

**Report of the Council of the National Institute of General Practitioners in Medicine, Surgery and Midwifery, on the present state of the medical reform question : containing the 'Principles' of medical reform promulgated by the conference of delegates at the Royal College of Physicians, London ; the draft of the proposed charter to the general practitioners in medicine, surgery, & midwifery ; the 'outlines of a Bill' furnished to the Parliamentary Committee by the conference, with the concurrence of the universities and medical corporations of Scotland and Ireland ; and other public documents : with remarks on the objections which have been recently urged against the proposed measures : August 9th, 1848.**

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REPORT

ON THE PRESENT STATE OF

THE MEDICAL REFORM QUESTION.



p. 15.



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REPORT  
OF THE  
COUNCIL OF THE NATIONAL INSTITUTE  
OF  
GENERAL PRACTITIONERS IN MEDICINE,  
SURGERY AND MIDWIFERY,  
ON THE  
PRESENT STATE OF  
THE MEDICAL REFORM QUESTION.

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CONTAINING  
THE "PRINCIPLES" OF MEDICAL REFORM  
PROMULGATED BY THE CONFERENCE OF DELEGATES AT THE ROYAL COLLEGE  
OF PHYSICIANS, LONDON:

THE DRAFT OF THE PROPOSED CHARTER  
TO THE GENERAL PRACTITIONERS IN MEDICINE, SURGERY, & MIDWIFERY:

THE "OUTLINES OF A BILL"  
FURNISHED TO THE PARLIAMENTARY COMMITTEE BY THE CONFERENCE,  
WITH THE CONCURRENCE OF  
THE UNIVERSITIES AND MEDICAL CORPORATIONS OF  
SCOTLAND AND IRELAND:

AND OTHER PUBLIC DOCUMENTS.

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WITH REMARKS ON THE OBJECTIONS WHICH HAVE BEEN RECENTLY URGED  
AGAINST THE PROPOSED MEASURES.

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AUGUST 9TH, 1848.

LONDON:  
W. DAVY AND SON, PRINTERS, 8, GILBERT STREET, OXFORD STREET.

1848.



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REPORT

OF THE NATIONAL INSTITUTE

OF HEALTH AND HUMAN SERVICES

OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

THE NATIONAL INSTITUTE OF HEALTH



## CONTENTS.

	PAGE
Preface .....	5
Progress of Medical Reform .....	13
Objections to the Medical Registration Bill .....	15
Memorial from the Council of the National Institute to the Right Hon. Sir George Grey .....	17
Correspondence with the Society of Apothecaries on the subject of a Conference .....	21
Conference at the Royal College of Physicians .....	24
Principles of Medical Reform agreed to by the Conference .....	25
Meeting of the Committee of the National Association of General Prac- titioners .....	29
Draft of Charter proposed to be granted to the General Practitioners ....	30
Appointment of the Special Committee of the House of Commons.....	41
Outline of a Bill for Regulating the Profession of Physic and Surgery, drawn by the Conference .....	42
Reasons assigned by the Council of the National Institute for Accepting the proposed Measures .....	55
Remarks on Objections contained in several Memorials and Petitions against the Measures .....	59
Impracticability of Converting the College of Surgeons into a College of General Practitioners .....	68
Memorials and Petitions in favour of the Measures .....	74
Opinions of Mr. Guthrie and others on the Rank of the proposed Royal College of General Practitioners .....	76
Misrepresentations.....	60, 78
Conclusion .....	81



### NOTICE.

*A Committee of the Council of the Institute meet every Tuesday, at 4 o'clock, p.m., at the Hanover Square Rooms, No. 4, Hanover Square, where they are prepared to receive Members of the Profession or Deputations, for the purpose of entering into mutual explanations on the various subjects now under discussion appertaining to Medical Reform, and of giving information generally on Medical Affairs.*

## P R E F A C E.

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THE COUNCIL of the NATIONAL INSTITUTE of MEDICINE, SURGERY, and MIDWIFERY, place the following Report in the hands of the Members of the Institute, and of the Profession at large, with feelings of considerable satisfaction. Although by some, it may be considered lengthy, and the details tedious, a careful and dispassionate perusal, by all who interest themselves in the welfare of the Profession, is earnestly invited. It embraces an account of the labours which have been bestowed in furtherance of MEDICAL REFORM since the last General Meeting of the Members of the Institute, with the more important documents bearing upon the case of the General Practitioners which have emanated from their own representatives and from other parties; it exhibits the cause of the Profession in a new and an advanced position; it is calculated to encourage the hopes of the more sanguine, to restrain the impatient, and to calm the fears of the desponding, as to the final issue of the agitation which has so long prevailed; and it leaves little doubt of the ultimate success of the exertions of those upon whom the burden has fallen, which exertions have been so cheerfully and so perseveringly sustained.

The most important feature in the recent proceedings in Medical affairs is unquestionably the calling of a CONFERENCE, composed of representatives of the Royal College of Physicians,



the Royal College of Surgeons, the Society of Apothecaries, and, on the part of the General Practitioners, of the National Institute of Medicine, Surgery, and Midwifery. In the address of the late Council to the Members of the Institute, bearing date July 15, 1847, after referring to the fact that seven or eight Bills have been successively introduced into the Legislature during the last few years, without a shadow of a chance having existed that either would be enacted as a Law, one circumstance in particular is referred to as having constituted an obstacle to all legislation on the subject. Dr. Paris, the President of the College of Physicians, on the part of the College, had refused to confer with the General Practitioners on the ground that they have no legal recognition—the College of Surgeons had virtually done the same thing. It was regarded as in the highest degree improbable that any Bill would be framed satisfactory to the General Practitioners, if two Colleges were to be consulted, with interests distinct from, and in a great measure opposed to those of the great mass of the Profession, so long as these Colleges refused to meet the representatives of the larger body, and to make them a party to the proposed legislation. This obstacle has been surmounted. The circumstances which led to the formation of the Conference, and to the introduction of representatives from the General Practitioners, will be read with great interest by the Members of the Institute.

The Conference held its sittings at the Royal College of Physicians, and these have been continued, by adjournment from time to time, throughout the greater part of the present Session of Parliament. It now affords the Council of the Institute the most sincere pleasure to announce—notwithstanding the grave differences of opinion and even serious dissensions, which have existed between the different bodies respectively, perplexing the question and preventing any approach to a satisfactory adjust-



ment—that after mutual explanations made in a true spirit of conciliation, after unreserved discussion with an honest desire to overcome difficulties by mutual concessions,—on principles of justice and liberality,—the representatives of those bodies, unanimously, without any serious obstacle, or real difficulty, arrived at an agreement, not only upon the principles, but upon the more important details, of a measure of Medical Reform.

It is well understood, by all parties who have interested themselves in the politics of the Medical Profession, that the anomalous position of the great mass of Practitioners pursuing General Practice has created the difficulty in Medical Legislation. The claim of the General Practitioners to Corporate rights and privileges, whether in the Royal College of Surgeons, or in a new Institution of a collegiate character, has never been received with favor by the Royal Colleges of Physicians and Surgeons; the advocacy, however, of those gentlemen who were deputed by the Council of the Institute to represent the General Practitioners in the Conference, induced the representatives of the existing Medical Corporations, at one of the earliest sittings of the Conference, to acknowledge the justice of that claim; and it appeared, on a free interchange of views and opinions, that this claim had been hitherto overlooked, rather owing to the circumstance, that neither of the Colleges considered it within its province to recognise or represent general practice, than from any desire or intention to withhold from the General Practitioners that status, and those advantages, which their respectability and acquirements justify them to expect.

Although the abstract justice of this claim was thus readily admitted by the Conference, it became evident, at a very early period, that the hopes and expectations of those individuals, who cherish the idea that it can be satisfied by opening the College



of Surgeons to the General Practitioners, are quite futile; for reasons which are given in the Report, the extension of the franchise in the College of Surgeons, so as virtually to convert it into a College of General Practitioners, is regarded by all parties, except a portion of the General Practitioners themselves, as inimical to the best interests of the Profession, and accordingly inexpedient, if not totally impracticable.

Under these circumstances, if the claims of the great body of the Profession to Corporate rights and privileges are to be satisfied, a principle admitted on public grounds to be just and expedient, no alternative was left the Conference but the establishment of a new Royal College, and the Profession will now observe, that the approbation and consent, not only of the Government, but of the existing Institutions, has been obtained to the Incorporation of the General Practitioners in a representative Institution of a Collegiate character.

An Incorporation having thus been determined upon, the Council feel bound to state to the General Practitioners, that, so far as the Conference is concerned, a universal desire is exhibited, on public principles, to place the new Institution upon the most solid and respectable basis. The College of Physicians has assented not only to its formation but to every measure which, in the opinion of the Conference, is calculated to insure its efficiency and permanency; reserving to itself its own rights only as respects the title of Doctor in Medicine. The College of Surgeons, more intimately associated, in the discussions, with the General Practitioners, has exhibited the same feeling. It avowed at once that the claim set up for a separate Incorporation is a legitimate claim; it reserved to itself the right of examination in Surgery, as respects every individual claiming the title of Surgeon; it agreed to the unrestricted power of examination in every branch of Medical knowledge on the part of the new



College of General Practitioners, and it made no effort, as has been falsely asserted, to prevent the members of the College of Surgeons registering as Surgeons, but reserved to them all their rights and privileges as heretofore. The Representatives of the Society of Apothecaries in the Conference, in redemption of the pledge made by the Society, that they are—"ready and willing, irrespectively of personal or corporate considerations, to assist in obtaining the grant of an independent Charter of Incorporation for the General Practitioners, which implies a resignation on the part of the Society, of all further interference with the education or control over the affairs of the General Practitioners,"—have successfully employed their best efforts to secure to the General Practitioners such real and efficient control, and to place the new Incorporation, upon the most solid basis. The whole Conference concur in the opinion, that, if there is to be a new Incorporation, it must be rendered consistent with the spirit of the age, and in every respect adequate to the most efficient performance of the important public duties which must necessarily devolve upon it.

The concurrence also, in the general arrangement, of the Institutions in Scotland and Ireland, presents another most important and satisfactory feature in the recent proceedings. The Universities and the Royal Colleges of Physicians and Surgeons of Edinburgh and Dublin sent Delegates to the London Conference, with full powers to negotiate; all of whom agree on the general principles now before the Profession. The Institutions in Scotland exhibited a willingness to modify their whole system for the purpose of securing efficiency and uniformity of education and qualification, combined with reciprocity of practice, with a view to the benefit of the public and of professional men generally, throughout the kingdom. In particular, on the subject of the examinations of those who are in future to practice



as General Practitioners—it having been urged as an objection that the candidate, under the new arrangement, would be subjected to two examinations in England, and but one in Scotland—Dr. Christison and Mr. Wood satisfied the Conference, not only that the University and the Colleges in Edinburgh are willing that every individual should undergo two examinations, but that it was their anxious desire that the examinations should be even more numerous, holding as the Council of the Institute have ever done, that the paucity and laxity of such tests is one of the greatest defects in the present system of Medical education in this country.

The Medical question having thus assumed its present aspect, it rests with the profession itself, to accept or reject the proffered terms. Imperfect information, and palpable misrepresentations, have already induced some individuals to receive with disfavour the present proposal for the settlement of the affairs of the Profession; and it has been the desire of the Council, in their Report, to supply the defects of the former and expose the latter. They cannot avoid expressing, in the strongest terms, their disapprobation at the unwarrantable practices which have been resorted to, for the purpose of misguiding those whose time and opportunities prevent their wading through the voluminous documents which, from time to time, must necessarily be drawn up in elucidation of the intricacies of the question. Facts and circumstances, respecting which there could be no misapprehension, as will be seen from the Report itself, have been both garbled and directly misstated; the *ex parte* views thus given to the Profession have occasionally been acted upon, and hence an appearance of opposition, where none would exist, if truth prevailed.

