its legitimate field of action, and wisely confide the government, together with the protection of the trade, to the hands of the Legislature, which has repeatedly shown itself not inimical to its interests, by the rejection of those restrictive measures with which it has been sought at various times to surround it.

It is with sentiments of great respect I mention the laudable efforts of those gentlemen whose philanthropy suggested the establishment of a benevolent fund;—a fund which, from the nature of the objects embraced, pre-eminently claims the attention and support of the affluent and munificent; and I humbly beg the founders to accept this my sincere tribute of esteem.

There is nothing in the foregoing observations opposed to the Pharmaceutical Society, further than is contained in the opinion, that the principles upon which it is established can only be advantageously carried out in connexion with an Act of Parliament or Charter, by which alone its regulations can be effectually enforced. It has repeatedly been urged that a Charter must be drawn up on certain fixed principles, and that those principles ought to be practically tested before such an instrument can be obtained. I would inquire if such actual demonstration of the successful working of the systems of other Societies has been required, previous to their obtaining the protection sought? If not, why should not the Pharmaceutical Society be equally successful? It would appear the originators themselves mistrust the efficacy or propriety of their designs, otherwise, if the principles upon which the Society is based are just, and known to be practical and advantageous to society, why should its founders delay their application for that sanction and authority, which can alone crown their labours with success? Sufficient has already been compassed to compel even our enemies to admit that we are at least influential as a body; and shall we neglect the *only* means by which we can become united? I fear, if we seek not the one until we are ostensibly the other, the objects of the Society will be no nearer advanced towards attainment half a century hence than now. Hitherto it has been customary to grant protection to Societies, on the *principles* upon which they

were established, regardless of the minor details of the systems of government. With respect to the Pharmaceutical Society, its laws having been promulgated, what further proof can be required than that it will be alike beneficial to the trade, the profession, and the public? An institution founded upon the principles declared requires no probationary period, its advantages being at once apparent. The very attempt to obtain Legislative aid would tend to strengthen the bond of union, and ensure additional support. In defence of this hypothesis, I copy the following from a notice of the Pharmaceutical Society in the "Medical Gazette" of 30th July:—

"It is not difficult to foresee that a Society of this kind, however laudable its objects, will be limited in its capabilities of doing good: possessing neither the advantages of a Charter, nor the exclusive privilege of granting licenses, it cannot be expected to exert a general, much less a universal influence; and it will be open to opposition from other sections of members of the same calling. In its present state the Pharmaceutical Society is more analogous to the Medical and Chirurgical Society than to the College of Surgeons; and though, like the former, it may grant honour to its associates, it cannot grant even so much of privilege to them as the latter can. It is to be hoped that its present is only an embryonic state of the Society, and that the designs of its founders may ere long be carried out. There can be no doubt that 'the support of Government in completing the success of the measures,' which it is said may 'reasonably be anticipated,' should be one of the main and first things sought for. Nothing would be a better security against the dreaded evils of a reform forced upon them by others, than for the whole body of Pharmaceutists, through their Society, as a representative organ, to seek for leave and power to reform themselves, and to offer to submit to laws which they can prove to be desirable for the public as well as for themselves." The question here may be propounded, what is to prevent the future enactment of such a provision as that contained in Clause 34 of the Medical Profession Bill? wherein it is set forth, "no person shall have the power of granting licenses to practise medicine, or to carry on the trade of Chemist and Druggist, other than by virtue of this Act."

Having applied the several rules laid down for the investigation and solution of the question with which we set out, it now becomes necessary to state the result of the inquiry thus pursued.

