

apothecary in virtue of my diploma. What I had stated was, that I practised as a physician, and as a chemist and druggist; and further, that if I wished so to do, I was legally entitled, in virtue of the Act before alluded to, of which he had taken no notice in his letter to me; and I enclosed confidentially one of the letters I had recently received from the physician I mentioned, to prove to him that I really intended relinquishing general practice, without requiring to be driven out of it. To this letter I received no answer. I therefore conceived that, as it was generally understood, for some years past, that they did not very willingly undertake prosecutions against regularly educated practitioners, I had made some impression on his mind. However, in November I received a notice to appear at the County Court of Wisbeach on the ensuing 5th of December. The trial took place accordingly, and after the informer's attorney had stated the case for the plaintiffs, my attorney took a preliminary objection that the plaintiffs had not fairly placed themselves in court, and then stated the various legal points in virtue of which I had considered myself entitled to act as I had done. The judge said he should take time to consider, and give his judgment at the next court day, Jan. 10th. On this occasion the judge non-suited the plaintiffs, with costs, because they had not brought their case into court in the manner specified by their own Act. This decision I have understood gave great annoyance to the Apothecaries' Company, not only because it inflicted a temporary defeat, but also because it entailed the necessity, in all future actions, of proceeding in a much more troublesome and expensive manner. After a couple of months' delay, I, in March, received a second notice from the County Court, citing me to appear on the 3rd of April. This time the plaint was signed by Upton himself; on the first occasion it was signed by the informer's attorney. It so happened that I had for many months been under recognizances to attend the Norwich Assizes as medical witness in a malicious stabbing case. As, therefore, I could not be in both places at once, I forwarded affidavits of the facts, and had the case put off till the next court day, May 10th, on my paying the costs of the application. In the interim I moved the Court of Common Pleas for a rule *nisi* to stay proceedings in the County Court, on the ground that they had specified four different persons, and four different parishes; and, as the Act inflicts a penalty of £20 for every offence, if I owed anything I owed £80, which was clearly above their jurisdiction. The rule *nisi* was granted by Baron Alderson, and proceedings stayed accordingly, the plaintiffs moving to postpone the trial to the ensuing court day, June 7th. Lastly, on Friday, May 24th, the Company came out in full force to crush me, employing as counsel, Martin, Q.C., M.P., &c., and Robinson, to argue the rule, and they succeeded in getting my rule discharged, and thus driving me back into the County Court of Wisbeach. However, even on this occasion they were not altogether successful; I gained a considerable point, it being decided that they must not take more than one case into court. They must select one of the four, and abide by it. Now, in the former case they jumbled them all together, and proved one thing by one patient and another by another. Such is the present position of this singular prosecution, and, considering the large number of medical men there are practising without the trading licence, I cannot but think that many of your readers will feel interested in the result. If so, I will write to you again, giving you the result of the next step, and at the same time making a few observations on the legal bearings of the Apothecaries' Act itself, as well as of the other, to the benefits of which I am entitled. All I regret is, that I am not a rich man, or I make no doubt I could carry on the contest to a successful termination. It has, however, already been attended with great inconvenience, annoyance, and expense; and if the Company is determined to persevere with action after action, no man of moderate means can, with his own single resources, long continue to carry on the war.

I remain, Sir, your very obedient servant,

JOHN G. K. BURT, M.D. Edin.,  
Physician to the Southam Infirmary.

#### REGISTRATION OF DEATHS BY MEDICAL MEN.

General Register Office, April 11, 1850.

SIR,—I am sorry to learn, from your letter of the 9th inst., that you intend to give no more written statements of the cause of death for the purpose of being inserted in the register books, and that you mean to endeavour to persuade all medical men to adopt the same course.

I observe that you do not approve of the law, as it at present stands, making it imperative on a person present at death, or in attendance, to sign the entry in the register books as informant; nor do you seem to approve of the system at present in force, making it incumbent on the coroner to decide whether an inquest should be held when he is informed by the registrar of any case where there may be reason for suspicion; you appear to be of opinion that inquests should be held in all cases where there has been no medical attendant.

The law respecting civil registration might, I doubt not, be in many ways improved; but one alteration occurs to me which would, I think, be beneficial—to make it imperative upon all legally-qualified medical practitioners to give, under a penalty, written statements of fatal diseases to be recorded in the register books of deaths, in all cases where they lose their patients.

You speak of the "official feeling which degrades the medical profession;" if you mean to apply this to me, I shall be glad to learn from you in what instances I have attempted to degrade your profession since I have had the honour, unworthily, of presiding over this department.

I have the honour to be, Sir, your faithful servant,

GEORGE GRAHAM, Registrar-General.

To W. H. Brown, M.D., Walworth.

Dean's Row, Walworth Road, April 15, 1850.

SIR,—I am very well aware that the medical profession has at all times been most courteously treated by you, and I intended no observation of mine to gainsay this. It is not, however, the want of courtesy towards us from our officials, (all of whom, indeed, hold such a rank in society as to forbid the charge,) but of the non-allowance of that credit due to our respectability, and of that authority naturally due to our calling, of which I complain; and this, I fear, for the perfect intelligence of the community, is a general English feeling,—or rather failing.

As I do not appear to have made myself perfectly intelligible to you, you will, perhaps, for the importance of the matter, pardon a brief reiteration of my views.

Firstly. Every medical man, I conceive, is an officer of health to his patients, and therefore of his state.

Secondly. I imagined, until lately, that where death came under medical cognizance, it required medical authority prior to interment, and this, it seemed to me, was a great protection against assassination.

Thirdly. I was aware that when death had not come under medical notice, there being no suspicion, any party present at the decease could register it. I looked upon this, however, as a very wide loophole to crime, and I submitted to you that it would be better if the law appointed a medical man in each district to inquire into, and report upon, such cases prior to the registration for interment.

I would respectfully interpolate here, that I am perhaps weak enough to consider that death comes within the especial province of the medical understanding, and that any body trained to this better comprehends its manifestations than the most respectable silversmith, carpenter, or appraiser, that could be selected to the office of registrar of births and deaths for any district.

Fourthly. I thought that the *public* office of the coroner came into force when the *private* office of the medical man stopped—that is, of course, when this office had been consulted; and you will remark that I would always have it preliminarily consulted, and then, I may add, in reference to your observation, that I would give the coroner no discretionary power.

Thus, as I before observed to you, I would surround the sanctity of life most entirely by the police of medicine and the court of the coroner, and I am clearly convinced that this would afford the only perfectly protective system.

In conclusion, I would inoffensively repeat that any jealous or slighting feeling against the medical profession, and, I must add, any miserable squeamishness with respect to expense, such as that constantly manifested by the Middlesex magistrates in auditing the coroner's accounts, both operating against the due protection to human life, I look upon as highly dangerous to the community, and equally highly discreditable to the better sense of our persons in authority.

I am, Sir, your most obedient servant,

WILLIAM HENRY BROWN, M.D.

To the Registrar-General.