If the Profession deem it just to the public, and expedient to itself, to listen to advice the direct tendency of which is to conti-



nue professional anarchy ; if it deem it prudent to make demands which under present circumstances cannot be conscientiously conceded, either by the existing Institutions, or by the Government itself ; if it believe its influence sufficient to induce the Legislature to carry measures in opposition to the convictions of the parties now in authority ; if it be conscientiously assured that an opposition to all reform is justifiable, because each section into which it is split, or each individual, cannot obtain the full complement which his own prejudices or his own aspirations have led him to desire ; then let the present proposals be rejected. If, on the other hand, the Profession can take a sober view of its own case, and as a body of practical men, is willing to accept a real practical positive even though partial good, the advantage of which will be immediate, rather than aim at a shadow, and content itself with an utopia which assuredly will never be realised, —then, in the opinion of the Council, it will cordially support the principles which have been assented to—ever remembering—that to secure the success of those principles, even under the present favourable circumstances, *unanimity* is most essential ; that some of the more powerful parties to the arrangement may shrink from those active operations which are still necessary to carry it through ;—ever remembering—that if, unhappily, the honest convictions of the active promoters of this measure are too lightly prized, and their efforts, founded upon those convictions, neutralized by any vexatious and irrational opposition, upon the heads of the opposing parties will rest the responsibility ; and that, whatever evils themselves may have to bear with, from the indefinite postponement of all reform, or the enactment, amidst the chaos of opinion, of a measure inimical to their own interests or wishes, to none other than themselves can they impute the blame.



The Report consists, mainly, of a consideration of the circumstances which relate especially to the General Practitioners; doubtless, the profession will receive, from other parties, an exposition of the views of the different corporations.

The Council of the Institute will, in this place, refer only to one other point. In a series of resolutions by some gentlemen in Gloucestershire, a copy of which is given in the Report, the powers of the Council to represent the General Practitioners are called in question. The Council consists of Forty-eight General Practitioners, Metropolitan and Provincial, intrusted with the interests of the largest Voluntary Association of Medical Practitioners ever known in this country—The National Association—consisting of upwards of four thousand of their brethren of the same class in the Profession. This trust was reposed in them, formally and constitutionally, by the Association. The Committee of the Association comprising upwards of one hundred Members (for the most part Presidents, Vice-Presidents, or other office bearers of the different Local Associations of General Practitioners) have from time to time expressed their cordial approval of the proceedings of the Council. The Government satisfied itself that the Council of the Institute fully and fairly represents this great interest. Under these circumstances, however, from personal considerations, they might be inclined, the members of the Council could not shrink from the responsibility thus imposed upon them by their Professional brethren, without laying themselves open to the charge of an unjustifiable abandonment of a great public trust.

## R E P O R T.

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It will be in the recollection of the Members of the Institute, that the Three Reports of the Joint Deputation, "appointed with full authority, on behalf of the National Association of General Practitioners, to accept such a Charter of Incorporation for the General Practitioners as the Crown might be advised to grant, and on behalf of the Society of Apothecaries to relinquish their present privileges, as soon as the terms of the proposed Charter should be adjusted, under the sanction of Her Majesty's Advisers, to the satisfaction of the Deputation;" bearing date respectively, May 12th, 1845, August 5th, 1845, and February 25th, 1846, and published together on the 18th March, 1846; detailing the particulars of the negotiations between the Deputation and the Government; conveyed to the Profession the discouraging intelligence that the Right Honorable Sir James Graham, the then Secretary of State for the Home Department, deemed it inexpedient that a Measure of such importance as a Bill for Medical Reform should again be introduced into Parliament, unless with a reasonable probability of its meeting with the concurrence of the Medical Corporations, and of its giving satisfaction to the Profession generally; and declined introducing a Bill such as he laid upon the Table of the House of Commons in the preceding Session, "the communications which he had received during the recess not justifying him in entertaining any expectation of such general satisfaction."



Towards the termination of the Session of 1846, an individual Member of Parliament introduced a "Medical Registration Bill," which did not progress further than the first stage.

In the Session of 1847, a change of Ministry having taken place, the Council of the National Institute of that year adopted the usual means of acquainting the Right Honorable Sir George Grey, as Principal Secretary of State for the Home Department, with the case of the General Practitioners, and of renewing their application for a Charter. The Right Honorable Gentleman gave the most patient attention to the statements made by a Deputation, who received from him, in reply, the assurance that he should certainly not bring into Parliament any Measure of Medical Reform to which the General Practitioners were not concurrent parties; promising at the same time to refer to the Draft of the Charter which had been arranged under his predecessor's administration, and to give it his best consideration.

As the Session of 1847 progressed, another "Bill for the Registration of Qualified Practitioners, and for amending the Law relating to the Practice of Medicine in Great Britain and Ireland," was introduced into the Legislature; commonly known also as a "Medical Registration Bill,"—conveying an erroneous impression as to its real character and tendency. The Bill was opposed by nearly all the influential bodies in the Profession. The Council of the Institute opposed it as inimical to the interests of the General Practitioners and of the Public; they were heard, by Deputation, by the Right Honorable Sir George Grey, at the Home Office; and their objections, in which they were unanimous, were embodied in a Petition to the House of Commons. Those objections, together with some of the principal features of the Bill, are contained in the following advertisement, bearing date May 27th, 1847.



[Copy.]

THE NATIONAL INSTITUTE OF MEDICINE, SURGERY, and MIDWIFERY.—The attention of the profession is hereby called to the following particulars relating to the MEDICAL REGISTRATION BILL, now before the House of Commons:—

First—By Clause 4 any person who, *subsequently to the passing of the bill*, shall obtain a diploma, certificate, or licence, granted by any English, Irish, or Scotch university, college or society, or any corporation legally entitled to grant the same, will be entitled to register. And by Clause 10 every individual having registered, will be entitled to practise all the branches of the profession.

Thus, supposing that this bill become a law, a certificate from any college of surgeons entitled to grant certificates, however limited the education or inadequate the examination, would entitle the holder thereof to practise in every branch of the profession, including medicine and midwifery; and a certificate from any apothecaries' society, although the holder thereof shall have received no surgical education, and shall not have undergone any examination in surgery, will, nevertheless, entitle him to practise surgery, as well as medicine and midwifery.

Secondly—The bill does *not* provide for uniformity of education. It declares, by clause 23, that “it is expedient and desirable that the qualifications” for testimonials should be uniform, “*according to the nature thereof,*” throughout Great Britain and Ireland. The words in italics show, unequivocally, that for the *future* one standard of qualification will be required for apothecaries—another for surgeons—another for physicians, although by the Registrar's certificate all will be placed on an equality, and be alike entitled to practise every branch of the profession; and it is particularly to be observed, that the bill will thus confirm the recent policy of the College of Surgeons, in making a high standard of qualification for the *fellowship*, attainable by a few individuals only, and a low standard for the *membership*—the future with the present *members* of the college constituting the great body of general practitioners.

Thirdly—The National Association of General Practitioners in Medicine, Surgery, and Midwifery, and the National Institute, by resolutions at public meetings, and by all their published documents, have at all times declared the expediency of legalizing and placing upon an equality in one institution, *all qualified* members of the profession now in general practice. The sole, avowed, universally acknowledged, and approved object of this has been to secure the public interests by obtaining for the general practitioners *in future* a complete medical and surgical education, and by preventing any individual practising the profession *after* the passing of a measure of



medical reform, except such as are thus by education fully qualified so to do.

Fourthly—the 27th clause of the bill provides as follows:—

“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 buying, preparing, compounding, *dispensing* and vending drugs, medicines, and medicinale compounds, wholesale or 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.*”

Thus, should the “Registration Bill” become law, every chemist and druggist would be exempt from the operation of this law, and from any penalty whatever, provided he can show that he carries on his business, not as the business of a chemist and druggist was carried on before the passing of the act of 1815, but as it is conducted at the present day. The members of our profession can form their own opinion as respects the chemists and druggists, whether they do or do not practise, both at the counter and by visiting patients at their own houses.

The Council of the Institute trust that this commentary will, for the present, sufficiently explain the objections to the bill, and render unnecessary any further public remarks until the Special Committee of the House of Commons have made their Report.

By Order of the Council,

GEORGE ROSS, *Secretary.*

4, Hanover Square, May 27, 1847.

The opposition offered to the “Medical Registration Bill,” led to the appointment in the House of Commons of a Select Committee, “On Medical Registration and Medical Law Amendment,” referred to in the above advertisement. This Committee continued its sittings until the end of the Session, and accordingly, up to this period, and until the re-opening of Parliament in November, no further progress was made in Medical Legislation.

As the present Session of Parliament approached, the Council of the Institute felt it their duty to put themselves again in



communication with the Minister of the Crown, for the purpose of recalling his attention to the urgent necessity of Medical Reform; and accordingly on the 3rd of November, 1847, a letter was addressed to the Secretary of State, of which the following is a copy:—

To the Right Honble. Sir GEORGE GREY, Baronet, *Her Majesty's Principal Secretary of State for the Home Department.*

Sir,

The Council of the National Institute of Medicine, Surgery, and Midwifery, deeply impressed with the important necessity of an early consideration of the state of the Laws affecting the Medical Profession, are solicitous to ascertain whether the subject has occupied your attention during the recess, and whether the Profession may entertain a hope that Her Majesty's Government are prepared to recommend a plan for the settlement of this long agitated question at an early period of the ensuing Session.

The Council also beg respectfully to enquire whether it is proposed to appoint a Parliamentary Committee to receive further evidence on the subject of Medical affairs, and thus afford an opportunity for the General Practitioners to state their case and grievances before the Legislature; the evidence recently taken having been confined to the witnesses on behalf of the Colleges of Physicians and Surgeons of London.

I have the honour to be,

Sir,

Your most obt. humble Servt.,

R. R. PENNINGTON,  
President.

In addition to this a Memorial, of which the following is a copy, was forwarded to the Home Office.

#### MEMORIAL

To the Right Honourable Sir GEORGE GREY, Baronet, *Her Majesty's Principal Secretary of State for the Home Department.*

The MEMORIAL of the President, Vice-Presidents, and Council of the National Institute of Medicine, Surgery, and Midwifery,

Showeth,

THAT your memorialists were duly elected as the Representative Council of the National Institute in August 1847, and that they



represent the opinions of above 4,000 of the general practitioners of England and Wales.

That upon a former occasion the previous Council of the National Institute had the honour of presenting a memorial, bearing date December 24th, 1846, to Her Majesty's Principal Secretary of State for the Home Department, in which memorial the opinions and sentiments of the class of medical practitioners whom your memorialists represent, were carefully and deliberately stated. That the statements contained in that memorial were subsequently explained and confirmed by a deputation from the said Council of the Institute, in an interview with the Right Honourable Sir George Grey, Baronet, at the Home Office, on Friday, 5th February, 1847; and your memorialists fully believe that at that interview the deputation were enabled so far to convince the Right Honourable the Secretary of State of their truth and importance, as to elicit the assurance that the Council should be admitted concurrent parties to any measure of medical reform that may be adopted by the Government.

That your memorialists fully concur in the propriety of the recommendation conveyed to them and to others of their medical brethren, from the same influential quarter, to the effect that it would be desirable that the members of the medical profession should themselves meet and agree upon some general plan, prior to the Government undertaking to introduce a Bill before Parliament for the revision of the laws affecting the medical profession. That your memorialists have ever been most anxious to promote the views contained in that recommendation, and have been willing and prepared to meet any authorized parties representing the existing medical institutions, and to discuss any plan which might be submitted, in the most amicable spirit, and with the most sincere desire to obtain such a settlement of this highly important question as may conduce to the public welfare, and the peace and tranquillity of the profession.

That your memorialists deeply regret that the advice alluded to has not been acted upon, and that the benevolent intentions of the Government have not been reciprocated in those quarters from whence an immediate proposition for a conference should have emanated.

That your memorialists are fully persuaded that daily increasing evils press upon the people of these realms, in consequence of the laws by which the medical institutions of the country are governed having been found by experience to be quite inadequate to the wants of the public, and from their charters having become in a great degree obsolete. That before any efficient measure affecting the public health or sanitary improvement can be successfully carried into effect, medical reform appears to be an essentially preliminary step, and your memorialists can never too strongly impress on the Govern-



ment and the Legislature, that the medical question is quite as important to the community as it is to the medical profession itself.