The Medical Bill has been shown to be a compound of good and evil. On a division of its elements, a very considerable alloy of

base metal has been proved to exist ; still there has been found, at least, an equivalent of the precious, so that, as a whole, the combination may be considered even valuable, doubtless much more so than the spurious imitation which succeeded, and others of a similar description which probably will follow. I conceive it, however, to have been clearly established, that it contains such a considerable proportion of good material, as, upon the abstraction of its baser components, to leave a metal of sufficient purity to be converted into standard coin for immediate circulation, from which would be derived some really tangible advantage. On the other hand, a review of the Society has shown it to be established on principles which will enable it to do much ultimate good ; but, in its present condition, it is subjected to certain opposing interests that tend to undermine its foundation, or, at least, to neutralize its operation, and thus inert, to be scarcely capable of carrying out any *immediate substantial* advantage. Thus it would appear, owing to its very limited power, the benefits to be derived are by far the greater part uncertain, and at best only in perspective.

It was proclaimed by Mr. Cooper, at the meeting of the trade, held at the Crown and Anchor Tavern, on 15th of February, that Mr. Hawes's Bill would confer a boon upon the trade. I am not inclined to dispute this assertion, neither am I prepared entirely to concur with it ; but I maintain, that with the amelioration of the one objectionable clause, viz., that prohibiting Druggists from practising in the minor medical and surgical cases, and which, I think, must generally be allowed to be the only feasible objection that can consistently be urged against it,—it would realize more immediate benefit to the trade than it is possible for the Pharmaceutical Society to confer, unless chartered or otherwise protected ; at all events, the restrictive measures or other disadvantages, other than the clause referred to, would not be inflicted on the present generation.

In drawing up this investigation, my endeavour has been to show there were very many good points in the Bill introduced to the notice of the Legislature by Mr. Hawes, which, in the heat of debate, from the anxiety evinced to repel an unjust attack, and the impulse of the moment, were unfortunately overlooked, and to call the attention of all those interested in the question to their consideration ; as I am of opinion that much immediate advantage would be derived by the community in general, and the Chemist and Druggist in particular, on the passing of the said Act, with the proviso herein suggested. Though to pass the muster-roll of public opinion, and obtain credit for its disinterested and impartial legisla-

tion, it must eschew all such dubious expressions and enactments as those which relate to restraining those only who "practise for remuneration or gain;" for, independent of such palpable disclosures of the real object sought, it is but too evident that individual advancement, self-interest, and pecuniary advantage, are the prime instigators of the proposed scheme of reformation in the government of the medical profession, rather than the *public weal*, however plausible the arguments advanced, or specious the garb in which they may be clothed.

I will ask, in conclusion, if the present state of the trade is so satisfactory, and the whole body in such prosperity, as to require no immediate protection or relief? If such can be proved to be the case, I fancy we shall soon have the Apothecaries resuming their original occupation. Whether the advantages to be conferred on succeeding generations by the Society, are considerations superior to the present,—is a question, the reply to which, by the more affluent, is not difficult to guess; but for an impartial answer, I appeal to the body of the trade. Whether those advantages will be superior to any that can be at present obtained, remains to be seen; and I will conclude with the suggestion, that it is possible, in legislating for the future, as entirely to overlook the evils of the day, as it is, in legislating for the present, to disregard the future.

Pursuant to

A DEFENCE OF THE DRUGGISTS' "COUNTER PRACTICE,"

I introduce as my text the Postscript to Dr. Marshall Hall's Letter on Medical Reform:—

"P.S. I observe, in the resolutions passed at a recent meeting of the Chemists and Druggists, that that respectable body are about to petition Parliament to uphold '*their right to prescribe!*' It will be a question doubtless with the Legislature, whether these gentlemen may be allowed to combine with this *right*, the *right* and peculiar privilege of being ignorant of anatomy and diseases; whether they may enjoy, at the same time, perfect immunity from the *education* and the examination 'which the Legislature has wisely appointed to the *practitioner* of medicine.'"

