

ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

CAP. CXCIV.

An Act for better regulating the Practice of Apothecaries throughout *England* and *Wales*.

[12th *July* 1815.]

Charter by Jac. 1. to the Apothecaries Company recited.

WHEREAS His Majeſty King *James* the Firſt, by Letters Patent, under the Great Seal of *Great Britain*, bearing Date the Sixth Day of *December*, in the Fifteenth Year of His Reign, did for Himſelf, His Heirs and Succeſſors, grant unto *William Beſſe*, and divers other Perſons therein named, and to all and ſingular other Perſons whomſoever, brought up and ſkilful in the Art, Myſtery, or Faculty of Apothecaries, and exerciſing the ſame Art, Myſtery, or Faculty, then being Freemen of the Myſtery of Grocers of the City of *London*, or being Freemen of any other Art, Myſtery, or Faculty in the ſaid City of *London* (ſo as they had been brought up and were expert in the Art or Myſtery of Apothecaries), that they, and all ſuch Men of the ſaid Art or Myſtery of Apothecaries of and in the ſaid City of *London* and Suburbs of the ſame, and within Seven Miles of the ſaid City, might and ſhould be one Body Corporate and Politic, in Subſtance, Deed, and Name, by the Name of the Maſter, Wardens, and Society of the Art and Myſtery of Apothecaries of the City of *London*; and did ordain and declare, that by the ſame Name they might have perpetual Succeſſion, and have, purchaſe, poſſeſs, enjoy, and retain Manors, Meſſuages, Lands, Tenements, Liberties, Privileges, Franchiſes, Juriſdictions, and Hereditaments to them and their Succeſſors, in Fee Simple and Perpetuity, or for Term of Year or Years, or otherwiſe howſoever; and alſo Goods and Chattels, and all other

other Things soever, of what Name, Nature, Kind, Quality, or Sort soever they should be; and also that they might grant, demise, alien, assign, and dispose of Manors, Lands, Tenements, and Hereditaments, and do and execute all and singular other Acts and Things by the said Name; and that by the said Name of Master, Wardens, and Society of the Art and Mystery of Apothecaries of the City of *London*, they should and might be able to plead and be impleaded, and might have for ever a Common Seal, and the same Seal at their Pleasure from Time to Time might break, change, alter, and new make, as to them should seem best; and His said Majesty did, by His said Letters Patent, ordain and grant unto the said Master, Wardens, and Society of the Art and Mystery of Apothecaries aforesaid, certain Ordinances, Rules, and Regulations, to be observed kept, and maintained by them, as in the said Charter are more fully expressed: And whereas some of the Clauses and Provisions contained in the said recited Charter, so far as the same regard the said Society of Apothecaries, have been found inadequate for the Purposes thereby intended, and it is therefore expedient that the same should be altered, varied, and enlarged, and further and other Provisions made: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Charter of the Fifteenth Year of the Reign of His Majesty King *James* the First, and all and every the Powers, Provisions, Penalties, Forfeitures, Regulations, Clauses, Matters and Things therein contained (save and except suc' Part or Parts thereof as are hereby altered, varied, or repealed), shall be and the same is and are hereby declared to be in full force and virtue, and shall be as good, valid, and effectual to all Intents and Purposes whatsoever as if this Act had not been made.

Charter confirmed, except as altered by this Act.

So much of recited Charter as directs the Master and Wardens, &c. to enter the Shops of Apothecaries and to examine their Medicines, &c. and to impose Penalties, repealed.

II. And be it further enacted, That so much of the said recited Charter as directs that the said Master and Wardens, and their Successors, or some or one of them, or some Assistants by the Master and Wardens to be appointed and assigned, at fit and convenient Times, and in Manner and Form convenient and lawful, from Time to Time as often as to the said Master and Wardens shall seem expedient, shall and may go and enter into any Shop or Shops, House or Houses, Cellar or Cellars, of any Persons whomsoever, using or exercising the Art or Mystery of Apothecaries, or any Part thereof, within the City of *London*, the Liberties or Suburbs thereof, or within Seven Miles of the same City, as well within the Liberty as without, where any Medicines, simple or Compound, Wares, Drugs, Receipts, Distilled Waters, Chemical Oils, Syrups, Conserves, Lohocks, Electuaries, Pills, Powders, Lozenges, Oils, Ointments, Plaisters, or any other Things whatsoever which belong or appertain to the Art or Mystery of Apothecaries as is aforesaid, are likely to be found; and to search, survey, and prove if the same Medicines, simple or compound, Wares, Drugs, Receipts, Distilled Waters, Chemical Oils, Syrups, Conserves, Lohocks, Electuaries, Pills, Powders, Lozenges, Oils, Ointments, Plaisters, or any Thing or Things whatsoever belonging to the Art or Mystery of Apothecaries aforesaid, be and shall be wholesome, medicinable, meet and fit for the Cure, Health, and Ease of His Majesty's Subjects; and also so much of the said recited Charter as directs, that the aforesaid Master and Wardens of the Mystery aforesaid, and the said Assistants for