That in the opinion of your memorialists, the only way to arrive at a satisfactory settlement of the affairs of the medical profession, will be in the first instance to incorporate by Royal charter the general practitioners in a college of medicine, surgery, and midwifery,

That your memorialists respectfully beg it to be borne in mind, that the general practitioners constitute at least nine-tenths of the medical profession; that the duties which devolve on them are of vital importance to the public; and that no act of the Legislature or of the corporations can prevent by far the largest portion of the public from being entrusted to their exclusive professional care. That the attainments of the present race of general practitioners are of the highest order, and are highly honourable to the profession; but that their position is most grievous and anomalous, from being excluded from the benefits and respectability of a legal incorporation.

That your memorialists entertain a confident hope that they have succeeded in convincing the Right Honourable the Secretary of State of the just claims of the highly meritorious body they represent, to a legally recognized position; and your memorialists fully trust that those arguments which were found successful with a former Government, and which were so far acted upon as to have induced a former Secretary of State to state, in his place in Parliament, his intention to incorporate by Royal charter the general practitioners, may have lost none of their force, or be less conclusive than formerly of the justice of their claims, and of the paramount necessity of this preliminary measure being forthwith adopted.

That, in conclusion, your memorialists beg respectfully to reiterate their grave and deliberate opinion, that it would tend materially to the advancement of science, to the welfare of the community, and to the best interests of the medical profession, if the prayer of this memorial were graciously acceded to, by which the general practitioners would be duly recognized, and, by a properly defined title, be placed among the medical institutions of this enlightened country.

(Signed) R. R. PENNINGTON,  
President.

8 December, 1847.

The receipt of this document was acknowledged as follows:—

*Whitehall, Dec. 14th, 1847.*

Sir,

I am directed by Secretary Sir George Grey to acknowledge the receipt of the Memorial, dated the 8th inst., of the President, Vice



Presidents, and Council of the National Institute of Medicine, Surgery, and Midwifery, praying the Grant of a Charter of Incorporation to the General Practitioners; and I am to inform you that Sir George Grey will give to the Memorial the fullest consideration.

I am, Sir,

Your obt. Servt.,

To R. R. PENNINGTON.

P. M. PHILLIPS.

A copy of the Memorial was moved for in the House of Commons, by Sir Dennis Le Marchant, Bart., on the 20th December, 1847; and ordered by the House to be printed on the 8th February, 1848.

The Government had intimated, upon more occasions than one, that from the conflicting interests at stake, the divisions of opinion, and the fate of the various Bills which have been introduced into the House of Commons, the only probable chance of the Medical Profession obtaining a measure of Medical Reform and an amelioration of the evils of which it complained, the justice and expediency of which demand was to a great extent acknowledged, appeared to be, through a previous agreement of the different classes of the Profession among themselves; and during the recess, Mr. Hawes, who has ever exhibited the greatest interest and zeal for the welfare of the Profession, suggested the propriety of representatives from each class, conferring together with that view. The Royal Colleges of Physicians and Surgeons of London and the Society of Apothecaries acted upon this suggestion in the first instance, but, on communicating with the government, Sir George Grey, in accordance with his pledge that the General Practitioners should be consulted as to any future scheme of Medical Reform, in a letter addressed to the College of Physicians, intimated the propriety of the General Practitioners being represented in the conference. The following correspondence will suffi-



ciently explain the result of this intimation on the part of the government :—

*Apothecaries' Hall, 16th Dec., 1847.*

Sir,

I am directed by the Master and Wardens of this Society to inform you that they are desirous of having a Conference with a Deputation from the National Institute of Medicine, Surgery, and Midwifery, on a subject of importance in connection with Medical Legislation; and that they request the favour of the Deputation meeting them at Apothecaries' Hall, on Saturday next, at half-past two o'clock. The Master and Wardens regret that it has not been in their power to give an earlier invitation to this Conference, and they have deemed it advisable to name a day not later than Saturday, because they anticipate that the Deputation may find it necessary to communicate with the Council of the National Institute on the subject of the Conference, and to put this Society in possession of the result of the deliberations of the Council by Wednesday next.

I am, Sir,

Your most obt. Servt.

ROBT. B. UPTON,

Clerk to the Society.

To GEO. ROSS, Esq.

The request of the Society was immediately complied with. It appeared in the course of the discussion which ensued, that no modification whatever had taken place in the views of the Society or of the National Institute, respecting the principles they were mutually willing to assent to, in the framing of a measure of Medical Reform. The specific object of the meeting is fully detailed in the following letters :—

*Apothecaries' Hall, 18th Dec., 1847.*

Sir,

Referring to the Meeting which took place this morning, at Apothecaries' Hall, between a Deputation from the National Institute of Medicine, Surgery, and Midwifery, and the Master, and Wardens, and other Members of this Society, at which the Master apprised the Deputation of the Conferences which have taken place between the Royal Colleges of Physicians and Surgeons and this Society, with the view to the preparation, in concert, of a measure of



Medical Reform, and explained the circumstances which had given rise to these conferences, and the correspondence with the Secretary of State which had resulted from them, and referring in particular to the suggestion contained in a letter from the Right Honourable Sir George Grey to the President of the College of Physicians, whether some representative of the body of General Practitioners could not be included in the conferences, I am directed by the Master and Wardens to intimate to you, for the information of the Council of the National Institute, that the Society, with the view of carrying out the suggestion of the Secretary of State, are desirous of enquiring—1st, Whether the Council of the National Institute consider that they do at the present time represent the body of General Practitioners; and, 2ndly, assuming from the reply given by the Deputation to this enquiry, that the Council consider they do so represent the body of General Practitioners, whether the Council would wish that the Master of this Society and Messrs. Bacot and Ridout, who have been deputed to act on behalf of this Society at the conferences in question, should be regarded as the representatives of the body of General Practitioners; and if not, then the Master and Wardens beg to suggest that the Council should nominate two General Practitioners (being Members of the Royal College of Surgeons, and Licentiates of this Society) to act as such representatives; and I am desired to add, that the Master and Wardens have been authorized to invite to the conferences two gentlemen, possessing the qualifications I have mentioned, in the character of representatives of the body of General Practitioners.

I am, Sir, your most obt. Servt.,

ROBT. B. UPTON,

Clerk to the Society.

To GEO. ROSS, Esq.

Secy. of the Natl. Institute  
of Medicine, &c.

*The National Institute of Medicine, Surgery, and Midwifery.*

4, Hanover Square, 21st Dec., 1847.

Sir,

I am directed to acknowledge the receipt of your letter of the 18th instant, referring to certain conferences now in progress between the Royal College of Physicians and Surgeons and the Society of Apothecaries; and enquiring, first, whether the Council of the National Institute consider that they do at the present time represent the body of General Practitioners; and, secondly, in the event of their considering that the Council do so represent the body of General Practitioners, whether they would consent that the Master of the Society of Apothecaries and Messrs. Bacot and Ridout, who have been deputed



to act on behalf of the Society at the conferences in question, should be regarded as the representatives of the body of General Practitioners; and, in the third place, if the reply to the second question be in the negative, then informing the Council that the Society is authorized to invite the Council to nominate two General Practitioners (being members of the Royal College of Surgeons, and Licentiates of the Society,) to act as representatives on the part of the General Practitioners in the said conferences.

I am instructed to state in reply to the first inquiry, that in accordance with the reasons assigned by the Deputation at the conference with the Master and Wardens of the Society, on Saturday, the 18th instant, the Council of the National Institute consider that they do at the present time represent the body of General Practitioners, inasmuch as they have been recognized both by the former and present Government as the representatives of the General Practitioners; inasmuch, also, as Sir George Grey had recently assured them that they should be admitted concurrent parties to any scheme of medical legislation that might be adopted by the Government.

In reference to your second enquiry, I am desired to state that the Council being themselves a delegated body, have no authority to re-delegate their powers to any other body. Moreover, that the Council of the Institute represents a principle that is not represented by any of the existing corporate institutions. The College of Physicians represents Medicine; the College of Surgeons represents Surgery; and the Society of Apothecaries does not include Surgery in the qualifications required for its licence. The General Practitioners consider that the principle of education and qualification, both in Medicine and Surgery, and the practice of all branches of the profession by the same individual ought to be represented.

The Council must, therefore, necessarily decline to depute the Society of Apothecaries to represent them in the proposed conferences.

I am further directed to acquaint you that in compliance with the invitation to the Council to nominate two General Practitioners (being Members of the Royal College of Surgeons, and Licentiates of the Society of Apothecaries,) to act as such representatives, the Council have nominated JAMES BIRD, Esq., and HENRY ANCELL, Esq., on behalf of the Council, to represent the General Practitioners at the proposed conferences with the Royal Colleges of Physicians and Surgeons and the Society of Apothecaries, on the subject of medical legislation.

I have the honour to be, Sir,

Your most obt. Servt.,

To ROBT. B. UPTON, Esq.

GEORGE ROSS, Secretary.

Clerk to the Society of Apothecaries.



These preliminaries having been thus satisfactorily arranged, Messrs. Bird and Ansell, the gentlemen nominated by the Council, received from the College of Physicians the following communication :—

To JAMES BIRD, ESQ.  
HENRY ANCELL, ESQ.

*College of Physicians, Jan. 8th, 1848.*

Sir,

I am directed by the President of the Royal College of Physicians to request your attendance at the College on Wednesday, the 19th instant, at half-past eight o'clock, to take part in the proceedings of a Committee, which has been founded on the Resolution of which a copy is enclosed.

I am, Sir,  
Your obt. Servt.

J. B. SEDGWICK.

*Copy of Resolution.*

“It was resolved at a Meeting of the Presidents of the Royal Colleges of Physicians and Surgeons, and Master of the Society of Apothecaries, assisted by other Office bearers and Members of those Corporations, that, considering how much the Medical Profession in this country has for several years been unsettled and kept in agitation by the demand for Medical Reform, it is desirable that the Medical Corporations should enquire in concert what grievances affect the Profession and ought to be redressed, and what changes will be generally acceptable to the Profession and advantageous to the public.”

R. R. PENNINGTON, Esq., as President of the National Institute, and Messrs. BIRD and ANCELL accordingly attended the Conference on the 19th January, at the Royal College of Physicians, and have continued to do so up to the present period.

In giving the result of these Conferences, it affords the Council much pleasure in being able to report, that after a full, free, and candid interchange of opinions, and the most mature deliberation upon the subject of Medical Reform, the discussions



upon which were conducted with the greatest harmony and mutual good feeling between the respective parties to the Conference, and with an anxious desire to bring to a happy termination the dissensions which have so long agitated the Profession, they came unanimously to the conclusion:—"that all real grievances which have been complained of as affecting the whole or part of the Profession, would be, as far as possible, remedied, and that the whole Profession would be better regulated than it has hitherto been, if a general measure were passed by the Legislature, founded upon the following principles;" and that it was the opinion of the Conference, that a measure of this nature "would be generally acceptable to the Profession, and also eminently conducive to the public good, as well by securing to the Public the services of Physicians, Surgeons, and General Practitioners, whose education has been rendered as complete as possible, and whose fitness to practise has been duly ascertained, as, likewise, by enabling the Public to distinguish all such thoroughly-educated and legally-qualified persons from those whose education and qualifications have never been tested by any legal or competent tribunal."

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## P R I N C I P L E S

*On which a Bill for regulating the Practice of Physic and  
Surgery should be founded.*

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I. That a Charter of Incorporation should be granted to the New Incorporation Surgeon Apothecaries of this country, under the title of "The Royal College of General Practitioners of England."

II. That a Council should be established to superintend the Reg- Establishment of a Council. istration of all Medical and Surgical Practitioners, and for the general controul of Medical Education and Practice.