The pertinacity with which Medical Reformers adhere to this sinister interpretation of the Druggists' very rational claim is perfectly astounding: at the same time it must be acknowledged that the Pharmaceutical Society, whilst defending the Druggists' "right to prescribe," admits his incapacity to exercise the right, and enforces a system of education in order to fit him in future for the exercise of

the privilege; and evidently it is the only rational and practical measure that can be adopted towards remedying the evils complained of; and it does not militate a little against these sticklers for the examination of Chemists, that their scheme of education should not have extended to the qualifying them for the exercise of the privilege of prescribing in the minor casualties to which flesh is heir. Yet it is a little singular that these reformers, the very prototype (if I may use the expression) of certain other reformers in their desire for an equalisation of all such *dignities, honours, or emoluments*, as are at present without their reach, should have contemplated a system of education and examination with respect to Druggists at all, particularly at a time when they sought to deprive them of the power of advising, which would greatly diminish the necessity of those acquirements, which when attained would infallibly tend towards an extension rather than a diminution of the evil, more especially as it is admitted that the Druggists are making progress *pari passu* with the Apothecaries, and between whom the distance is not so great, but as to create considerable jealousy amongst the latter, who look upon the Chemist and Druggist, even now, as their rival. It has been said, and truly so, "no Legislative interference could point out where the line of demarcation should be drawn;" difficult indeed would be the attempt to fix a precise limit, up to which point the Druggist should proffer his aid and no further: a nice legislative discrimination that truly, which should attempt to define the amount of relief which should be either sought or tendered in sickness! It might with as much propriety set about assigning the boundary to disease itself. But the Legislature can authorize the Druggist to use a discretionary power which the possession of knowledge could alone enable him to do; therefore it is necessary he should receive such an education as would render him capable of discriminating as to what cases were within his experience and consequent control. It would be well if all Practitioners could be subjected to the same discipline, that of non-interference with all such cases as they were incompetent to undertake. Authorizing Druggists to advise in the less important ailments and trivial surgical cases, and inflicting fines and penalties, where injury is proved to have resulted from indiscretion, either by exceeding their province or the standard of their abilities, would greatly tend towards establishing the above supposed impracticable barrier to the Druggists' practice; at least it would act as a caution to him to restrain his practice within his experience and skill; whereby would be accomplished the

removal of "that frightful evil called 'counter practice,' exercised by unqualified persons, which has been a disgrace to the operation of the laws relating to medicine in this country, and which doubtless has been attended with a dreadful sacrifice of human life."—See "Lancet," Sept. 11. The editor of "The Lancet" has been politely requested to favour us with the number of deaths from "Counter Practice" that have come before him during the time that he has officiated as Coroner for the county of Middlesex.

Of a piece with this is the following:—"The existence of such a body as the untaught tradesmen who arrogate to themselves the title of Chemists, remains as one of the most amusing absurdities of the nineteenth century."* The author of this strange paragraph may, however, console himself, if he can, with the knowledge of the fact, that the body which he thus unceremoniously attacks is not to be annihilated or put down by any such churlish observations; any more than the thousand-and-one of a similar and perhaps more justifiable character levelled at the profession generally, will have the effect either of suppressing or teaching them, that they likewise are not infallible, much less of inducing them to observe the divine command—"Do unto others as you would they should do unto you." Moreover, as the trade is governed and constituted, even at the present day, it is presumed no Druggist would venture both property and reputation by going further than he ought, by giving advice in any case which his deficiency of knowledge made him incompetent to treat.

But the old maxim—"practice makes perfect," stands good with respect to physic; and herein is that "monstrous evil" of which, in common honesty, the Surgeon-Apothecaries should complain; for even if it were possible to assign a limit to the Druggists' interposition, it must ultimately give way to the further acquirement of knowledge; and why should it not be so? The progress of science cannot be impeded; the practice of medicine, like other matters, must be progressive; none, or very few, I imagine, attain eminence immediately on embracing the profession of physic.

In proof of the actual necessity of the Druggists' interposition in slight cases, I insert the following copious extract from the leading article of the Medical Gazette of Sept. 10th, to which I also beg to refer my readers for much additional matter of a valuable description, that strongly bears upon the point in question.

