

## QUACKERY.

There is another mode of advertisement to which they resort—viz., the distribution of their works at the public museums, to the annoyance and disgust of those who frequent our leading thoroughfares. This too, can be suppressed by the strong arm of the law. Surely that which Lord Campbell's Act has done with regard to obscene prints, can be done in the case of obscene publications, and the exhibitions of loathsome and disgusting figures and busts.

No quack is permitted to practise in France. When a man is about to commence the practice of medicine in any town there, he is obliged to present to the mayor, or other authority of the town, his diplomas, and if they are not *en règle*, he is not allowed to open his practice. The result is, that the public health and the purses of individuals are alike protected. Why cannot that which is done in France be done in England?

Doubtless there is this grave difficulty. According to our English mode of thinking, it is a serious and generally reprehensible interference with the liberty of the subject to extinguish a profitable trade, as this is, by legislative enactment, and there must be a very clear and cogent case of public benefit to compensate us for the sacrifice of personal liberty. "What," say the objectors, and not without force, "interfere with the right of a British subject to make any contract respecting his own pocket or health that in his own discretion he may himself please? Why should the Legislature interfere to protect men against their own folly? In seeking to suppress these publications, we may prevent scientific and medical inquiry? Why should we, in effect, revive an obsolete monopoly? This would be a gross, wanton, and un-English interference with that which is most dear to us—our free, uncontrolled, unfettered liberty;" and so forth. And it is not enough to say that similar objections may be and have been made to every project of reform brought under the consideration of the Legislature, and that, nevertheless, the reforms have been effected with advantage to the public. The real question at issue here is not whether the arbitrary suppression of these quacks would or not be a public benefit—no one can deny that it would be so, except the quacks themselves—but whether there is or not involved in this suppression a principle so fraught with danger as to render its adoption a greater evil than the nuisance it is desired to suppress. We cannot deny that to watch over the moral conduct of the population by law savours somewhat suspiciously of "paternal government." When the New England colonists declared adultery to be a crime punishable with the pillory, few people in this country doubted that, however excellent the morality of the statute in question, it was, practically, tyrannical. The question for us, then, is, have we, declamation apart, a right to prevent the open exer-

cise of this most "noxious trade?" and we do not hesitate to say that we have.

Why is cheating a criminal offence? Because it is the duty of law to protect *property*, and cheating is an invasion of the rights of property. Is it, then, less the duty of law to prevent the weak and credulous from being deceived out of their health, which is property, and made furthermore to pay their money for that which cannot be taken to be "valuable consideration." Moreover, public decency is within the proper scope of the law, and these exhibitions and advertisements offend against public decency.

We admit freely that the task is not an easy one; but that is no reason why the attempt should not be made. Lord Campbell, in dealing with the Holywell-street obscenities, had similar difficulties to encounter, yet he made the attempt, and practically succeeded in his object.

The failure of the Medical Registration Act to suppress these evils is another proof of the necessity of a public prosecutor. The medical council consider, and probably with justice, that they are not called upon to institute proceedings, at their own risk, against quacks, who, by their assumed titles, hold themselves out to the public, who have no means of knowing better, as duly-qualified medical practitioners; and a kind of sanction is believed to be added to this representation by the appearance of their advertisements in respectable newspapers. As the law at present stands, there is no person or body compelled to prosecute.

The first step necessary sounds a strong one, but it is really right in principle. Let it be made a misdemeanour to assume the title or qualification of a medical man, unless authorised by the diploma of some recognised or legalised body or institution; then appoint a public officer bound to institute legal proceedings against all persons who violate the law in this respect, on a proper *prima facie* case being shown; next prohibit any man from practising medicine in any place until his diplomas have been submitted to some magistrate, and a proper opportunity afforded for any person who may be so minded to test their genuineness. Let the presentation of a false diploma be declared a misdemeanour, and power of summary conviction (subject to the right of appeal) given to the magistrates; next the magistrates should be invested with power to close those museums that disgrace our leading thoroughfares, wherever found, and the provisions of Lord Campbell's Act should be extended to the circulation of those filthy publications.

This latter is, perhaps, the most difficult branch of the subject, because it may fairly be said, where is the line to be drawn between a scientific and a filthy publication? Many duly-qualified practitioners devote themselves to the treatment of what are called "secret diseases," and write skilful treatises upon