That the Council should consist of one of Her Majesty's Principal Secretaries of State, in right of his office, (who should also be President of the said Council, with power to appoint a Vice-President), and that the other Members of the Council (of whom not less than two-thirds should be registered members of the Medical Profession) should be such persons, not more than twelve, whom Her Majesty, with the advice of Her Privy Council, should deem fit to be members of the said Council.

That the Council should be empowered, with the approval of the Secretary of State, to appoint a principal Secretary and local Secretaries for Scotland and Ireland, and Clerks, Messengers, &c.: and that the Members of the Council, the Secretaries, Clerks, &c., should receive such salaries as the Lords of the Treasury should think proper to allow.

Register to be made and published.

III. That a Register should be made and published by the said Council, as soon as conveniently may be, of all persons entitled, as after explained, to be registered as Physicians, Surgeons, or General Practitioners, and who shall apply to be so registered within one year if residing in any part of the United Kingdom, or within two years if resident abroad; for which a fee of Ten shillings shall be paid by each person so registered. And that to the Register should afterwards be regularly added the names of all persons who shall receive Letters Testimonial, as after explained, of their fitness to practise as Physicians, Surgeons, or General Practitioners; and that for such registration should be paid the sum of Five pounds in the case of a Physician or Fellow of the College of Surgeons, and of Two pounds in the case of a General Practitioner. All such Fees should be applied towards defraying the expenses of this Act.

The Register to be formed on the plan of a specimen submitted to the Committee of the House of Commons in 1847, by the Registrar of the College of Physicians.

And all persons desirous of being continued on the Register, should be required to send their names and residences to the Council, annually, but without the payment of additional fees.

The Register to be received as evidence in Courts of Law.

General Practitioners.

IV. That those persons should be entitled to be registered as General Practitioners, who shall be enrolled as Members of the Royal College of General Practitioners within one year from its first Incorporation, according to the provisions of a Charter which has been prepared for that College; and that those persons should afterwards be entitled to be so registered who, having attained the age of twenty-two years, shall have received Letters Testimonial of their fitness to practise as General Practitioners, from the examining Board of the Royal College of General Practitioners, and who shall also



have been examined and admitted as Members of the Royal College of Surgeons.

That those persons shall be entitled to be registered as Surgeons, <sup>Surgeons</sup> who shall have been admitted as Fellows or Members by the Royal College of Surgeons. That the Members of the College of Surgeons who dispense medicines or supply medicines to their patients, shall be required to enrol themselves in the College of General Practitioners, and to be registered as Surgeons and General Practitioners; and after the passing of the Act, Members of the Royal College of Surgeons shall not be registered as Surgeons unless they be also admitted as Members of the Royal College of General Practitioners, and registered both as Surgeons and General Practitioners.

That those persons should be entitled to be registered as Physicians, <sup>Physicians.</sup> who shall have been admitted as Members of the Royal College of Physicians, according to the provisions of a new Charter which has been prepared for the College of Physicians, and also has been permitted to the Government, which Charter it is expedient should be granted to the College of Physicians.

That the cases of persons, who have been engaged in practice prior to the passing of the Act, without being Members of any Corporate Body in the Profession, should be referred to the College of the department in which they have practised respectively, for special investigation of their claims to be admitted to register. <sup>Registry of Special Cases.</sup>

V. That the Members of each class of the Profession, registered in each of the three kingdoms respectively, should be entitled to be registered and to practise reciprocally in either of the three kingdoms as Physicians, Surgeons, or General Practitioners, as the case may be, provided the education and examinations of each class respectively be assimilated and regulated by a certain standard common to each class; and provided that, previous to registration, they be enrolled in the College appropriated to their class, in the country in which they practise. <sup>Reciprocity of Practice.</sup>

VI. That the Council shall be empowered to allow or disallow any new Bye-law which shall be made by either of the Colleges. <sup>Powers of the Council as to Bye-laws.</sup>

Also, to cause a Register to be made of Medical and Surgical Students, and to make such dispensing regulations as shall seem fit in favour of those Students who shall have commenced their professional studies before the passing of the Act. <sup>Registry of Students.</sup>

Also to call for Returns respecting examinations, and Fees for Letters Testimonial and Admission into the respective Colleges, and to take such other measures as may be necessary in order to assimilate, as nearly as possible, the education, examinations, and fees for each class of the Profession, respectively, in each of the three kingdoms. And that the Council should be empowered, in any case in which it <sup>Returns of Fees, Examinations, &c. for securing uniformity and efficiency of Examinations.</sup>



should appear to be necessary, in order to secure efficiency and uniformity of examinations, to depute one or more of its members to be present at the examinations of any of the Colleges: provided the Members of the Council so deputed be Medical Practitioners, and of the same class in the Profession as the College to be so visited; and if, upon the Report of such visitor, or otherwise, the Council should be of opinion that its regulations are not complied with by any examining body, that it should be lawful for the Council to refuse to register, upon the Testimonials of the Body so in default, until the same be amended to the satisfaction of the Council.

As to striking from the Register.

That the Council should be empowered to strike from the Register the names of any persons who shall be proved to have obtained the registry of their names by any fraud or false certificate, or who shall have been convicted of felony, or of having wilfully and knowingly given any false certificate in any case in which the certificate of a Medical Practitioner is required by law; also the names of any persons who shall have been expelled from either of the Colleges, according to the terms of their respective Charters, provided such expulsion shall have been approved and allowed by the Council, as before required, respecting Bye-laws.

Privileges of Persons registered.

VII. That no one who is not registered should be judged capable of performing any act which is required by law to be done by a Medical Practitioner; nor should any but a registered person be appointed to any office which is deemed by the Council to be a public Medical or Surgical office; nor should any but registered General Practitioners be entitled to demand or recover fees for Medical and Surgical advice and attendance, or for medicines prescribed or administered.

Penalties on unqualified Persons, and for false pretences of qualification.

VIII. That penalties should be imposed by summary process on all unregistered persons practising Medicine or Surgery.

Also, on all unregistered persons falsely pretending to be registered.

Also, on all persons assuming any professional name or designation to which they are not by law entitled, or which implies that they belong to a class in the Register in which they are not registered, or that they are Members of a College in which they are not enrolled.

In thus laying down the principles on which a Bill should be framed for regulating the whole Medical Profession, the Committee has entered into particulars only as regards the Profession in England; but, under the fifth head, respecting reciprocity of practice in the three kingdoms, it has assigned the conditions which are clearly indispensable for the attainment of that desirable object.

The Committee is aware that some variations from the plan which is here drawn out for England may be rendered advisable or necessary, by local circumstances and the rights of existing institutions, in Scotland and Ireland.



And the Committee is contented that such variations should be made, provided the principle be not contravened, that equality of education and qualifications in each class respectively of the Profession in the three kingdoms should be first obtained, in order that the right of reciprocal practice may be justly allowed.

*Signed* J. A. PARIS, President of the College of Physicians.  
 BENJ. TRAVERS, President of the College of Surgeons  
 of England.  
 EDW. BEAN, Master of the Society of Apothecaries.  
 R. R. PENNINGTON, President of the National Institute.

*February, 1848.*

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An important step was taken by the Council at this juncture. The interests of the National Association of General Practitioners in Medicine, Surgery, and Midwifery, having been entrusted to the Council of the Institute—"their principles and objects being identical;"—although the Council were unanimous in the propriety of adopting the "Principles" agreed to by the Conference, they considered it expedient to convene a Meeting of the Committee of the National Association, for the purpose of submitting the "Principles" to that body; and, at the same time, of making them fully acquainted with the recent discussions and negotiations, and the consequent progress of the Medical Reform Question. Messrs. Bird and Ancell, as Honorary Secretaries of the Association, were accordingly requested to convene a Meeting of the Committee, at the Hanover Square Rooms, which meeting took place on the 19th February, 1848, and was numerously attended, when the following resolution was unanimously adopted:

*Resolved* :—

"That the thanks of this Meeting be presented to the Council of the National Institute of Medicine, Surgery, and Midwifery, for the



communication made to this meeting on the subject of the conferences recently held with reference to Medical affairs, and that this Committee concurs with the Council in its approval of the arrangements proposed ; which, in the opinion of this meeting, are eminently calculated to promote the respectability of the profession, and would also be conducive to the public welfare."

The Honorary Secretaries were then requested to call another Meeting of the Committee of the National Association whenever, in their opinion, circumstances may render it advisable. Thus, the Principles obtained the assent and approbation of the larger Committee, consisting of one hundred members. The first Article of these "Principles," and the basis of the whole arrangement, is the grant of a Charter of Incorporation to the General Practitioners. The Council place that Charter, as agreed to by the conference, in the hands of their professional brethren, and invite their attention to its provisions. It will be seen that it embraces in all essential particulars the "Suggestions for Principal Heads of a Charter," framed by the Committee of the National Association, and ratified at a General Meeting of the Association, held at the Hanover Square Rooms, on the 14th day of March, 1845 ; at which meeting it is reported that about one thousand gentlemen had assembled.

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## DRAFT OF CHARTER.

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*Draft of Proposed Charter of the Royal College of General Practitioners of England and Wales.*

**Victoria** by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen Defender of the Faith: TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING. WHEREAS there are many persons practising the Medical Profession in England and Wales, not being of the degree of Physicians, who combine the Practice of Medicine, Sur-



gery, Midwifery, and Pharmacy. AND WHEREAS all persons other than Physicians who are desirous of becoming duly authorized by law to practise Medicine, Surgery, and Pharmacy in England or Wales are required to present themselves before the Royal College of Surgeons of England for examination as to their fitness and capability "to exercise the art and science of Surgery;" and such persons (if they were not actually practising as an Apothecary on the First day of August, One Thousand Eight Hundred and Fifteen, or have not acquired the right of practising as an Apothecary by virtue of an Act passed in the Sixth year of the reign of King George the Fourth, intituled "An Act to amend and explain an Act "of the Fifty-fifth year of His late Majesty, for better regulating "the practice of Apothecaries throughout England and Wales,") are also required to present themselves before the Court of Examiners of the Master Wardens and Society of Apothecaries of the City of London, for examination as to their "skill and abilities in the science and practice of Medicine," and their fitness and qualification to practise as an "Apothecary," and such persons upon obtaining the diploma of the said Royal College of Surgeons are "authorized to "practice the art and science of Surgery," and upon obtaining a certificate of qualification to practice as an Apothecary from the Court of Examiners of the said Master Wardens and Society of Apothecaries, are entitled to practice as an Apothecary. AND WHEREAS very many persons who have obtained such diploma and certificate of qualification practice the art or science of Midwifery, but no adequate provision has hitherto been made by law for ascertaining the skill and abilities of those who practice the said art or science. AND WHEREAS persons not being of the degree of Physicians, who have obtained such diploma as aforesaid, and have also obtained such certificate of qualification as aforesaid, or are otherwise authorized by law to practice as an Apothecary, are known to the law as Surgeons and Apothecaries, and have also been heretofore commonly known and designated as "Surgeon-Apothecaries," and have been of late years better known and distinguished by the name and title of "General Practitioners." AND WHEREAS the necessities of a large portion of the population of England and Wales imperatively require the existence of a well educated and numerous class of persons competent to practice all branches of the Medical profession, and to minister to the sick in all emergencies. AND WHEREAS in order the more effectually to promote and encourage the study of Medicine, Surgery, and Midwifery, and to provide an adequate supply of such well educated and well qualified medical and surgical attendance for all classes of the population in England and Wales; It appears to us expedient that the Surgeon-Apothecaries or



General Practitioners should be united into one body politic and corporate, with power to appoint a Court of Examiners to examine all persons who shall hereafter desire to practice as "Surgeon-Apothecaries" or "General Practitioners" as to their competence to practice in that capacity, and to grant or withhold letters testimonial of the fitness and qualification of such persons to practice as Surgeon-Apothecaries, or General Practitioners. AND WHEREAS it has been represented to us that there are now practising in England and Wales as Surgeon-Apothecaries or General Practitioners divers persons who have obtained the diploma of the College of Surgeons of England, but who have not obtained a certificate of qualification to practice as an Apothecary from the Court of Examiners of the Master Wardens and Society of Apothecaries, and are not otherwise authorized by law to practice as an Apothecary in England or Wales; and divers other persons who have obtained such certificate of qualification as aforesaid, or are otherwise authorized by law to practice as an Apothecary in England or Wales, but who have not obtained the diploma of the College of Surgeons of England, and are not otherwise authorized by law to practice the art of Surgery in England or Wales; and divers other persons who are not authorized by law to practice either as Surgeons or Apothecaries in England or Wales, but who are legally authorized to practice either as Physicians, Surgeons, or Apothecaries in some other part of the United Kingdom: And it appears to us expedient that such several persons should, under certain restrictions hereinafter expressed, be admitted into the said body corporate. AND WHEREAS our trusty and well beloved A. B. of and C. D. of now lawfully practising as Surgeon-Apothecaries or General Practitioners, have by their Petition humbly besought us to grant to them and to such other persons as are hereinafter in that behalf mentioned, our Royal Charter of Incorporation for the carrying into effect the purposes aforesaid. NOW KNOW YE that we of our especial grace, certain knowledge and mere motion, HAVE willed, ordained, constituted and granted, and by these presents for us, our heirs and successors, DO will, ordain, constitute and grant unto the said A. B. and C. D.

in manner following, (that is to say):—

1.—THE said A. B. and C. D. and also every person qualified as hereinafter provided, who within the times respectively for that purpose hereinafter limited, shall cause his name to be enrolled as a Member of the College hereby constituted, or who shall at any time hereafter be chosen as hereinafter mentioned, shall be incorporated into one body corporate and politic, by the name of "The Royal College of General Practitioners of England;" and



by that name shall have perpetual succession in all time coming, and shall and may sue and be sued, plead and be impleaded, in all Courts and before all Justices and others.