"The great majority of the sick poor who can leave their houses,

* Dr. G. O. Rees, "On the Analysis of Blood and Urine," p. 10.

fall under the hands of the Chemist and Druggist. They are unable to meet the terms necessarily demanded by respectable practitioners, and are obliged to resort to Chemists. The only other resource is the dispensaries, and other establishments where medical aid is gratuitously afforded; but these, numerous as they are, are altogether insufficient to supply the assistance needed by those who cannot pay. It becomes therefore a question, whether, if this class of patients be actually removed from the charge of licensed practitioners, some other means should not be devised for their aid; and if there should be, the only plan seems to be, the licensing, after a competent examination, of the Chemists and Druggists. There can be no reasonable objection to a plan which would prevent Chemists from exercising their present calling without a security that they are sufficiently acquainted with the nature of the substances in which they deal, to prevent them doing mischief; nor do we anticipate any evil would result from a measure which should permit them further (when examination had proved them competent), to advise remedies for the less important, and not dangerous maladies. They do so now illegally, and the mischief they inflict on the profession is not great, because very few go to them who can afford to pay a more regular practitioner. The mischief would be no greater if they were allowed to do so legally; nor would the profession be then aggrieved more than now; but, at the same time, the advice given to the poorer classes of the public might be very much improved, and thus at least a considerable amount of benefit would be in the end conferred."

Again, the same periodical of July 30th observes:

"If we have ever spoken with harshness of Chemists, it has only been with reference to those who, neglecting their legitimate occupation, interfere with the proper province of the licensed medical practitioner; and against these we shall never cease to offer strenuous opposition, unless they consent to undergo the ordeal of such an examination as may prove them to be competent to practise in the treatment of the minor medical and surgical affections. If they will do this, then let all those who, either for the sake of economy, or owing to the trifling nature of their disorders, would not employ the medical practitioner of the higher order, become the legitimate patients of the licensed Chemist; let him treat them legally, and it may be judiciously, whom now he treats illegally and ignorantly. Indeed, we have little doubt that the course of a few years will see some system of this kind established: the public

will not consent to be without cheap medical advice, good or bad ; and if it is not to be found in the ranks of the regular profession, they will go to chemists, or any other person who will offer it to them—it matters not with how great an amount of false pretensions.”

The only point at issue between the above plan, and that herein advocated, is that of licensing, and which I beg explicitly to state, is a much more extensive privilege than is either sought or contemplated ; it being simply required that the Legislature should recognise the discretionary power at present exercised by the Chemist and Druggist, on condition of his receiving an education proportioned to the duties of his peculiar province ; they have no desire, under the protection of a license, to cast off that responsibility, which, in case of any serious injury resulting either from improper treatment, or want of due precaution, renders them amenable to the common law of the land, and subject to fines and punishment as for a misdemeanor.

I will conclude this article with the observations of the Editor of the Pharmaceutical Transactions, which I use in reply to the following remarks, extracted from a notice of the meeting of the trade on the 15th of February, by the editor of “The Lancet.”—“But when these gentlemen contend that they ought to be permitted to *practise* medicine as physicians, surgeons, and apothecaries, to execute all those high functions which can only be discharged with advantage to the public by competent and experienced persons, by men of research and learning, they are asking for a privilege which an intelligent public cannot sanction,’ &c.—All this is sheer sophistry ! The question is not,—Whether Druggists ought to be invested with all the authority of medical practitioners ? This we never pretended to claim, as it would nullify the fundamental laws which regulate the profession. Yet it is necessary that Druggists should be allowed to explain the nature and uses of the substances which they sell ; and as it is impossible to define accurately the boundary between the performance of this duty, and giving advice in simple cases, the discretionary power which they have always possessed is proper, and even necessary.”

