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MONTREAL, DECEMBER, 1894.

WHO OWNS THE DOCTOR'S PRESCRIPTION?

One would hardly think that this question could come up again after having been decided in favor of the patient by the courts. It is true that quite recently a judge in New York has ventured to decide, contrary to precedent, that the prescription was only good for one package of medicine, and was not transferable; but we doubt whether, if his decision should be taken to appeal, the higher courts would not reverse it, and decide, as it has generally been decided, that once the doctor has allowed the prescription to pass from his hand he has no further control over it. Such is also the opinion of leading lawyers in this city, and it appears to be the opinion of the public and of most, though not of all, the druggists. It matters not whether the patient has ever paid the doctor for the prescription or not; it matters not whether the prescription contains opium or other drugs which it would not be for the welfare of the patient to continue taking; it does not even matter whether the druggist dispenses it to his regular customers, who thereby save the expense of consulting the doctor, who, however, has no other means of obtaining his livelihood unless by the consultation fees of these very patients; the patient has the right, which is constantly being exercised, to not only cure himself but also to cure a hundred of his friends with this one prescription. What difference does it make whether the doctor receives anything for

his services or not to these ninety-nine suffering citizens? They want to be cured cheaply; their friend has the prescription, and the druggist is paid for his medicine, and both these parties are satisfied. It does not seem, however, that the doctor is quite so well pleased, for an association has lately been formed in Montreal to protect the interests of the physicians, and this association has among other things decided to ask for legislation to prevent the druggist from filling a prescription more than once. In referring to this matter editorially, the *Toronto Mail* voices the opinion of the public when it says: "The result of this would be to increase materially the receipts of doctors, since it would be necessary to pay for a fresh prescription each time the medicine was required to be duplicated. If such a proposal is entertained, which is extremely unlikely, it might as well be abandoned, since the legislature would not consider it for a moment." We quite agree with our laycontemporary. Any doctor who thinks himself aggrieved by a patient, who has paid him nothing for his prescription, magnanimously handing it around to all his friends, without even mentioning the good doctor's name to them, has the remedy, and a very simple one, in his own hands. This is nothing more or less than to stop writing prescriptions. The prescription has been grossly abused by both patients and druggist; and when a doctor finds that he is prescribing himself out of practice, he had better stop prescribing. His mission on earth is to relieve suffering and to prolong life; how he best may fulfill it is a matter for himself to decide. For the busy physician who has no time to eat or sleep, it is certainly a great convenience to send his patients to the drug store to get their medicine, and it makes very little difference to him if a few hundred intending patients are thereby enabled to dispense with the formality of paying him a fee. But this is apparently not the case with the doctors of this Association, who are grumbling at the loss of practice by the druggists repeating their prescriptions, not only to their patients, but to the public generally. They seem to think that considering that they attend hundreds of people for nothing who are too poor to pay, they should at least receive a modest fee for curing the young man with gonorrhœa who has spent a hundred dollars or more in painting the town red and contracting his disease.