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the Time being, thereunto nominated and appointed by the Maſter and Wardens, and their Succeſſors from Time to Time, may have; and by virtue of theſe Preſents ſhall have full Power and Authority to examine and try all and ſingular Perſons profeſſing, uſing, or exerciſing, or which hereafter ſhall profeſs, uſe, or exerciſe the Art or Myſtery of Apothecaries, or any Part thereof, within the aforeſaid City of *London*, the Liberties or Suburbs thereof, or within Seven Miles of the ſame City, as well within Liberties as without, touching or concerning their and every of their Knowledge, Skill, and Science, in the aforeſaid Art or Myſtery of Apothecaries, and to remove and prohibit all thoſe from the Exerciſe, Uſe, or Practice of the ſaid Art or Myſtery, whom hereafter they ſhall find either unſkilful, ignorant, or inſufficient, or obſtinate, or refuſing to be examined by virtue of theſe Preſents, in the Art or Myſtery aforeſaid; and alſo all and ſingular Medicines, Wares, Drugs, Receipts, Diſtilled Waters, Oils, Chemical Preparations, Syrups, Conſerves, Lohocks, Electuaries, Pills, Powders, Lozenges, Oils, Ointments, and Plaiſters, and all other Things belonging to the aforeſaid Art, which they ſhall find unlawful, deceitful, ſtale, out of uſe, unwholeſome, corrupt, unmedicinable, pernicious, or hurtful, to burn before the Offender's Doors; and alſo to lay, impoſe, and exact Mulcts, and other Pains and Penalties, by Fines and Amerciaments, upon ſuch Offenders, according to their ſound Diſcretions, and the Ordinances by them and their Succeſſors ſo as aforeſaid to be made and appointed, ſhall be and the ſame is hereby repealed.

Maſter, Wardens, &c. empowered to enter Shops of Apothecaries, &c. and examine Drugs, &c.

III. And be it further enacted, That in lieu and ſtead thereof, the ſaid Maſter, Wardens, and Society of Apothecaries for the Time being, and their Succeſſors, or any of the Aſſiſtants, or any other Perſon or Perſons properly qualified, as herein-after is mentioned, to be by the Maſter and Wardens nominated and aſſigned, not being fewer in Number than Two Perſons at the leaſt, ſhall and may from Time to Time, and at all ſeaſonable and convenient Times, in the Day-time, as often as to the ſaid Maſter and Wardens it ſhall ſeem expedient, go and enter into any Shop or Shops, of any Perſon or Perſons whatever, uſing or exerciſing the Art or Myſtery of an Apothecary in any Part of *England* or *Wales*; and ſhall and may ſearch, ſurvey, prove, and determine, if the Medicines, ſimple or compound, Wares, Drugs, or any Thing or Things whatſoever therein contained, and belonging to the Art or Myſtery of Apothecaries aforeſaid, be wholeſome, meet, and fit for the Cure, Health, and Eaſe of His Majeſty's Subjects; and all and every ſuch Medicines, Wares, Drugs, and all other Things belonging to the aforeſaid Art, which they ſhall find falſe, unlawful, deceitful, ſtale, unwholeſome, corrupt, pernicious or hurtful, ſhall and may burn, or otherwiſe deſtroy; and alſo ſhall and may report to the Maſter, Wardens, and Aſſiſtants of the ſaid Society, the Name or Names of ſuch Perſon or Perſons as ſhall be found to have the ſame in their Poſſeſſion; and the ſaid Maſter, Wardens, and Aſſiſtants, ſhall and may impoſe and levy the following Fines and Penalties upon each and every Perſon whoſe Name ſhall be ſo reported to them, as herein-after mentioned; for the Firſt Offence the Sum of Five Pounds, for the Second Offence the Sum of Ten Pounds, and for the Third and every other Offence the Sum of Twenty Pounds.