“To render aid in immediate distress of any kind is the birth-right of every human being.”

THE DRUGGISTS' "RIGHT TO PRESCRIBE."

"To be, or not to be?—that is the question."

It has lately been attempted to prove that Druggists do not possess the right they have always claimed of advising at their counter; the supposition being founded upon the late decision upon Greenough's case, though his case cannot possibly be held as a precedent, as he was convicted of a direct infringement of the Apothecaries' Act, having greatly overstepped the limits hitherto assigned to be the boundary of the Druggists' province.* The Editor of "The Lancet" has divined that it was the intention of the Legislature on the passing of the Act, that it should not in any way affect Chemists and Druggists, either in prescribing or otherwise. Granting such to be the case, as it is liable to be interpreted so contrary to the original intention, the sooner it is repealed the better. For my own part, I am not disposed to give the Legislature credit for being so benighted in those days; but confess I cannot see how the practice of physic, described as a science and ranked with the professions, can by any possibility be construed to be a part of any trade whatever. If the practising of Medicine and Surgery at that period was considered to form a portion of the Druggist's business, I ask, how was it they were not included in the objects enumerated as relating to his calling? Thus is the provision worded:—

"Provided always, and be it further enacted, that 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 medicinal compounds, wholesale and retail*; but all persons using and exercising the same *trade and business*, or who shall or may hereafter use or exercise the same, shall and may use, exercise, and carry on the same *trade and business* in such manner 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."

* The limit assigned is the power of using his discretion, as a reasoning being, as to the propriety of tendering aid or referring the patient to the practitioner.—The boundary is defined to be his counter—his province that of advising in simple cases as a Druggist, and under no falsely assumed delusive titles.

† If the intention of the Legislature had been, as is ascribed by Mr. Wakley, why not have inserted *recommending*? It could only have been construed to mean to the extent to which he had been accustomed to advise.

‡ Why was *profession* not added?

This being my view of the question, I think the grounds upon which Druggists have claimed their exemption from the operation of the Act, fallacious; and doubtless the various decisions in their favour have turned upon what was consistent with reason and the usages of society, and not upon what was the intention of the Legislature, or the literal state of the law, even though under the direction of the judges. Accordingly, I heartily join Mr. Wakley in his recommendation to the Pharmaceutical Society.—“To at once turn its attention to the question,” with a view to have it satisfactorily decided, and for ever set at rest. And if we do not possess the right which, according to my reading, I think *we do not*, let the whole body of Chemists and Druggists unite, and through the instrumentality of the Society, as the representative of the trade, at once petition Parliament to recognise the right, and thereby confer the privilege which alone can check further aggression, and establish the legitimate province of the Chemist and Druggist, and at the same time afford them protection from the encroachments and innovations of others.*

I am aware the privilege can be neither sought nor granted, but on condition that the members of the trade shall in future receive an efficient and uniform education, and pass an examination, and this they have shown themselves willing to undergo, as witness the establishment of a School of Pharmacy in connexion with their Society. But do not let me be misunderstood to advocate any other than the discretionary privilege before-mentioned.

I urge this the more especially upon the notice of the Pharmaceutical Society, and the trade in general, as it is more than probable, as *hinted* by Mr. Wakley, that the trade will experience a speedy repetition of these actions, the balance having been once struck in favour of the Society of Apothecaries.

I will briefly conclude these observations with the following respectful suggestion to the Council of the Pharmaceutical Society:—
To take immediate steps to avail itself of the late fortunate occurrence, and endeavour to obtain the countenance of Royalty on this truly momentous occasion. It will appear somewhat paradoxical, should

* Should it be urged that this would make us Apothecaries, I beg to refer those who make the assertion to the Directories, for proof that it is even necessary, as that useful class of practitioners have become almost extinct, the surviving eight or ten being quite inadequate to the wants of the public. And if the present hall should be proved sufficient for our purpose, I think my brethren will concur with me in the opinion that it will be *so much the better*.

the Council neglect this opportunity to secure that aid, through the instrumentality of which it can alone effect the professed objects of the Society; but rather let us hope it will hail this auspicious event as a bright omen of success and national prosperity.