2.—THE said Body Corporate or College shall and may have and use a Common Seal for their affairs, with full power from time to time, at their will and pleasure, to break, alter, or make anew the same.

3.—THE said College shall provide and have a Common Hall in London or Westminster, or elsewhere in the County of Middlesex, and shall at all times hereafter be capable in law to buy, take, hold and enjoy for their own use any hereditaments, so that the yearly value of the whole thereof do not exceed £5000 sterling at the time or several times of acquiring the same, and from time to time to sell, exchange, demise, and mortgage such hereditaments at their will and pleasure.

4.—THE said College shall consist of an unlimited number of members, and shall be governed by a President, Three Vice-Presidents, and a Council, and the several persons hereinafter named as the First President and the First Council shall be the First Members of the said College.

5.—EVERY person who was actually practising as an Apothecary on the First day of August, 1815, or who before the grant of these our Letters Patent shall have acquired the right of practising as an Apothecary by virtue of the Act of the Sixth year of the Reign of King George the Fourth, hereinbefore mentioned, and also every person who before the grant of these our Letters Patent shall have obtained a certificate of qualification to practice as an Apothecary from the Court of Examiners of the Society of Apothecaries of the City of London, and also every person at the date of these our Letters Patent actually practising as a Surgeon or Apothecary or Practitioner in Medicine, Surgery or Midwifery in England or Wales, being a Fellow or Licentiate or extra Licentiate of any one of the Royal Colleges of Physicians of England, Scotland or Ireland, or a Fellow, Member or Licentiate of any one of the Royal Colleges of Surgeons of England, Scotland or Ireland, or a Member of the Faculty of Physicians and Surgeons of Glasgow, or a Doctor or Bachelor in the Faculty of Medicine of any University of the United Kingdom of Great Britain or Ireland, shall be entitled at any time within Twelve calendar months next after the grant of these our Letters Patent, if at the date thereof he shall be resident in the United Kingdom, but if not resident therein at such date and not of the class hereinbefore required to be actually practising in England or Wales at such date, then at any time within two years after the grant thereof, to cause his name to be enrolled as a Member of the said



College, on payment to the said College of the fee of £        for the use of the said College, and on being so enrolled he shall become a Member of the said College and Body Corporate.

6.—THE names of all the persons entitled to enrol themselves as Members by virtue of any of the foregoing qualifications, who within the first calendar month next after the grant of these our Letters Patent shall severally signify in writing under their hands addressed to the Registrar of the said College at the Common Hall thereof for the time being, their desire of becoming Members of the said College, shall within the calendar month next ensuing the end of such first month be set forth on a Schedule and one general Diploma under the seal of the said College, which Diploma and Schedule shall be enrolled in our High Court of Chancery within Two calendar months after the seal of the said College shall have been affixed thereto and the order of the names contained in the said Schedule shall be according to the priority of the dates of the several qualifications by virtue of which each person shall have been admitted a Member of the said College, without discrimination of the several kinds of qualification hereinbefore enumerated; and in all cases in which the order of precedence of any names shall appear to the Council of the College to be doubtful according to the foregoing rule, the doubtful matter shall be settled by the Council either by lot or in such other manner as to the Council shall seem expedient.

7.—THE names of all the persons entitled to enrol themselves as Members by virtue of any of the foregoing qualifications who in the course of the Second and every following calendar month until the end of the twelfth calendar month after the grant of these our Letters Patent shall signify their desire of becoming Members as aforesaid shall, within one calendar month from the end of each such month, be set forth in like manner in Schedules to successive general Diplomas of the like kind, each containing the names of all the applicants of that month, and each of which shall be enrolled in like manner in our High Court of Chancery within two calendar months after the seal of the College shall have been affixed thereto and the order of the names contained in each Schedule shall be settled in like manner as is provided respecting the names in the Schedule to the first general Diploma.

8.—THE admittance of every other member shall be by separate Diploma under the seal of the said College, in such form as the Council of the College shall from time to time think fit and direct, which several Diplomas shall bear date respectively at the time when the same shall be granted; but as respects those granted during the First Two years before mentioned, shall only take precedence according to their respective priorities next after the general and special



Diplomas, Provided always that the special Diploma of every person entitled to enrol himself as a Member by virtue of any of the foregoing qualifications who shall apply to be enrolled after the expiration of the said twelve calendar months, under favour of the extension of time hereinbefore granted to certain persons not resident in the United Kingdom at the time of the grant of these our Letters Patent, may recite the date of the qualification by virtue of which such person shall be admitted a Member, and the cause of the postponement of the grant of such Diploma, and for all purposes of precedence or standing among the Members of the said College, all such Members shall rank next after those mentioned in the said last general Diploma, according to the date recited in such respective separate special Diplomas.

9.—EXCEPT as hereinbefore and hereinafter mentioned, no person shall become or be admitted a Member of the said College, until after he shall have attained the age of Twenty-two years, and shall also have complied with such rules and regulations as the Council of the said College shall from time to time consider expedient, and by a Bye-Law or Bye-Laws direct; nor unless he shall have passed such examination or examinations as the said Council shall from time to time by a Bye-Law or Bye-Laws direct to be undergone by candidates for admission into the said College; but every fit and proper person having attained such age, and having complied with such rules and regulations, and passed such examination or examinations, shall be entitled to be admitted a Member of the said College.

10.—THE fee to be paid on the admittance of every such new Member as last aforesaid, shall be any such sum, not exceeding the sum of £            as the Council of the said College shall from time to time fix by a Bye-Law.

11.—THE Council shall have full power from time to time to admit into the said College as Members thereof without examination, but on payment of such a fee as they shall from time to time think fit, but which shall not exceed that which shall be payable by those admitted after examination, any of the persons following (that is to say) Doctors or Bachelors of Medicine who shall have obtained their degrees from any University in the United Kingdom entitled to grant degrees, Graduates or Licentiates of Medicine of the several Universities of Oxford and Cambridge, and Members of the Royal College of Physicians in London, PROVIDED NEVERTHELESS that in all these cases the Candidate for admission shall have attained his age of Twenty-two years, and shall be able to adduce evidence satisfactory to the Council that he has been engaged for at least five years in a course of professional study, embracing all the subjects on which an ordinary candidate for admission into the College would be examined; and also that the examination which he underwent for his Degree or Licen-



tiateship, was of a standard at least as high as that of the examination imposed by the College of General Practitioners on ordinary candidates.

12.—WHERE several diplomas shall be granted bearing date on the same day, such diplomas shall be numbered under such regulations as the Council may think fit, in order to show the order and priority of such diplomas among themselves.

13.—THE Council of the said College shall cause the name of every Member for the time being of the said College, and such other particulars concerning such Members as the Council shall think it desirable to register, to be entered according to their respective seniorities (to be determined as hereinafter mentioned) in a Book or Register to be kept for that purpose, at the Common Hall of the said College, or such other place for the time being as the said Council shall direct; and such Book or Register of Members shall at such times and subject to such reasonable regulations as the Council for the time being shall direct, be open to the inspection of any Member of the said College at the said Common Hall, or such other place as aforesaid.

14.—THE President hereinafter named shall be entered first in such Book or Register; the three Vice-Presidents to be named by the Council as hereinafter mentioned, shall be entered next after him in the order in which they shall be named; then the Members of Council hereinafter named, except the three Vice-Presidents in the order in which they are hereinafter named; then the other Members of the College according to the dates or numbers of their respective diplomas; but as respects those Members to whom separate diplomas shall be granted during the first two years before mentioned, only according to their respective priorities next after those mentioned in the general and special diplomas, and with respect to those whose names shall be included in one general diploma, according to the order in which their names shall severally stand in the schedules to such general diplomas respectively. And in the case of those to whom an extension of time is hereby granted, next after those mentioned in the said last general diploma, according to the date recited in their respective special diplomas.

15.—THE Council of the said College shall consist of forty-eight of the Members of the said College, of whom twenty-four shall reside within ten miles by highway or road from the General Post Office, in the City of London, and such twenty-four shall be called (Resident Members of the Council.)

16.—A. B. shall be the first President of the said College, and shall continue as such President until the last Wednesday in the month of in the year One Thousand Eight Hundred and Fifty-one, and



thenceforth until his successor shall be elected as hereinafter provided, and he shall then go out of office, but shall be forthwith re-eligible.

17.—C. D. &c. shall be the first resident Members of the said Council, and E. F. &c. shall be the first other Members of the said Council; and the said resident and other Members shall all continue of the Council until the several days and times hereinafter mentioned, and until the successors of those who shall then be the members to go out of office shall be elected; and on the last Wednesday in the month of \_\_\_\_\_ in each of the years One Thousand Eight Hundred and Fifty-one, One Thousand Eight Hundred and Fifty-two, and One Thousand Eight Hundred and Fifty-three, one-third of the resident Members, and one-third of the other Members of the said Council hereinbefore named, shall go out of office in the order in which the Council shall in each of such years appoint among themselves, and shall not be re-eligible on the Council until the year following that in which they shall go out of office.

18.—THE Council shall be hereafter elected by a majority of the votes of such Members of the College for the time being, as at the time of such election shall either have been for five years Members of the said College, or shall have possessed the diploma or license by virtue of which they shall be Members of the said College, for at least five years before the day of election, and such Members shall be entitled to give their votes either personally or by proxy in writing, according to such regulations as the Council shall establish by any bye-law.

19.—ON the last Wednesday in the month of \_\_\_\_\_ in the year One Thousand Eight Hundred and Fifty-one, and on the last Wednesday in the month of \_\_\_\_\_ in every third succeeding year the Council of the College shall meet in the Common Hall for the time being of the said College, or in such other place as the said Council shall from time to time direct, and shall elect a President from those Members who are qualified to be elected President as hereinafter provided; and every President so elected shall continue to be President for three years, and until his successor shall be appointed, and shall then go out of office, but shall be forthwith re-eligible.

20.—THE Council for the time being shall nominate from time to time, in such order as they shall think fit, three Vice-Presidents from the Members of the Council, two of whom at least shall be nominated from the resident Members; and the Vice-Presidents shall continue to hold their office during the presidency of the President in whose presidency they shall have been appointed, if they shall so long continue Members of the Council, and if not, their place shall be filled up by the Council for the time being; and in every case of the vacancy of the office of President in any manner other than by



regular rotation, the first named or senior Vice-President for the time being, shall have all the powers of President until another President shall be appointed.