Qualification of Perſons

IV. Provided always, and be it enacted, That no Perſon to be by the Maſter, Wardens, and Aſſiſtants for the Time being, choſen and appointed

a Member

appointed to examine Drugs, etc.

a Member of the Court of Examiners, or to be by the Maſter and Wardens nominated and aſſigned to go and enter into any Shop or Shops, for the Purpoſes aforeſaid, within the City of *London*, the Liberties or Suburbs thereof, or within Thirty Miles of the ſame, ſhall be deemed to be properly qualified, unleſs he ſhall be a Member of the Society of Apothecaries aforeſaid, of not leſs than Ten Years ſtanding; nor ſhall any Perſon be deemed to be properly qualified to be nominated and aſſigned to go and enter into any Shop or Shops in any other Part of *England* and *Wales* for the Purpoſes aforeſaid, or to be appointed One of the Five Apothecaries herein-after mentioned, and directed to be appointed for the Purpoſe of examining Aſſiſtants to Apothecaries in compounding and diſpenſing Medicines, as herein-after is mentioned, except he ſhall have been an Apothecary in actual Practice for not leſs than Ten Years at leaſt, previouſly to his being ſo nominated, or aſſigned, or appointed.

Penalty on Apothecaries refuſing to compound, or unfaithfully compounding Medicines preſcribed.

V. And whereas it is the Duty of every Perſon uſing or exerciſing the Art and Myſtery of an Apothecary, to prepare with Exactneſs, and to diſpenſe ſuch Medicines as may be directed for the Sick by any Phyſician lawfully licenſed to practiſe Phyſic by the Preſident and Commonalty of the Faculty of Phyſic in *London*, or by either of the Two Univerſities of *Oxford* or *Cambridge*; therefore, for the further Protection, Security, and Benefit of His Majeſty's Subjects, and for the better Regulation of the Practice of Phyſic throughout *England* and *Wales*, be it enacted, That if any Perſon uſing or exerciſing the Art and Myſtery of an Apothecary, ſhall at any Time knowingly, wilfully, and contumaciouſly refuſe to make, mix, compound, prepare, give, apply, or adminiſter, or any way to ſell, ſet on Sale, put forth, or put to Sale to any Perſon or Perſons whatever, any Medicines, compound Medicines, or medicinable Compoſitions, or ſhall deliberately or negligently, falſely, unfaithfully, fraudulently, or unduly make, mix, compound, prepare, give, apply or adminiſter, or any way ſell, ſet on Sale, put forth, or put to Sale to any Perſon or Perſons whatever, any Medicines, Compound Medicines, or Medicinable Compoſitions, as directed by any Preſcription, Order, or Receipt, ſigned with the Initials in his own Hand-writing, of any Phyſician ſo lawfully licenſed to practiſe Phyſic, ſuch Perſon or Perſons ſo offending ſhall, upon Complaint made within Twenty-one Days by ſuch Phyſician, and upon Conviction of ſuch Offence before any of His Majeſty's Juſtices of the Peace, unleſs ſuch Offender can ſhew ſome ſatisfactory Reaſon, Excuſe, or Juſtification in this Behalf, forfeit, for the Firſt Offence, the Sum of Five Pounds; for the Second Offence the Sum of Ten Pounds; and for the Third Offence, he ſhall forfeit his Certificate, and be rendered incapable in future of uſing or exerciſing the Art and Myſtery of an Apothecary, and be liable to the Penalty inflicted by this Act upon all who practiſe as ſuch without a Certificate, in the ſame Manner as if ſuch Party ſo convicted had never been furniſhed with a Certificate enabling him to practiſe as an Apothecary; and ſuch Offender ſo deprived of his Certificate ſhall be rendered and deemed incapable in future of receiving and holding any freſh Certificate unleſs the ſaid Party ſo applying for a Renewal of his Certificate, ſhall faithfully promiſe and undertake, and give good and ſufficient Security, that he will not in future be guilty of the like Offence.

