

can be secretly administered in dangerous quantities, but not with the facility of arsenic strychnine and corrosive sublimate; laudanum requires to be administered in such large quantities that it is likely to be detected at the time of taking it; I would not call laudanum a deadly poison in the same sense in which I would call arsenic and strychnine poisons; I would not include laudanum in the description of poisons mentioned in the statute; none of the poisons mentioned in the statute will cause immediate death; there is danger of laudanum being incautiously used; it can be administered in liquor so that the party taking it cannot detect it; it may be secretly administered; I do not think that laudanum is commonly taken as a deadly poison.

At this stage the case was again adjourned until next day, when the following additional evidence was taken:

Professor Croft sworn.—I am Professor of chemistry in the Toronto University; the fluid in the bottle produced is some preparation of opium; I cannot say without further examination whether it is laudanum or a sedative solution of opium; if taken in considerable quantities, opium is poisonous; the preparation in the bottle if taken in certain quantities would be fatal; some persons could take a pint of it in a day without being killed by it, and half a teaspoonful of it might kill a child; I think the laudanum of commerce contains about one of grain of opium in 20 drops; all poisons are deadly; it would be hard to administer laudanum secretly, on account of its disagreeable taste, but it might be administered secretly in porter in sufficient quantities to cause death, thought not immediately.

Cross-examined—Prussic acid will produce death in about five seconds, strychnine in about twenty minutes; laudanum would not produce death so soon; it is kept in almost every house as a medicine; I do not think it is a poison in the meaning of the statute.

Henry Burden, sworn.—I have been a chemist and druggist for about 20 years; when I sell any poison I require to know the party to whom I sell it and an order by a physician verbally or in writing; I do not use this precaution in selling laudanum; but I require to know something of the purchaser; if I knew my customer I would sell him a gallon if he asked for it; it is a poison; I cannot say that the liquid in the bottle produced is laudanum, but I think it is.

Cross-examined—I sell alcohol; it is a poison; from what I have heard of Mason's reputation for veracity I would not believe him on oath; laudanum is used in almost every family.

Dr. Riddell sworn.—The bottle produced contains laudanum; laudanum is a poison; I have known it to kill people; it does not come under our statute; it is not a deadly poison.

This concluded the evidence.

Dr. McMichael objected that there was no evidence of the sale of poison, and that the bottle produced had not been proved to be the identical bottle purchased from the defendant; assuming, however, that the liquid produced was laudanum, every professional witness had said that it was not deadly poison, and, therefore, it was not within the purview of the statute.

The Magistrate deferred judgment until Saturday.

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THE CANADIAN Pharmaceutical Journal.

E. B. SHUTTLEWORTH, EDITOR.

TORONTO, ONT., DECEMBER, 1870.

Correspondence and general communications, of a character suited to the objects of this JOURNAL, are invited, and will always be welcome. The writer's name should accompany his communication, but not necessarily for publication.

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"EDITOR CANADIAN PHARMACEUTICAL JOURNAL
TORONTO."

THE SALE OF POISONS.

Many of our readers will, by this time, have learned of the recent prosecution of a number of our city druggists for alleged infraction of the law regarding the sale of poisons. The case is one of considerable interest to all classes of the community, and, to druggists, especially so. Nor is this interest of a purely local nature, inasmuch as the statute relates to all parts of the Province, and should the decision which is now pending, be rendered in favor of the prosecution, it is probable that druggists, in other cities and towns, would soon have to suffer a like humiliation with their Toronto brethren, by becoming a prey to the treachery of that most despicable of creatures—a common informer.

The details of the case, together with the evidence taken, will be found, in full, in another part of the Journal, and to this we refer our readers for particulars; we give, however, a brief statement of the facts:—

Sometime during the middle of last month, the notorious informer, Mason, accompanied

by one of his satellites, made a circuit of the drug stores of the city, and from twenty-five of these establishments succeeded in obtaining, by virtue of various artful misrepresentations, quantities of laudanum varying from forty minims to an ounce. Information was at once lodged with the police magistrate, and the offenders were, in due course, brought before that functionary. As the information was in all cases the same, it was proposed to try one as a test, which was accordingly done. From the evidence of the informer, it appears that the laudanum was procured with considerable difficulty, and it was not until the purchaser gave full particulars as to the purpose for which he wanted it, urging, as a reason, that his rest had, for several nights been broken—that the druggist consented to let him have the quantity required—a little over half an ounce. The question arose as to whether laudanum came within the meaning of the statute in being "a deadly poison." A number of witnesses, including Professor Croft and Dr. Lizars, were examined, but all agreed in their testimony that laudanum could not be so regarded, and could not, with propriety, be classed in the same category with arsenic, corrosive sublimate, and strychnia. The case was remanded, from day to day, but nothing contradictory to this was elicited. The magistrate declined giving judgment when the evidence was concluded, and although nearly three weeks have elapsed, the decision has not yet been rendered.

It is not for us to say what the end of the case may be, but from the evidence taken, we certainly think that the point upon which the case appears to turn is clearly made out, and that laudanum cannot be considered a deadly poison, in the same light with poisons such as strychnia and arsenic. That the intent of the law is to include poisons such as these, and these only, will be apparent from a consideration of the following quotation from the Act in question:—

"No apothecary, chemist, druggist, vendor
"of medicine or other person shall sell or
"deliver any arsenic, corrosive sublimate,
"strychnine, or other poison, mineral or
"vegetable, simple or composite, commonly
"known as a deadly poison, (or which being
"incautiously or secretly administered may
"cause immediate death) to any person who
"does not then produce and deliver a certifi-
"cate or note from some person duly licensed
"to practice as a physician or surgeon, or
"some priest or minister of religion, resident
"in the locality, addressed to such druggist,
&c., and mentioning the name, calling, or
"profession of the person requiring such
"poison; and stating the purpose for which
"it is required, and that it ought to be sold
"to the persons requiring the same; and
"such certificate or note shall be kept by