misdemeanor. This decision appeared to the Society to suggest a mode of proceeding for checking the illegal Practice of Medicine which might be attended with such important results, that they determined to lose no time in obtaining the highest legal opinions upon the subject. They therefore laid a Case before the Law Officers of the Crown, and it will be found from the answers given to the questions submitted to the Attorney and Solicitor General, in consultation with Mr. F. Robinson, that it is the opinion of those learned gentlemen that an indictment will lie against a person who has practised as an Apothecary without legal qualification. The Society subjoin the questions proposed to counsel, and their answers thereto.

QUESTIONS.

1st. Whether an Indictment will lie against a person who has practised as an Apothecary without legal qualification, notwithstanding the particular penalty imposed upon persons so practising by the 20th section of the Act, and the disability imposed upon them by the 21st section? and if you should be of opinion that an Indictment will lie.

2nd. In what Courts, metropolitan or provincial, could such an Indictment be preferred; and could it be preferred at the instance of a private prosecutor?

3rd. Would it be competent for the Society of Apothecaries to prefer such an Indictment, notwithstanding the interest given to the Society in the pecuniary penalties imposed by the 20th section, and the particular remedy given to the Society for the recovery of such penalties?

4th. What would be the extent of punishment which could be inflicted by law upon a person convicted of the offence of practising as an Apothecary without legal qualification?

5th.—Can any more summary proceeding than an Indictment be resorted to, for the punishment of persons practising as Apothecaries without legal qualification?

ANSWERS.

1st. We think that an Indictment will lie against a person who has practised as an Apothecary without legal qualification, notwithstanding the particular penalty imposed by the 20th section of the Act, and the disability imposed by the 21st section.

2nd. The Indictment may be preferred in any of the ordinary Criminal Courts having cognizance of misdemeanors committed in the county, or place, in which the party has so illegally practised, and it may be preferred at the instance of a private prosecutor.

3rd. We think it is competent for the Society of Apothecaries to prefer the Indictment.

4th. The punishment, as in case of other misdemeanors, would be fine or imprisonment, or both, at the discretion of the Court.

5th. We are not aware that any more summary proceeding than an Indictment can be resorted to, for the punishment of persons practising as Apothecaries without legal qualification.

JOHN JERVIS.

DAVID DUNDAS.

FREDERICK ROBINSON.

Temple, 23rd November, 1846.

It is perhaps hardly necessary for the Society to point out the increased facilities which this mode of proceeding affords for putting the law in force against unqualified Practitioners. Instead of proceeding for the recovery of penalties by a Civil Action, which in the case of a country practitioner could only be tried at the Spring and Summer Assizes, an Indictment may be preferred at the Quarter Sessions and at the Assizes also; and instead of the power of proceeding against unqualified Practitioners being restricted, as in the case of the specific penalty imposed by the Statute, to the Society of Apothecaries, it will be competent for any person to prefer an Indictment who may be disposed to do so.

Another distinction between the two modes of proceeding, which is likely to operate still more powerfully as a check upon illegal practice, is this, that whereas an individual against whom a judgment for a penalty is obtained, under the present form of proceeding, can relieve himself from the consequences of his offence by obtaining his discharge under the Bankrupt or Insolvent Acts, an individual found guilty on Indictment of having practised as an Apothecary without legal qualification, will be punishable by fine and imprisonment, and will have to undergo whatever measure of punishment the Criminal Court may in its discretion award.

The Society sincerely hope that a public intimation, that the penalties of the law can now be enforced against illegal Practitioners of Medicine more summarily than heretofore, will deter all persons from practising as Apothecaries who have not given such evidence of their competency to practise as the law demands. But if individuals who have not possessed themselves of a legal qualification will persist in practising in the absence of such qualification, they will do so at the risk of being criminally indicted for the offence at the instance of any individual prosecutor who may be induced to prefer an indictment against them.

The Society on their part will be ready, as they have ever been, to enforce the law to the extent of the means placed at their disposal, but those means are inadequate to the institution of frequent prosecutions. It may, therefore, be anticipated, that indictments will be preferred at the instance of other parties; and the Society take this opportunity of stating, that they will endeavour to render such experience as they may have acquired in administering the Act of 1815 available in furthering the ends of justice; and that they will be prepared, upon proper application, to furnish any information in connection with the subject of illegal practice which they may have it in their power to afford.

Apothecaries' Hall,

Dec. 10th, I846.

MEDICAL APPOINTMENTS.

Mr. Charles Brooke has been elected Surgeon to the Metropolitan Free Hospital.

Dr. M'William has been appointed Medical Attendant to the Board of Customs.

SOCIETY OF APOTHECARIES.

Gentlemen Admitted Licentiates, Thursday, Dec. 17th:—John Colston, Sheriff Hutton, Yorkshire; George Frederick Hughes Brown, East India Company's Service; Thomas Edward Pearce Martin, Hull; William Bennett, London.

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ERRATA.

Page 608, Heading of the Table, for "Amputation," read "Operation."

— Case 1, for "Ankle, after hæmorrhage," read "Ankle. After hæmorrhage, July 15."

— or "Operation—out door patient, &c., read "Amputation below the knee.† Ligature of femoral artery, July 17."

— Case 12, for "Amputation of thigh, &c., read "Amputation of thigh, Jan. 3. After bleeding, Jan. 11."

— Case 19, for "lesion of vessels, &c.," read "lesion of vessels. After bleeding, August 31."

— for "August, 30, ligature, &c.," read "Ligature of femoral artery, September 5."

Page 609, col. 2, line 17 from the bottom, dele "at present."

Page 610, col. 2, line 30, for "has," read "had,"

— line 37, for "was elevated; left, read "was elevated and left."

Page 611, col. 1, line 6, for "horas" read "horis."

It is necessary to state that the author of the paper in which these errata occur, is fully aware that his MS. is somewhat difficult to decypher; and in consequence of the proof sent to him for correction not being received in time, the errors in the table could not be rectified.