Maſter and Wardens may

VI. And be it further enacted, That each and every of them the ſaid Maſter and Wardens for the Time being, may, and they are hereby

respectively empowered, by Writing under his or their Hands, to appoint any One or more of the said Court of Assistants to act as Deputy Master, or as Deputy Wardens, as the Case may be, in all Matters and Things done, or authorized to be done, by the said Master, or the said Wardens, under and by virtue of the said recited Charter, or of this Act, and to remove such Deputy Master or Deputy Wardens so to be appointed from Time to Time, as the said Master or the said Wardens shall respectively think proper; and all Acts, Matters, and Things, which shall be lawfully done by the said Deputy Master or Deputy Wardens so to be appointed as aforesaid, as the Case may be, shall be as good, valid, and effectual, as if the same were done and performed by the said Master and Wardens respectively.

appoint Deputy.

VII. And whereas much Mischief and Inconvenience has arisen, from great Numbers of Persons in many Parts of *England* and *Wales* exercising the Functions of an Apothecary, who are wholly ignorant, and utterly incompetent to the Exercise of such Functions, whereby the Health and Lives of the Community are greatly endangered; and it is become necessary that Provision should be made for remedying such Evils; be it therefore further enacted, That the said Master, Wardens, and Society of the Art and Mystery of Apothecaries of the City of *London*, incorporated by the said recited Charter of His Majesty King *James* the First, and their Successors, shall be, and they are hereby appointed and constituted, directed and empowered, for ever, to superintend the Execution of the Provisions of this Act, and to enforce and carry the several Regulations and Provisions thereof, in relation to the several Persons practising the Art or Mystery or Profession of an Apothecary throughout *England* and *Wales*, and all other the Purposes of this Act, into full Execution.

The Master, Wardens, and Society of Apothecaries incorporated by Charter of King James the First, appointed to carry this Act into execution.

VIII. And be it further enacted, That no Act of the said Master, Wardens, and Society of Apothecaries, incorporated as aforesaid, for the carrying any of the Powers and Provisions of this Act into Execution, shall be, or be deemed to be good or valid, (save and except as to such Acts as shall be done by the said Master, Wardens, and Assistants, or others appointed by them, or any of them, as herein-before is provided, in pursuance of the Powers and Authorities herein-before given to them to enter into Shops to search for, examine and destroy unwholesome Drugs or Medicines, and also save and except as to such Acts as shall be done by the said Court of Examiners, or the major Part of them present, or by the Five Apothecaries herein-after mentioned, or the major Part of them present, in pursuance of the Authorities herein-after given to them), unless the same be done at some Assembly or Meeting to be holden by the said Master, Wardens, and Society, in the Hall of the said Society; and that all the Powers and Authorities by this Act granted to, or vested in, the said Master, Wardens, and Society as aforesaid, shall and may from Time to Time be exercised by the Master, Wardens, and Assistants of the Art and Mystery of Apothecaries aforesaid for the Time being, or by the major Part of them present, who shall attend at any such Assembly or Meeting to be holden as aforesaid, the Number present at such Assemblies or Meetings not being less than Thirteen, of which the said Master for the Time being shall always be one; and all the Orders and Proceedings of the said Master, Wardens, and Assistants for the Time being, or of such major Part as aforesaid, shall have the same Force and

No Acts of Master, Wardens, &c. valid, unless done at a Meeting, &c.

Effect, as if the ſame were made or done by the ſaid Maſter, Wardens, and Society of Apothecaries incorporated as aforeſaid.

A Court of Examiners to be choſen by the Maſter, Wardens, &c.

IX. And be it further enacted, That for the Purpoſes of this Act, ſo far as the ſame regards the Examination of Apothecaries, and Aſſiſtants to Apothecaries, Twelve Perſons properly qualified, as herein-before is mentioned, ſhall be choſen and appointed by the ſaid Maſter, Wardens, and Aſſiſtants for the Time being, (who are hereby authorized and empowered to chooſe and appoint ſuch Perſons, and to remove or diſplace them from Time to Time, as they the ſaid Maſter, Wardens, and Aſſiſtants for the Time being, ſhall deem adviſable), and ſuch Perſons, when ſo choſen and appointed, or any Seven of them, ſhall be, and be called the Court of Examiners of the Society of Apothecaries; and ſuch Court of Examiners, or the major Part of them preſent at any Meeting, ſhall have full Power and Authority, and are hereby authorized and empowered to examine all Apothecaries, and Aſſiſtants to Apothecaries, throughout *England* and *Wales*, and to grant or refuſe ſuch Certificate, as herein-after is mentioned; and ſuch Court of Examiners, or the major Part of them, ſhall, and they are hereby required to meet and aſſemble in ſome convenient Room in the Hall of the ſaid Society, once at leaſt in every Week, for the Purpoſe of ſuch Examination, and then and there to examine all Perſons applying to be examined, and duly qualified ſo to be by virtue of this Act.