21. - ON the last Wednesday in the month of \_\_\_\_\_ in the year One Thousand Eight Hundred and Fifty-one, and on the last Wednesday in the month of \_\_\_\_\_ in every following year such of the Members of the College, as shall for the time being be entitled to vote as aforesaid, shall meet in the Common Hall for the time being of the said College, or in such other place as aforesaid, and shall elect from those Members who shall be qualified to be elected as hereinafter provided, eight persons to be resident Members, and eight other persons to be Members of the said Council; and every such Member so elected, shall continue of the Council for three years, and until his successor shall be elected. PROVIDED ALWAYS that those who shall be elected as resident Members of the Council shall reside within ten miles by highway or road from the General Post Office, in the City of London, during the whole of the said three years, or in default of his so doing he shall cease *ipso facto* to be a Member of the Council, but without invalidating any acts in which he may have concurred after ceasing to be such Member.

22.—NO one shall be qualified to be elected President or a Member of the Council of the said College, unless at the time of such election he shall either have been for fifteen years a Member of the said College, or unless he shall have possessed the diploma or licence by virtue of which he shall be a Member of the said College for at least fifteen years before the election.

23.—WHENEVER any vacancy shall happen either in the Presidency or among the Members of the Council in any way other than by regular rotation as aforesaid, such vacancy shall be filled by the election by the Council (upon some early and convenient day to be fixed by them for that purpose) of a substitute instead of the person by whom the vacancy shall have been made, and every such substitute shall continue President or a Member of the Council until the time when the person in whose stead he shall be chosen would have gone out of office in regular rotation; and whenever such vacancy shall have been made in the Council by a resident Member, the substitute shall be a person qualified to be a resident Member of Council. PROVIDED ALWAYS that any such substituted Member of Council who shall have been elected less than Twelve calendar months before the time when the Member in whose stead he shall have been elected would have gone out of office in regular rotation, shall be eligible for immediate re-election on the Council.

24.—THE Council shall meet on such days and times as they shall from time to time appoint, and also whenever they shall be summoned



by the President. The Council shall not be competent to transact any business or to pass any resolution, except for adjourning their meeting, unless Twelve Members of Council at least be present. And at all meetings the President, or in his absence the senior or only Vice-President present, or in their absence one of the Council to be chosen by the majority of those present, shall preside, and shall put all questions to the Council ; but the President or any Vice-President or Member of Council presiding shall be entitled, when the votes of the Members of Council present shall be equal, to give a second or casting vote.

25.—THE Council shall have the sole and entire management of the College and of the funds and property thereof, and shall have power to make bye-laws, rules, and orders for the regulation and government of the College and of the Members and affairs thereof, and for the conduct of the candidates for admission into the College, and for directing the course of study to be followed and the particulars of examination to be undergone by candidates for admission into the College, and for imposing reasonable penalties, fines and amerciaments for non-performance of or for disobedience to the same bye-laws, rules and orders, and such bye-laws, rules and orders, penalties, fines and amerciaments or any of them, from time to time to alter, change or annul, so that all and singular such bye-laws, rules, orders, penalties, fines, and amerciaments be not repugnant or contrary to the laws or statutes of this our Realm, or to the provisions of these our Letters Patent: PROVIDED ALWAYS that until a change shall be made by the said Council the course of study and particulars of examination shall be such as are now required of Members of the Royal College of Surgeons of England, and also of Licentiates of the Society of Apothecaries of the City of London, and that no change in such course of study or particulars of examination shall be made by the said Council unless notice shall have been given at a previous meeting of the Council holden not less than Fourteen days before the meeting at which the motion for such change shall be made, that at such meeting the course of study or particulars of examination as the case may be will be taken into consideration, and the Registrar or Secretary shall forthwith send a copy of such notice to the President and to every Member of the Council.

26.—THE Council shall from time to time appoint, and at their pleasure may remove a Treasurer, and a Registrar or Secretary of the said College, and shall also appoint, and at their pleasure may remove such other Officers, Clerks, and Servants as may from time to time be necessary for the service of the College, and shall prescribe their respective duties.

27.—THE Council shall annually appoint Examiners from



among those who shall have been Members of the College for at least Ten years, or who shall have possessed for at least Ten years the qualification by virtue of which they were enrolled as Members of the College ; but no President or Member of Council shall be eligible to be appointed an Examiner.

28.—AT all examinations either the President or one of the Vice-Presidents, or in their absence some Member of the Council, to be from time to time appointed by the Council for that purpose, shall be present and shall preside ; but he shall not interfere in the Examination, or have any voice in the admission or rejection of Candidates.

29.—IF it shall happen that any Election of a President, or of any Member of the Council, shall not be made on the respective days hereinbefore appointed for that purpose, the said College shall not thereby be deemed to be dissolved, or the said Members disabled from proceeding to such Election ; but in every such case the person then filling the said office shall continue to fill the same until another person shall be appointed thereto ; and the President or any Vice-President of the said College, shall in the manner to be prescribed by the said Council, call a Meeting of the Members of the said College entitled to vote as aforesaid, or of the Council, as the case may be, who shall thereupon elect a person or persons to fill the said office or offices so vacant, in like manner as if such Election had taken place on the day, or respective days, hereinbefore fixed for that purpose.

30.—If it shall at any time hereafter appear that any Member of the said College shall have obtained his diploma by any fraud, false statement or imposition ; or that either before or after obtaining such diploma he shall have been convicted of felony, or of having wilfully and knowingly given a false certificate in any case in which the certificate of a Medical Practitioner is required by law, or shall have wilfully violated any bye-law, rule or regulation of the said College ; then and in every such case, and after such previous notice to, and such hearing of such Member, as under the circumstances of the case the Council shall think proper, it shall be lawful for the Council, with the concurrence of not less than three-fourths in number of the Members of Council present, at a Meeting lawfully summoned for that purpose, to pass such censure or sentence of suspension against the person so offending as to the Council shall seem meet, or wholly to expel such Member from the College ; and upon any such sentence of suspension or expulsion, such Member shall cease to be a Member of the College, either absolutely or for such time as shall be specified in the sentence of suspension, and all the privileges granted to such Member shall cease and be determined upon such expulsion or during such suspension.

31.—AND our will and pleasure is that a General Meeting of the



Members of the said College, entitled to vote as aforesaid, shall be held within the space of six calendar months after the date of these our Letters Patent, at such time and place as the Council shall appoint, for the purpose of considering and reviewing such bye-laws, rules and orders as shall be made before that time by the said Council, and of confirming, altering, or annulling the same, as to the said Meeting shall seem expedient; and that afterwards an Annual Meeting of the said Members shall be held in the month of \_\_\_\_\_ in every year, at such time and place as the said Council shall direct; and that other General Meetings may be held from time to time as occasion may require, and the Council shall direct.

32.—AND we will that at all General Meetings the President of the said College, if present, and if not the senior or only Vice-President present, or if they shall all be absent, some Member of the Council, to be chosen by the Members of the College present, or if all the Members of the Council shall be absent, some other Member of the College to be chosen by the Members present, shall preside as Chairman.

33.—PROVIDED ALWAYS, And it is our further will and pleasure that no Bye-Law, Rule, or Order hereafter to be made by the Council of the said College, shall be of any force until our approval thereof shall have been signified to the said College under the hand of one of our principal Secretaries of State, or until the same shall have been otherwise approved in such manner as shall be directed by us with the advice and consent of the Lords Spiritual and Temporal and Commons of our Realm in Parliament assembled. IN WITNESS whereof we have caused these our Letters to be made Patent. WITNESS ourself at Westminster, the \_\_\_\_\_ day of \_\_\_\_\_ in the \_\_\_\_\_ year of our Reign.

Soon after the opening of the present Session of Parliament, a Special Committee of the House of Commons was again appointed on "Medical Registration and Medical Law Amendment," and on the 25th day of March they proceeded to hear further evidence respecting the Laws and Charters relating to the Practice of Medicine and Surgery in Great Britain and Ireland. That Committee has not yet made any report to the House of Commons of the result of their enquiry, and the Council of the Institute do not think it necessary to include in this report any detailed account of the evidence adduced. The Parliamentary



Committee, and the Conference at the College of Physicians, were thus sitting throughout the same period, and communications took place between them. Deputations were also sent to London from the University and the Royal Colleges of Physicians and Surgeons of Edinburgh; the University and the Faculty of Physicians and Surgeons of Glasgow; the Royal Colleges of Physicians and Surgeons of Dublin; and the Universities of Oxford and Cambridge; not only to give evidence before the Parliamentary Committee, but, in most instances, with full powers to treat with the Conference on the terms of a Medical Reform Bill.

An intimation having been made to the Conference, from the Committee of the House of Commons, that it was probable an Act of Parliament might be obtained during the present Session of Parliament, with a desire that the Conference should draw a draft of such Bill as they could give their support to, Dr. Hawkins, as Secretary to the Conference, transmitted to the Lord Advocate the Chairman of the Committee, a letter, dated May 18th, accompanied with the following "Outline" of a General Bill for regulating the Profession of Physic and Surgery, drawn by the Conference, and expressing the earnest desire of the Conference that a Bill might be prepared and brought before Parliament, with as little delay as possible; it being the sincere conviction of the Conference "that such a measure would promote the general good of the Profession, and conduce, therefore, to the benefit of the Public."

## OUTLINE OF A BILL

FOR REGULATING THE PROFESSION OF PHYSIC AND SURGERY.

### Preamble.

THAT an Act past in the third year of the reign of King HENRY the Eighth, intituled, "An Act for the Appointment of Physicians



and Surgeons," and also another Act passed in the fifth year of the same reign, intituled, "An Act concerning Surgeons to be discharged of Quests and other things;" and also two Acts passed in the thirty-second year of the same reign, respectively intituled, "For Physicians and their Privilege, and for Barbers and Surgeons;" and also another Act passed in the Session of Parliament holden in the thirty-third and thirty-fourth years of the same reign, intituled, "A Bill that Persons being no common Surgeons may minister Medicines notwithstanding the Statute;" and another Act passed in the first year of the reign of Queen MARY, intituled, "An Act touching the Corporation of Physicians in London;" and also an Act passed in the Session of Parliament holden in the sixth and seventh years of King WILLIAM the Third, intituled, "An Act for exempting Apothecaries from serving the Offices of Constable, Scavenger, and other Parish and Ward Offices, and from serving on Juries," and so much of every other Act as continues the last-recited Act; and so much of an Act passed in the eighteenth year of the reign of King GEORGE the Second, intituled, "An Act for making the Surgeons of London and the Barbers of London two separate and distinct Corporations," as does not relate to the separation of the said Corporations, or to the Master, Governors and Commonalty of the mystery of Barbers of London; and also so much of an Act of the Parliament of Ireland passed in the fortieth year of the reign of King GEORGE the Third, "For establishing a complete School of Physic in Ireland," as may be construed to prevent the separation of the Professorship of Anatomy and Chirurgery into two Professorships, and the establishment of a Professor of Surgery, and a Professor of Anatomy, and Chirurgery as provided by the said Act, or as imposes any restriction on the place where the lectures of the several Professors of the School of Physic shall be given; and also the whole of an Act passed in the fifty-fifth year of the reign of King GEORGE the Third, intituled, "An Act for better regulating the Practice of Apothecaries throughout England and Wales," except so much of the last-recited Act as confirms such parts of the Letters Patent granted by King JAMES the First to the Master, Wardens, and Society of the Art and Mystery of Apothecaries of the City of London, as were not repealed by the last-recited Act; and also so much of an Act passed in the sixth year of the reign of King GEORGE the Fourth, intituled, "An Act for consolidating and amending the Laws relative to Jurors and Juries," as enacts that all Members and Licentiates of the Royal College of Physicians in London actually practising, all Surgeons being members of the Royal Colleges of Surgeons in London, Edinburgh, and Dublin, and actually practising, all Apothecaries certified by the Court of Examiners of the Apothecaries' Company, and actually practising,



shall be freed and exempt from being returned, and from serving upon any Juries or Inquests whatsoever, and shall not be inserted in the lists to be prepared by virtue of that Act; and also of so much of any Act passed or Charter granted before the passing of this Act, as prohibits any person from practising physic or surgery in any place without such examination, certificate, license, or qualification, as is mentioned in such Act or Charter respectively, or as imposes any restriction on the practice of physic or surgery, other than is contained in this Act, or as specifies any qualification for holding any medical or surgical office in any public or local institution other than is contained in this Act, shall be repealed, but not so as to revive any Act or Charter, or part of any Act or Charter, repealed by the Acts hereby repealed, or any of them; and excepting always from the Acts hereby repealed an Act passed in the Session of Parliament holden in the fourteenth and fifteenth years of the reign of King HENRY the Eighth, intituled, "The Privileges and Authority of Physicians in London."