Having been given to understand, since writing the above, that the Council is only waiting for *power* to take measures for obtaining a charter, I avail myself of this opportunity to suggest to my brethren the expediency of their immediately enrolling themselves members of the Society, thereby affording the Council the necessary means to secure that protection which shall raise the Society from its present powerless state, and firmly establish an *Institution* which will confer infinite credit on its supporters, and do honour to its founders, and the present reign.

63, *Great Marylebone Street,*
Nov. 1841.

CLAUSE CONCERNING ASSISTANTS AND APPRENTICES.

CLAUSE 41.—And be it Enacted, That no Medical Practitioner shall employ any person as an assistant who does not possess a diploma of qualification or a certificate to practise Medicine, and no Chemist and Druggist shall employ any person to assist him in the actual vending of drugs and medicines who does not possess a diploma of qualification to carry on the trade and business of a Chemist and Druggist, or a license, unless such persons so being assistants to any Medical Practitioner or Chemist and Druggist shall be apprentices for any period not exceeding *Seven Years*, and duly registered: Provided always, That any person being an assistant to any Medical Practitioner, or to any Chemist and Druggist, shall not be required to take out his annual certificate or license during the time he shall be so actually employed.

CLAUSES

RELATING TO

CHEMISTS AND DRUGGISTS.

CLAUSE 30.—And be it Enacted, That it shall be lawful for the said Senate, and they are hereby required to make such bye-laws for the United Kingdom, regulating in all respects the education of candidates applying to be examined for a diploma of qualification to practise Medicine, or to carry on the trade and business of a Chemist and Druggist, and also regulating the examinations of persons prior to the granting of the said diploma, as from time to time shall to the said Senate seem meet and proper; and such persons only who shall comply with such bye-laws as aforesaid, shall be admitted to such examinations, or be entitled to the benefit thereof; and all examinations for a diploma to practise Medicine, or to carry on the trade and business of a Chemist and Druggist, shall in all respects be held, carried on and conducted in the manner prescribed by such bye-laws as aforesaid.

CLAUSE 34.—And be it Enacted, That from and after the publication of the bye-laws for the regulation of the examinations of persons applying for a diploma of qualification to practise Medicine as herein provided in the London Gazette, no corporation sole or corporation aggregate, nor any University, nor any person whatsoever, except under the provisions contained in this Act, shall have the power of granting any diploma, certificate or license to practise Medicine, or to carry on the trade and business of a Chemist and Druggist, in any part of the United Kingdom of Great Britain and Ireland.

CLAUSE 35.—And be it Enacted, That each of the Councils hereinbefore mentioned shall choose and appoint annually from amongst themselves or others fit and proper persons to be examiners for granting diplomas of qualification to practise Medicine, or to carry on the trade and business of a

CLAUSE 39.—And be it Enacted, That the said Registrars shall grant a license to every person who shall apply within *Twelve* calendar Months next after the passing of this Act, and who shall sign a declaration, that he has carried on the trade and business of a Chemist and Druggist, or been an assistant or apprentice to a person carrying on the trade and business of a Chemist and Druggist, previous to the passing of this Act; and it shall not be necessary for any such person to renew such license annually, unless he shall think fit so to do; and if he shall so think fit, the several Registrars are required to renew such license annually upon the payment of the same sum, and in the same manner in all respects, and according to the same form of license, as is herein provided for persons possessing a diploma of qualification to carry on the trade and business of a Chemist and Druggist; and the several Registrars shall publish the names and places of abode of all persons as aforesaid who shall renew their licenses annually in their respective medical lists, together with the names of the persons as aforesaid obtaining a license and possessing a diploma of qualification to carry on the trade and business of a Chemist and Druggist: Provided always, That if any person as aforesaid shall once renew his license as aforesaid, it shall not be lawful for him to carry on the trade and business of Chemist and Druggist, unless he continue to renew it annually during the time he carries on the said trade and business.