Chairman to be appointed.

X. And be it further enacted, That at any ſuch Meetings of the ſaid Examiners, a Chairman ſhall and may be appointed; and when and ſo often as it ſhall ſo happen that there ſhall be an equal Number of Votes upon any One Queſtion (including the Vote of the ſaid Chairman), then and in ſuch Caſe, it ſhall and may be lawful to and for the ſaid Chairman to give the caſting or deciſive Vote.

Oath to be taken by Examiners.

XI. And be it further enacted, That no Perſon ſhall be capable of acting as an Examiner, under and by virtue of this Act, until he ſhall have taken and ſubſcribed the following Oath:

'I *A. B.* do ſolemnly promiſe and ſwear (or, being One of the People called *Quakers*, do ſolemnly affirm), That I will faithfully, impartially, and honeſtly, according to the beſt of my Skill and Knowledge, execute the Truſt repoſed in me by the Maſter, Wardens, and Society of the Art and Myſtery of Apothecaries of the City of *London*, as an Examiner, in the Examination of every Perſon who ſhall come before me to be examined, as to his Fitneſs or Qualification to act as an Apothecary, or Aſſiſtant to an Apothecary, as the Caſe may be, and that without Favour, Affection, Prejudice, or Malice. So help me GOD.'

which Oath or Affirmation, the ſaid Maſter, Wardens, or Court of Aſſiſtants, or the major Part of them, are hereby authorized and required to adminiſter.

Perſons appointed Examiners, to continue in Office for one Year.

XII. And be it further enacted, That all Perſons ſo to be choſen and appointed Examiners as aforeſaid ſhall continue in Office for the Space of One Year from the Time of their Appointment, (except in caſe of Death, or being removed or diſplaced by the ſaid Maſter, Wardens and Aſſiſtants as aforeſaid): Provided always, that it ſhall and may be lawful to and for the ſaid Maſ-

ter, Wardens, and Aſſiſtants, to chooſe and appoint any ſuch Perſon or Perſons going out of Office, again to be an Examiner or Examiners as aforeſaid, if they the ſaid Maſter, Wardens, and Aſſiſtants ſhall deem it adviſeable ſo to do.

In caſe of Death, &c. others to be appointed.

XIII. And be it further enacted, That in caſe any Perſon or Perſons ſo to be choſen and appointed, ſhall happen to die during the Time he or they ſhall continue to be an Examiner or Examiners, or be removed or diſplaced as aforeſaid, then it ſhall and may be lawful for the ſaid Maſter, Wardens, and Aſſiſtants, to chooſe and appoint any other Perſon or Perſons properly qualified, to be an Examiner or Examiners as aforeſaid, in the Room of the Perſon or Perſons ſo dying, or removed, or diſplaced as aforeſaid; and every Perſon or Perſons ſo choſen and appointed ſhall continue in Office for ſuch Time and no longer, as the Perſon or Perſons in whoſe Room or Stead he or they ſhall be ſo choſen and appointed would have continued in Office.

Perſons not to practiſe as Apothecaries, &c. without due Examination.

XIV. And to prevent any Perſon or Perſons from practiſing as an Apothecary, without being properly qualified to practiſe as ſuch, be it further enacted, That from and after the Firſt Day of *Auguſt* One thouſand eight hundred and fifteen, it ſhall not be lawful for any Perſon or Perſons (except Perſons already in Practice as ſuch) to practiſe as an Apothecary in any Part of *England* or *Wales*, unleſs he or they ſhall have been examined by the ſaid Court of Examiners, or the major Part of them, and have received a Certificate of his or their being duly qualified to practiſe as ſuch from the ſaid Court of Examiners or the major Part of them as aforeſaid, who are hereby authorized and required to examine all Perſon and Perſons applying to them, for the Purpoſe of aſcertaining the Skill and Abilities of ſuch Perſon or Perſons in the Science and Practice of Medicine, and his or their Fitneſs and Qualification to practiſe as an Apothecary; and the ſaid Court of Examiners, or the major Part of them, are hereby empowered either to reject ſuch Perſon or Perſons, or to grant a Certificate of ſuch Examination, and of his or their Qualification to practiſe as an Apothecary as aforeſaid: Provided always, that no Perſon ſhall be admitted to ſuch Examination until he ſhall have attained the full Age of Twenty-one Years.