Establishment of a Council.

That a Council shall be established to superintend the registration of all Medical and Surgical Practitioners, and for the general controul of medical education and practice, to be styled "The Medical Council."

That the Council shall consist of one of Her Majesty's Principal Secretaries of State, in right of his office, and that the other members of the Council (of whom not less than two-thirds shall be registered members of the Medical Profession) shall be such persons, not more than twelve, whom Her Majesty, with the advice of Her Privy Council shall deem fit to be members of the said Council.

Tenure of office by Nominees of the Crown.

That those members of the said Council who are appointed as afore-said by Her Majesty, with the advice of Her Privy Council, shall continue to be members of the said Council during Her Majesty's pleasure; and upon every vacancy among the last-mentioned members of the said Council, and their successors, it shall be lawful for Her Majesty, with the advice of Her Privy Council, to appoint another fit person to be a member of the said Council during Her Majesty's pleasure.

Secretaries, Clerks, and Messengers.

That it shall be lawful for the said Council, with the approval of one of Her Majesty's Principal Secretaries of State, to appoint a principal secretary for the said Council, and also local secretaries for Scotland and Ireland, and so many clerks and messengers as the said Secretary of State shall deem necessary, and also with the like approval, to remove at their pleasure any of the said secretaries, clerks and messengers, and appoint others in their room.

Salaries and expenses.

That there shall be paid to the members of the said Council, and to the said secretaries, clerks and messengers, such salaries as shall be



from time to time allowed by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, who may also allow such reasonable travelling expenses which may have been incurred by any member of the said Council, or any secretary, clerk or messenger in the performance of his duties under this Act, and such other reasonable expenses of putting this Act into execution as the said Lord High Treasurer or the Commissioners of Her Majesty's Treasury shall think fit.

That the said Secretary of State shall be president of the said Council, and shall be empowered from time to time to nominate one of the members of the Council to be vice-president of the Council, and to act as president in his absence; and at every meeting of the Council in the absence of the president and vice-president some other member to be chosen by the Council from the members then present shall be empowered to act as president. President.

That the said Council shall be holden in such places and at such times as the said Council or the Secretary of State from time to time shall appoint; and that all acts of the Council shall be decided by the votes of the majority of the members present at any meeting, the whole number not being less than \_\_\_\_\_; and at all such meetings the president for the time being shall have a second or casting vote in all cases of equality of votes. Time and place of meeting.

That minutes of the proceedings at all meetings of the Council shall be drawn up and fairly entered in books to be kept for that purpose; and such minutes shall be at all reasonable times open to the inspection of any person or committee appointed for the purpose of inspecting them by any of the universities or colleges hereinafter mentioned. Minutes of proceedings.

That a Register shall be made and published by the said Council as soon as conveniently may be, of all persons entitled, as after explained, to be registered as Physicians, Surgeons, or General Practitioners, and who shall apply to be so registered within one year, if residing in any part of the United Kingdom, or within two years if resident abroad, for which a fee of Ten Shillings shall be paid by each person so registered; and that to the Register shall afterwards be regularly added the names of all persons who shall receive letters testimonial, as after explained, of their fitness to practise as Physicians, Surgeons, or General Practitioners; and that for such registration shall be paid the sum of Five pounds in the case of a Physician or Fellow of the College of Surgeons, and of Two pounds in the case of a General Practitioner; all such fees shall be applied towards defraying the expenses of this Act. Register to be kept

The Register to be formed on the plan of a specimen submitted to the Committee of the House of Commons in 1847, by the Registrar of the College of Physicians.

*Vide* Schedule (Appendix A).



Register to  
be pub-  
lished.

That the Register shall be published annually.

That every person whose name is registered, and who shall be desirous that his name shall be continued in the published register, shall in the month of \_\_\_\_\_ in every year send to the Council his name and place of abode, with the date of his testimonials, and the Council shall verify the returns so made to them by comparison with the register kept by them, and shall forthwith, without any further fee, cause the names of all persons duly registered and so returned to them to be published in alphabetical order, and in their several classes, with their several places of abode, and dates of their testimonials, specifying in each case the University or College to which each belongs; and a printed copy of the register for the time being, so published under the direction of the said Council, shall be evidence in all Courts, and before all Justices and others, that the persons therein specified are registered as therein mentioned; and the absence of the name of any person from any class in such printed copy shall be evidence, until the contrary be made to appear, that such person is not registered in such class under the Act of Parliament.

General  
Practition-  
ers.

That every person shall be entitled to be registered by the Medical Council as a General Practitioner, who at the time of the passing of the Act shall be legally practising or entitled to practise as a Physician, Surgeon, or Apothecary, in some part of Her Majesty's dominions, and who shall be qualified to be enrolled, and shall enrol himself, if in England, as a member of the Royal College of General Practitioners of England, and if in Scotland, who shall be qualified to be enrolled and shall enrol himself as a licentiate of the Royal College of Surgeons in Scotland, and if in Ireland, who shall be qualified to be enrolled and shall enrol himself as a member of the Royal College of Surgeons in Ireland; and also every person after the passing of the Act who shall have attained the age of twenty-two years, and shall have been examined or admitted as a member by the Colleges herein-after named: (that is to say) if in England, by the Royal Colleges of Surgeons and General Practitioners of England, or, if in Scotland, by the Royal Colleges of Physicians and Surgeons of Scotland, or, if in Ireland, by the Royal Colleges of Physicians and Surgeons of Ireland, after such proof as shall be satisfactory to the examining colleges, that he has applied himself to medical and surgical studies during at least Five years, of which at least Three years shall be in Universities or Hospitals, or public medical or surgical schools, recognized by the Medical Council, and in every case shall have received letters testimonial from each of the bodies by which he shall have been examined or admitted as a member, of his being duly qualified to practise as such General Practitioner.

General  
Practition-  
ers to belong

That every person, previous to being registered as a General Practitioner in England, shall be required to enrol himself as a member of



the Royal College of General Practitioners of England, and also as a member of the Royal College of Surgeons of England; and every person previous to being registered as a General Practitioner in Scotland or Ireland, shall be required to enrol himself as a member or licentiate of the Royal College of Surgeons in that part of the United Kingdom in which he shall have received his letters testimonial; and every such person who shall afterwards remove into any part of the United Kingdom other than that in which he obtained his letters testimonial, and shall practise there as a General Practitioner, shall be required to enrol himself as a member or licentiate, as the case may be, of the college or colleges of which he would have been admitted a member or licentiate, if he had been examined and had received his letters testimonial there; and in each case shall be entitled to be so admitted and enrolled without further examination, and on payment of the like fees of admission, and on complying with the same conditions as are required of other members or licentiates of the said colleges respectively; and every General Practitioner who upon such removal shall fail to enrol himself, shall be struck off the register, and shall not be restored until he shall have so enrolled himself, and shall have paid such penalty for his default as to the Medical Council shall seem fit, not exceeding Five pounds for each calendar month during which he shall have been so in default, and all such penalties shall be applied towards defraying the expenses of the Act.

to a College of the country in which they practise.

That every person shall be entitled to be registered by the Council as a Surgeon, who shall have attained the age of Twenty-five years, and shall have been examined and admitted as a fellow by one of the Royal Colleges of Surgeons of England, Scotland, or Ireland, after such proof as shall be satisfactory to the examining College, that he has applied himself to surgical studies during at least Six years; also, every person who shall have attained the age of Twenty-two years, and shall have been examined or admitted by the colleges hereinafter named; (that is to say) if in England, examined or admitted as a member by the Royal College of General Practitioners of England, and also subsequently examined and admitted as a member by the Royal College of Surgeons of England, or, if in Scotland, examined by the Royal Colleges of Physicians and Surgeons of Scotland, and admitted as a fellow or licentiate of the Royal College of Surgeons of Scotland, or, if in Ireland, examined by the Royal Colleges of Physicians and Surgeons of Ireland, and admitted as a member of the Royal College of Surgeons of Ireland: Provided always, that no person who is not a fellow of one of the Royal Colleges of Surgeons of England, Scotland, or Ireland, shall be registered as a Surgeon unless he be also registered as a General Practitioner.

Surgeons.

That every person shall be entitled to be registered by the Council

Physicians.



as a Physician who shall have been admitted as a fellow or member of one of the Royal Colleges of Physicians of England, Scotland, or Ireland, and also any person who shall have attained the age of Twenty-six years, and shall have graduated as a Doctor of Medicine in some University of the United Kingdom of Great Britain and Ireland, or, subject to the restriction hereinafter contained, in some foreign University, or shall have graduated in one of the Universities of Oxford or Cambridge, and shall have afterwards received a license to practise medicine, after due examination from one of those Universities, and shall also, in each of the foregoing cases, have been examined by one of the Royal Colleges of Physicians of England, Scotland, or Ireland, after such proof as shall be satisfactory to the examining college that he has applied himself to medical studies during at least Six years, and also every person who shall have attained the age of Forty years, and shall have been registered as a General Practitioner or Surgeon under this Act, or who was at the time of the passing of this Act legally practising or entitled to practise as a Physician, Surgeon, or Apothecary in some part of the said United Kingdom, and in each case shall have practised medicine for at least Twelve years, and shall have been examined by the Royal College of Physicians of England, and in each of the foregoing cases shall have received letters testimonial from the examining college of his being duly qualified to practise as a Physician, and shall have been admitted as a fellow or member of such college; and no person shall be entitled to be received for examination for the purpose of being so registered as a Physician upon a foreign degree in medicine, unless the Royal College of Physicians in England, Scotland, or Ireland, shall give him a special certificate, to be laid before and approved by the Medical Council, that they have made inquiry into the manner in which such degree was conferred, and have ascertained that it has been granted, after due examination, and upon satisfactory certificates of previous study, including residence and study at the seat of one or more universities, during at least Three years, one of them, at least, being at the university by which the degree is granted.

Physicians  
and Surgeons  
to belong to  
a College of  
the country  
in which  
they prac-  
tise.

That every person, previous to being registered as a Physician or Surgeon under this Act, shall be required to enrol himself as a fellow or member of the Royal College of Physicians, or as a fellow or member or licentiate of the Royal College of Surgeons, from which he shall have received his letters testimonial as Physician or Surgeon; and every such Physician and Surgeon who shall afterwards remove from that part of the United Kingdom in which he obtained his letters testimonial, shall be required, if he shall practise as a Physician or Surgeon in any other part of the said United Kingdom, to enrol him-



self as a fellow or member of the Royal College of Physicians, or as a fellow or member or licentiate of the Royal College of Surgeons, of that part of the United Kingdom to which he shall so remove for the purpose of practising there, according to the nature of his testimonials, and in each case shall be entitled to be so admitted and enrolled, without further examination, on payment of the like fees of admission, and on complying with the same conditions as are required of other fellow members or licentiates of the said colleges respectively; and every Physician or Surgeon who, upon such removal, shall fail so to enrol himself, shall be struck off the register, and shall not be restored until he shall have so enrolled himself, and shall have paid such penalty for his default as to the Medical Council shall seem fit, not exceeding Five Pounds for each calendar month during which he shall have been so in default; and all such penalties shall be applied towards defraying the expenses of this Act.

