titioner who limits his work still further to the pathology of affections comprehended under the title of the book. Except for the suggestion of a great many proprietary preparations, it is a satisfactory and useful book.

A SHORT HANDBOOK OF COSMETICS. By Dr. Max Joseph, Berlin. Third Edition. Authorized English Translation. Cloth. Price, $1. Pp. 86. New York: E. B. Treat & Co., 1910.

This book does not enter into the pathology of affections of the skin, hair and nails, but simply describes their general care by means of hygiene, water, soaps, lotions, ointments, creams, paints, etc., giving formulas for many such preparations, many of which seem to have proprietary names. One receives the impression that this is a book for the laity rather than a guide to the general practitioner or specialist in this branch of dermatology.

Medicolegal

Validity of Statutes Forbidding Advertising for Patients and Special Ability to Treat or Cure Chronic and Incurable Diseases—Chronic and Incurable Defined—Consultation of Medical Works by Boards

The Supreme Court of Arkansas, on the appeal of the State Medical Board of the Arkansas Medical Society vs. McCrary (130 S. W. R. 544), a suit brought by the latter party to enjoin the board from taking action in the matter of revoking his license to practice medicine, reverses a decree granted him, and dismisses his complaint for want of equity. It does not agree with his contention that his license to practice medicine was a property right, the revocation of which was an exercise of judicial power, which could not be vested in any administrative board, but only in the courts, and that to assume to invest this power in the board was to deprive him of his property without due process of law, in violation of the state constitution.

But the most difficult question in the case to determine, the court says, was raised by the contention that subdivision d of section 8 of Act 219, of the Arkansas General Assembly, approved May 6, 1909, which authorizes the board to revoke the license of a physician for "publicly advertising special ability to treat or cure chronic and incurable diseases," is too vague and indefinite to be upheld and enforced. This has given the court the gravest concern, and, after due consideration, the court has decided to uphold the provision. The court's attention was not called to any case in which a statute of similar import has become the subject of judicial determination. Counsel for the complainant relied on cases where statutes authorizing the Board of Medical Examiners to revoke the certificate of a physician for making "grossly improbable statements," or for "unprofessional or dishonorable conduct," have been held void, as being unreasonable, too uncertain and indefinite. Hewitt vs. State Board of Medical Examiners, 148 Cal. 590; Matthews vs. Murphy, 23 Ky. Law Rep. 750; Czarra vs. Board of Medical Supervisors, 25 App. D. C. 443.

On the other hand, there are cases upholding statutes empowering boards to revoke the licenses of physicians, who are guilty of unprofessional and dishonorable conduct, and the licenses have been revoked or not, according to the proof made. State ex rel. Feller vs. Board of Medical Examiners, 34 Minn. 391; McComber vs. State Board of Health, 28 R. I. 3, and the case note to Hewitt vs. State Board of Medical Examiners, 7 Am. & Eng. Ann. Cas. 750, indicate that the weight of authority is to this effect. But this court need not decide that question; for it holds that the language of subdivision d in question is not too uncertain and indefinite to be upheld and enforced. In the case of Thompson vs. Van Lear, 77 Ark. 506, this court held that an act forbidding physicians and surgeons to solicit patients by paid agents was a valid exercise of the police power. For like reason, a statute forbidding a physician to advertise for patients in newspapers would be upheld; and, by analogy, a statute forbidding them to advertise their ability to treat and cure certain named diseases would be a valid exercise of the police power.

While the particular disease against which the prohibition of the statute is directed is not named, as was the case of Kennedy vs. State Board of Registration in Medicine, 145 Mich. 241, yet the words "chronic and incurable," when used with reference to diseases of the body, are not variable, but have a settled and generally accepted meaning. The word "chronic" is the antithesis of "acute," and a chronic and incurable disease is generally understood to be one of long standing, deep-rooted, obstinate, persistent, and unyielding to treatment. On this account those afflicted with such diseases become discouraged, and to an extent desperate, and more easily become the prey of conscienceless and unscrupulous practitioners in the medical profession. Such diseases are specifically named and discussed in standard medical works, and are known to all physicians, who may possess a sufficient knowledge of their profession to practice the art of healing, as chronic and incurable diseases. For the board to consult these standard medical works would not be to use them as evidence as contended by the complainant, but such act would be rather done as an aid to the memory and understanding of the members of the board. See State vs. Wilhite, 132 Iowa 226, 11 Am. & Eng. Ann. Cas. 180, and case note.

Criminal Abortion—Proper Cross-Examination of Expert

The Supreme Court of Arkansas affirms, in Davis vs. State (130 S.W.R. 547), a conviction under the statute of that state which provides that "It shall be unlawful for any one to administer or prescribe any medicine or drugs to any woman with child with intent to produce an abortion or premature delivery of any fetus before the period of quickening." It says that the felony thus created by the statute consists in the criminal act of administering or prescribing medicine to the woman with child with intent to produce an abortion. An abortion is the delivery or expulsion of the human fetus prematurely. There must be an intent to cause the abortion without lawful reason, and this must be accompanied by the unlawful act of administering the drug. In the case of State vs. Reed, 45 Ark. 333, it was held that under this statute the indictment must allege that the criminal act of administering the drug was done "before the period of quickening;" that is, the time when the overt act must be committed, and when that act is accompanied by the intent to produce an abortion, the crime is complete. The criminal intent consists in the design to cause an abortion, whether it shall result before or after the period of quickening. The intent becomes criminal by reason of the unlawful design for which the medicine is administered; and when the medicine is administered with this unlawful design, the act becomes criminal without the necessity of any other or further intent. The criminal act under this statute was complete when the drug was administered "before the period of quickening," for the purpose of causing an abortion; that is, with the intent of causing a delivery or expulsion of the human fetus prematurely. The indictment sufficiently made this charge, and it was not necessary also to charge that the drug was administered for the purpose of causing a delivery or expulsion of the human fetus before the period of quickening.

The court also holds that it was proper, on cross-examination, to ask a medical witness the question: "Assuming that a woman had been criminally intimate with a man for quite a while, and that you received information that she was in a family way and that an abortion was to be produced and you were called to see her, and found her suffering with a dilated os, these hemorrhages, and the breasts as mentioned, and if you found softening of the lower vagina with pains bearing down, in your opinion, what would be the matter with her? How would you diagnose that?" The court says that, if it should be considered that this question was propounded to the witness for the purpose of obtaining the opinion of a witness on a hypothetical question, it was competent because it was based on facts as proved before the jury. It was also competent for the reason that it consisted of the cross-examination of an opposing witness, and its purpose was to test his competency as an expert, as well as to affect his credibility as a witness.