Applicants for Examination to produce Teſtimonials.

XV. Provided always, and be it enacted, That no Perſon ſhall be admitted to any ſuch Examination for a Certificate to practiſe as an Apothecary, unleſs he ſhall have ſerved an Apprenticeſhip of not leſs than Five Years to an Apothecary, and unleſs he ſhall produce Teſtimonials to the Satisfaction of the ſaid Court of Examiners, of a ſufficient Medical Education, and of a good moral Conduct.

Perſons intending to qualify, to give Notice to Clerk of the ſaid Maſter, Wardens, &c.

XVI. And be it further enacted, That every Perſon intending to qualify himſelf under the Regulations of this Act to practiſe as an Apothecary in any Part of *England* or *Wales*, ſhall give Notice to the Clerk of the ſaid Maſter, Wardens, and Society of Apothecaries as aforeſaid, of his Intention ſo to do, who ſhall notify the ſame to the ſaid Maſter, Wardens, and Society of Apothecaries as aforeſaid; and the Perſon ſo intending to qualify himſelf, ſhall preſent himſelf at the Meeting held by the ſaid Court of Examiners next ſucceeding ſuch Notice, and ſhall undergo ſuch Examination by the ſaid Court of Examiners as aforeſaid, or at ſome other Meeting

as ſhall or may be appointed and fixed upon by the ſaid Maſter, Wardens, and Society of Apothecaries, or by the ſaid Court of Examiners, or the major Part of them as aforeſaid, for that Purpoſe.

Aſſiſtant to Apothecaries, &c. to be examined.

XVII. And be it further enacted, That from and after the Firſt Day of *Auguſt* One thouſand eight hundred and fifteen, it ſhall not be lawful for any Perſon or Perſons (except the Perſons then acting as Aſſiſtants to any Apothecaries as aforeſaid, and excepting Perſons who have actually ſerved an Apprenticeſhip of Five Years to an Apothecary) to act as an Aſſiſtant to any Apothecary, in compounding or diſpenſing Medicines, without undergoing an Examination by the ſaid Court of Examiners, or the major Part of them, or by Five Apothecaries ſo to be appointed as herein-after is mentioned, and obtaining a Certificate of his or their Qualification to act as ſuch Aſſiſtant from the ſaid Court of Examiners, or the major Part of them, or from the ſaid Five Apothecaries, who are hereby authorized and empowered to examine all Perſons applying to them for that Purpoſe, and to grant a Certificate of ſuch Fitneſs and Qualification.

Power for Maſter and Wardens to appoint Five Apothecaries as Examiners for Aſſiſtants.

XVIII. And be it further enacted, That for the Purpoſes of this Act, it ſhall and may be lawful to and for the ſaid Maſter and Wardens for the Time being, or to and for the ſaid Court of Examiners, by Writing under their Hands, from Time to Time to appoint Five Apothecaries in any County or Counties reſpectively throughout *England* and *Wales*, except within the ſaid City of *London*, the Liberties or Suburbs thereof, or within Thirty Miles of the ſame, to act for ſuch County or Counties, or any other County or Counties near or adjoining, and to remove or diſplace them from Time to Time, as they the ſaid Maſter and Wardens, or the ſaid Court of Examiners, ſhall deem adviſeable; and ſuch Five Apothecaries ſo to be appointed reſpectively, as aforeſaid, at any Meeting to be held by them as herein after mentioned, ſhall have full Power and Authority, and are hereby authorized and empowered to examine all Aſſiſtants to Apothecaries throughout the County or Counties in regard of which ſuch Apothecaries ſhall have been ſo appointed as aforeſaid, and to grant or refuſe ſuch Certificate to every ſuch Aſſiſtant to Apothecaries, as herein before is authorized in that Behalf; and a Meeting of the ſaid Apothecaries for the Purpoſes aforeſaid ſhall be held monthly in the County Town of ſome one of the Counties for which they ſhall have been appointed to act as aforeſaid; and that no Act of ſuch Apothecaries ſhall be, or be deemed to be good or valid, unleſs the ſame be done at ſome ſuch Meeting; and that all the Powers and Authorities by this Act granted to or veſted in ſuch Five Apothecaries, ſhall and may from Time to Time be exerciſed by the major Part of them, who ſhall attend at any Meeting to be holden as above directed, the Number of ſuch Apothecaries preſent at any ſuch Meeting not being leſs than Three; and all the Orders, Directions and Certificates of the major Part of ſuch Apothecaries preſent at any ſuch Meeting ſhall have the ſame Force and Effect as if the ſame were made, done, or ſigned by all the ſaid Five Apothecaries for the Time being; and at every ſuch Meeting of the ſaid Apothecaries, a Chairman ſhall and may be appointed, and when, and ſo often as it ſhall ſo happen that there ſhall be an equal Number of Votes upon any one Queſtion (including the Vote of the ſaid Chairman) then and in ſuch caſe, it ſhall and may be lawful to and for the ſaid Chairman to give the caſting or deciſive Vote.