CLAUSE 40.—And be it Enacted, That every Medical Practitioner and every Chemist and Druggist having any assistant or apprentice in his employ shall, before the Thirty-first day of December in every year, transmit to the Registrar acting for that part of the United Kingdom of Great Britain and Ireland in which such Medical Practitioner or Chemist and Druggist resides, the name of such assistant or apprentice, together with a declaration in writing, signed by himself, according to the said Form, and each of the Registrars are hereby required to register in a book the names of the persons so transmitted to him as being apprentices or assistants, and insert them in the respective medical list published next after receipt of such declarations.

CLAUSE 46.—And be it Enacted, That if any person shall wilfully procure, or attempt to procure, from any Registrar a diploma of qualification to practise Medicine as hereinbefore provided, or a diploma of qualification to carry on the trade and business of a Chemist and Druggist as hereinbefore provided, or a certificate to practise Medicine as hereinbefore provided, or a license to carry on the trade and business of a Chemist and Druggist as hereinbefore provided, by making or causing to be made any false or fraudulent representations, either verbally or in writing, or shall by any false or fraudulent means whatsoever possess, obtain or attempt to obtain any diploma, certificate or license as aforesaid, every such person so offending, and every person aiding and assisting him therein, shall, upon being convicted thereof, be adjudged guilty of a *Misdemeanor*, and thereupon it shall be lawful for the Court before whom such offender shall be

tried and convicted to sentence such offender to be imprisoned, with or without hard labour, for any period of time not exceeding *Twelve* calendar Months.

CLAUSE 47.—And be it Enacted, That if any person required by this Act to make a declaration shall wilfully make or sign a false declaration, he shall, upon conviction thereof, be adjudged guilty of a *Misdemeanor*, and thereupon it shall be lawful for the Court before whom such offender shall have been tried and convicted to sentence him to be imprisoned with or without hard labour, for any period of time not exceeding *Six* calendar Months.

CLAUSE 48.—And be it Enacted, That every person not being duly qualified according to the provisions of this Act, who shall practise Medicine for remuneration or gain, either directly or indirectly, or who shall carry on the trade and business of a Chemist and Druggist, shall forfeit and pay for every such offence the sum of *Twenty Pounds*.

CLAUSE 49.—And be it Enacted, That every Medical Practitioner and every Chemist and Druggist who shall employ any assistant not being duly qualified according to the provisions of this Act, or who shall neglect to make a declaration of any person being an assistant or apprentice in his employ according to the provisions hereinbefore contained, and every person not being duly qualified according to the provisions hereinbefore contained, who shall act as an assistant to any Medical Practitioner or Chemist and Druggist, shall forfeit and pay for every such offence any sum not exceeding *Ten Pounds*.

CLAUSE 53.—And be it Enacted, That every person who at the time of the *passing of this Act* shall be the proprietor of any patent or other medicine for the sale of which it is now requisite that a license should be taken, and on which a stamp is required to be placed, shall, within *Twenty Days* after the passing of this Act, cause his name and residence to be registered at the Stamp Office, together with the name or denomination by which such medicine has been sold to the public, and that such medicines, so registered may continue to be sold by all licensed persons as heretofore.

CLAUSE 54.—And be it Enacted, That the heirs, executors, administrators or assigns of such proprietors, their heirs, executors, administrators and assigns, and also any person who shall become proprietor of any such medicine, whether by inheritance, gift, bequest or purchase, shall within *Twenty Days* of his becoming the proprietor either in whole or in part of any such medicine, cause his name and residence to be registered at the Stamp Office, as before directed, and that such medicines, so registered, may continue to be sold by all licensed persons as heretofore.