XIX. And

XIX. And be it further enacted, That the Sum of Ten Pounds Ten Shillings shall be paid to the said Master, Wardens, and Society of Apothecaries, for every such Certificate as aforesaid, on obtaining the same, by every Person intending to practise as an Apothecary within the City of *London*, the Liberties or Suburbs thereof, or within Ten Miles of the same City; and the Sum of Six Pounds Six Shillings by every Person intending to practise as an Apothecary in any other Part of *England* or *Wales* (except the said City of *London*, the Liberties or Suburbs thereof, or within Ten Miles of the said City); and no Person having obtained a Certificate to practise as an Apothecary in any other Part of *England* or *Wales* (except the said City of *London*, the Liberties or Suburbs thereof, or within Ten Miles of the said City as aforesaid), shall be entitled to practise within the said City of *London*, the Liberties or Suburbs thereof, or within Ten Miles of the said City, unless and until he shall have paid to the said Master, Wardens, and Society, the further Sum of Four Pounds Four Shillings, in Addition to the said Sum of Six Pounds Six Shillings so paid by him as aforesaid, and shall have had endorsed on his said Certificate, a Receipt from the said Master, Wardens and Society, for such additional Sum of Four Pounds Four Shillings; and the Sum of Two Pounds Two Shillings by every Assistant; and the several Sums of Money arising from the granting of such Certificates shall be applied in Manner herein-after directed. Sums to be paid for Certificates.

XX. And be it further enacted, That if any Person (except such as are then actually practising as such) shall, after the said First Day of *August* One thousand eight hundred and fifteen, act or practise as an Apothecary in any Part of *England* or *Wales*, without having obtained such Certificate as aforesaid, every Person so offending shall for every such Offence, forfeit and pay the Sum of Twenty Pounds; and if any Person (except such as are then acting as such, and excepting Persons who have actually served an Apprenticeship as aforesaid) shall, after the said First Day of *August* One thousand eight hundred and fifteen, act as an Assistant to any Apothecary, to compound and dispense Medicines, without having obtained such Certificate as aforesaid, every Person so offending, shall for every such Offence forfeit and pay the Sum of Five Pounds. Penalty for acting without a Certificate.

XXI. And be it further enacted, That no Apothecary shall be allowed to recover any Charges claimed by him in any Court of Law, unless such Apothecary shall prove on the Trial, that he was in Practice as an Apothecary prior to or on the said First Day of *August* One thousand eight hundred and fifteen, or that he has obtained a Certificate to practise as an Apothecary, from the said Master, Wardens, and Society of Apothecaries as aforesaid. Apothecaries not to recover Charges, unless duly licensed.

XXII. Provided always, and be it further enacted, That if the said Court of Examiners, or the major Part of them, having examined any Person or Persons applying to qualify himself or themselves to practise as an Apothecary, or if they, or the said Five Apothecaries so to be appointed for any County or Counties as aforesaid, having examined any Person or Persons applying to qualify himself or themselves to practise as an Assistant to an Apothecary, in compounding and dispensing Medicines, shall see Cause to refuse such Certificate as aforesaid, to any such Person or Persons so applying to qualify himself or themselves as an Apothecary or Assistant as aforesaid; yet it shall and may be lawful for such Person or Persons Persons, on Refusal of Certificate to practise as an Apothecary, &c. may apply again.

who ſhall be ſo refuſed, to apply at any future Time to be again examined, ſo that ſuch Second Application by any Perſon or Perſons applying to qualify himſelf or themſelves as an Apothecary, be not within Six Months of ſuch Firſt Examination; and ſo that ſuch Second Application by any Perſon or Perſons applying to qualify himſelf or themſelves as an Aſſiſtant, be not within Three Months of ſuch Firſt Examination; and if on ſuch Re-examination he or they ſhall appear to the Perſons examining, to be then properly qualified, it ſhall and may be lawful for the ſaid Court of Examiners, or to and for the ſaid Five Apothecaries in any County or Counties as aforeſaid, to grant ſuch Perſon or Perſons ſo applying, ſuch Certificate as aforeſaid.

A Liſt of the Apothecaries approved by the Court of Examiners to be printed.

XXIII. Provided always, and be it further enacted, That the ſaid Maſter, Wardens, and Society of Apothecaries, do make annually, and cauſe to be printed, an exact Liſt of all and every Perſon who ſhall in that Year have obtained a Certificate to practiſe as an Apothecary, with their reſpective Reſidences attached to their reſpective Names.

Application of Monies ariſing from Certificates.

XXIV. And be it further enacted, That all and every Sum or Sums of Money which ſhall be received or ariſe from the granting of the Certificates of Examination herein-before required, ſhall belong to and be appropriated and diſpoſed of by the ſaid Maſter, Wardens, and Society of Apothecaries as aforeſaid, in ſuch Manner as they ſhall from Time to Time direct and deem moſt expedient.

Application of Monies ariſing from Penalties.

XXV. And be it further enacted, That all Sum and Sums of Money ariſing from Conviction and Recovery of Penalties for Offences committed againſt the Authorities and Proviſions of this Act, ſhall be applied and diſpoſed of in Manner following, (*viz*.) One Half thereof to the Informer or Informers, and One Half thereof to the ſaid Maſter, Wardens, and Society of Apothecaries as aforeſaid, to be appropriated and diſpoſed of by them in ſuch Manner as they ſhall deem moſt expedient.

Recovery of Fines and Penalties.

XXVI. And be it further enacted, That all Penalties and Forfeitures by virtue of this Act impoſed (the Manner of levying and recovering whereof is not otherwiſe hereby particularly directed) ſhall, if ſuch Penalties and Forfeitures ſhall exceed the Sum of Five Pounds, be recovered by Action or Suit at Law, in the Name of the Maſter, Wardens, and Society of the Art and Myſtery of Apothecaries of the City of *London*, in any of His Majeſty's Courts of Record in *England* or *Wales*, wherein no Eſſoign, Protection, or Wager at Law, or more than One Imparlance ſhall be allowed; and if ſuch Penalty or Forfeiture ſhall amount to leſs than the Sum of Five Pounds, then the ſame ſhall be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of any Juſtice of the Peace acting for any County, City, Town or Place where the Offence ſhall be committed (which Warrant ſuch Juſtice is hereby empowered and required to grant upon the Confeſſion of the Party, or upon the Evidence of any credible Witneſs upon Oath, and which Oath ſuch Juſtice is hereby empowered to adminiſter); and the Overplus (if any) of the Money ariſing by ſuch Diſtreſs and Sale ſhall be returned upon Demand to the Owner of ſuch Goods and Chattels, after deducting the Coſts and Charges of making, keeping

keeping, and selling the Distress; and in case sufficient Distress shall not be found, or such Forfeitures and Penalties shall not be paid forthwith, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender to be committed to the Common Gaol for the County, City, Town, or Place, where the Offence shall be committed, there to remain without Bail or Mainprize, for any Time not exceeding One Calendar Month, unless such Penalties and Forfeitures, and Costs, shall be sooner fully paid and satisfied.

Distress not unlawful for want of Form.

XXVII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or want of Form in the Notice or Information, Summons, Conviction, Warrant, or Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining; but the Person or Persons aggrieved by such Irregularity, may recover full Satisfaction for the Special Damage in an Action upon the Case.

Act not to affect Chemists and Druggists.

XXVIII. 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 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.

XXIX. Provided always, and be it further enacted, That 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 First Day of *August* One thousand eight hundred and fifteen; 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.

Limitation of Actions.

XXX. Provided always, and be it further enacted, That no Action or Suit shall be brought or prosecuted against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any Thing done in pursuance of this Act, after Six Calendar Months next after the Fact committed;

mitted; or in case there shall be a Continuation of Damages, then after Six Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards; and every such Action or Suit shall be laid and brought in the County where the Matter in Dispute shall arise, and not elsewhere; and the Defendant and Defendants in every such Action or Suit shall or may, at his, her, or their election, plead specially the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or sufficient Satisfaction made or tendered as aforesaid, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same, as any Defendant hath for recovering Costs of Suit in any other Cases by Law.

Public Act. XXXI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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