That the cases of persons who have been engaged in practice, prior to the passing of the Act, without being members of any corporate body in the profession, shall be referred to the college of the department in which they have practised respectively, for special investigation of their claims to be admitted to register.

Registry of  
special cases.

That the said several colleges and universities shall, from time to time, when required by the Medical Council, prepare, and lay before the said Council, a scheme or schemes of the course of study and particulars of the examination to be gone through by all persons applying to be examined by such colleges and universities respectively, and of the fees to be taken by the said several colleges and universities respectively; and the said Council shall be empowered to make from time to time such changes in any of the schemes so laid before them as to the said Council shall seem expedient; and the said Council shall endeavour to procure, as far as is practicable and convenient, that the qualifications and fees for being registered as Physician, Surgeon, or General Practitioner respectively, shall be uniform throughout the said United Kingdom, for which purpose the fees of examination and fees of admission shall be kept distinct by each of the said colleges and universities: Provided always, That no change shall be made by the said Council in any scheme of the course of study or particulars of examination, unless notice shall have been given at a previous meeting of the Council holden not less than Fourteen days before the meeting, at which the motion for such change shall be made, that at such meeting the course of study or particulars of examination, as the case may be, will be taken into consideration; and the principal secretary of the Council shall forthwith send a copy of the notice so given to every member of the Council.

Qualifica-  
tions and  
fees.

D





Restriction  
and bye-  
laws.

That no bye-law to be made by any of the Royal Colleges of Physicians or Surgeons of England, Scotland, or Ireland respectively, or by the Royal College of General Practitioners of England, shall be of any force until a copy thereof, sealed with a seal of the same college, shall have been laid before and approved by the said Medical Council.

Registry of  
Students.

That it shall be lawful for the said Council to make regulations for ensuring that in every city and town possessing a medical or surgical school, an annual register shall be kept of all students of the several medical and surgical schools, whether connected with any University, Royal College, Hospital, or other public medical or surgical institution in that city or town, and authorize the taking of a fee for such registration, not being more in each case than Two shillings and sixpence for such annual registration, and for requiring all such fees to be remitted to the Secretary of the said Council, and returns to be made to them of the registration of all such students, in such manner and form as the Council shall think fit; and all such fees shall be applied towards the expenses of the Act, and no medical or surgical student shall be admitted to examination by any of the said colleges without certificates of his having been duly registered conformably to such regulations.

Provision for  
existing  
Students.

That it shall be lawful for the Medical Council to make regulations for dispensing with such provisions of the Act as to them shall seem fit in favour of medical and surgical students who shall have commenced their professional studies before the passing of the Act.

Securing  
uniformity  
and effici-  
ency of exa-  
minations.

That the Council shall be empowered in any case in which it shall appear to be necessary, in order to secure efficiency and uniformity of examinations, to depute one or more of its members to be present at the examinations of any of the colleges; provided the members of the Council so deputed be Medical Practitioners, and of the same class in the profession as the colleges to be so visited; and if, upon the report of such visitor or otherwise, the Council should be of opinion that its regulations are not complied with by any examining body, that it shall be lawful for the Council to refuse to register upon the testimonials of the body so in default, until the same be amended to the satisfaction of the Council.

None but  
those regis-  
tered to be  
appointed to  
public situa-  
tions.

That, subject to the reservations hereinafter contained, no person, after the passing of the Act, who is not registered by the said Council, shall be appointed to any medical or surgical office for the relief of the poor, or in any hospital, prison, infirmary, dispensary, school, workhouse, or other public institution, in the said United Kingdom, and wherever by law it is provided that any act shall be done by a physician, surgeon, or apothecary, or medical or surgical practitioner, by whatever name or title called, such provision shall be construed, after the passing of the Act, to mean a person registered under the



Act; and the Medical Council shall be empowered from time to time to make regulations for specifying what institutions are to be considered public institutions, and what offices in them are medical and surgical offices, within the meaning of the Act.

That all persons who shall be registered by the said Council as physicians, surgeons, or general practitioners, shall be exempt, while registered and practising as such, from being summoned or serving on all juries and inquests whatsoever, and from serving all corporate, parochial, ward, hundred, and township offices; and no person shall be entitled to such exemption who is not so registered; nor shall the certificate of any such unregistered person given after the passing of the Act be received as the certificate of a physician, surgeon, or apothecary, or medical or surgical practitioner, in any court of law, or in any case in which by law the certificate of a physician, surgeon, or apothecary, or medical or surgical practitioner is required.

Privileges of persons registered.

That all persons who shall be registered by the said Council as physicians shall be entitled, without other license than such registry, to exercise or practise physic throughout the United Kingdom of Great Britain and Ireland, and in all other parts of Her Majesty's dominions, and shall be exempt from being sued or liable to any penalty under the provisions of the said Act passed in the Session of Parliament holden in the fourteenth and fifteenth years of the reign of King HENRY the Eighth, intituled, "The Privileges and Authority of Physicians in London."

Registered Physicians may practise throughout the United Kingdom; 14 & 15 Hen. 8, c. 5.

That all persons who shall be registered by the said Council as Surgeons shall be entitled, without other license than such registry, to exercise or practise surgery throughout the United Kingdom of Great Britain and Ireland, and in all other parts of Her Majesty's dominions, and shall be exempt from being sued or liable to any penalty under the provisions of the said Act passed in the Session of Parliament holden in the fourteenth and fifteenth years of the reign of King HENRY the Eighth.

Registered Surgeons may practise throughout the United Kingdom.

That all persons who shall be registered as general practitioners by the said Councils shall be entitled to demand and take reasonable fees for medical and surgical advice and attendance, and for medicines prescribed or administered by them to their patients throughout Great Britain and Ireland, and in all other parts of Her Majesty's dominions, without other license than such registry.

Registered General Practitioners qualified to charge for medicines and attendance.

That after the passing of the Act no person shall be entitled to recover any charge in any court of law for any medical or surgical advice, attendance, or operation, or for any medicine prescribed or administered by him, unless he shall prove upon the trial, either that he is registered as a general practitioner under the Act, or that before the passing of the Act he was legally practising or entitled to practise

None but registered General Practitioners or those already practising may recover charges.



in the capacity in which he claims such charge, and, if the Act had not been passed, would have been entitled to recover such charge in that capacity.

Penalty on unqualified persons practising in public offices.

That every person appointed after the passing of the Act to any medical or surgical office for which he is not qualified according to the provisions of the Act, and who shall wilfully and knowingly act or practise in such office, shall for every such offence forfeit the sum of Twenty Pounds, to be recovered by action of debt or information, to be brought in any of Her Majesty's Courts of Record at Westminster, or in the Court of Exchequer in Scotland or in Dublin, within Six calendar months next after the commission of the offence, in the name of Her Majesty's Attorney-General in England or Ireland or of the Lord Advocate in Scotland.

Penalties on unqualified persons, and for false pretences of qualification

That penalties shall be imposed, by summary process, on all unregistered persons practising medicine or surgery :

Also on all unregistered persons falsely pretending to be registered :

Also on all persons assuming any professional name or designation to which they are not by law entitled, or which implies that they belong to a class in the register in which they are not registered, or that they are members of a college in which they are not enrolled.

Saving the rights of qualified Apothecaries.

That nothing in the Act contained shall extend to render any person liable to any penalty for acting or practising as an apothecary in any part of England, who was actually practising as an apothecary on the First day of August in the year One thousand eight hundred and Fifteen, or who before the passing of this Act shall have obtained a certificate of qualification to practise as an apothecary from the Court of Examiners of the Society of Apothecaries of the City of London, or who shall have acquired the right of practising as an apothecary by virtue of an Act passed in the sixth year of the reign of King George the Fourth, intituled, "An Act to amend and explain an Act of the fifty-fifth year of his late Majesty, for better regulating the Practice of Apothecaries throughout England and Wales."

Persons guilty of felony or fraud to be struck off the register.

That if any registered physician, surgeon, general practitioner, or apothecary, shall be convicted in England or Ireland of any felony, or in Scotland of any crime or offence inferring infamy, or the punishment of death or transportation, or if it shall be found by the judgment of any competent court that any such physician, surgeon, general practitioner, or apothecary shall have procured the registry of his name by any fraud or false pretence, or that any such physician, surgeon, general practitioner, or apothecary has wilfully and knowingly given any false certificate in any case in which by law the certificate of a physician, surgeon, general practitioner, or apothecary is required, or if any registered person shall have been expelled from either of the colleges, according to the terms of their respective char-



ters, provided such expulsion shall have been approved and allowed by the Council, as before required respecting bye-laws; it shall be lawful for the Medical Council, on production before them of a copy or extract of the conviction or judgment of the court, duly certified under the hand of the proper officer of the court, to cause the name of such physician, surgeon, general practitioner, or apothecary to be erased from the register; and every person whose name shall have been so erased after such conviction or judgment as aforesaid, shall thereby forfeit and lose all the privileges of a registered physician, surgeon, general practitioner, or apothecary, as the case may be, and shall not be entitled to have his name again inserted in that or any subsequent register, without the special license of the Medical Council, on the recommendation of the College of which he was a fellow, member, or licentiate, and shall also cease to be and shall be disqualified from becoming, while his name shall continue so erased, a fellow, member, or licentiate, as the case may be, of any Royal College of Physicians or Surgeons or General Practitioners in any part of the said United Kingdom.

That nothing in the Act shall deprive either of the Universities of Oxford or Cambridge of the unrestricted right of granting degrees in medicine or physic, in conformity with their respective charters, statutes, laws, and regulations, and that the said degrees, diplomas, and licenses shall severally confer the same titles, rights, and privileges as heretofore, and that the persons to whom they shall be granted shall, in every part of England, not within the city of London, or within Seven miles of the said city, possess all the privileges and exemptions of physicians registered under this Act; and further, that such persons being of the age of Twenty-six years at the least, shall, on production of their several diplomas or licenses, or other equivalent certificates, before the Royal College of Physicians of England, be entitled to be admitted to examination by the said College, for the purpose of being registered as physicians; and if upon such examination they shall be found duly qualified, shall thereupon be entitled to receive from the said College letters testimonial, on the exhibition of which before the Medical Council they shall be entitled to be registered as physicians under the Act, and that nothing in the Act shall alter, or give any power of altering charters, statutes, laws, and regulations of the said Universities of Oxford and Cambridge, or either of them.

Saving the  
privileges of  
Oxford and  
Cambridge.

That the Act may be amended or repealed by any Act to be passed in this Session of Parliament.

In the communication from Dr. Hawkins to the Lord Advocate, bearing date May 18, already referred to as accom-



panying the "Outline of a Bill" forwarded to the Select Committee of the House of Commons, Dr. Hawkins informed the Committee that he was directed to state, that if the Conference should be honoured with any communication from the Committee, it would reach them without loss of time, if addressed to them through himself as their Honorary Secretary. To this communication no reply has as yet been received, so that the Members of the Institute and the Profession will understand that the Conference awaits the further proceedings of the Committee of the House of Commons, and that accordingly it has not been deemed necessary for the Conference, since the "Outlines" were sent in, to resume their sittings.

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The Council of the National Institute most earnestly invite the attention of the Profession to the measures now laid before them, for *Amending the Laws and Charters relating to the Practice of Medicine and Surgery in Great Britain and Ireland*. They call upon every General Practitioner, individually, to scrutinize these measures for himself, placing implicit reliance on the representations of others in no case whatever. They urge upon them to approach the consideration of the subject dispassionately and to pursue it deliberately, with a just appreciation — (1.) Of the manifold and grievous evils which afflict the Profession in its existing state; (2.) Of the more pressing and more remediable of these evils; (3.) Of the remedies which are most peremptorily called for, are most easily attained, and best calculated to benefit the main body of the Profession; (4.) Of the real difficulties which oppose themselves to any change whatever in the laws by which the profession is at present governed. A clear and comprehensive view of the whole of these points is essential to a correct judgment on the



question, whether the proposed measures ought to be *accepted* or *rejected*. The Council of the National Institute arrived at the conclusion that they ought to be promptly, cordially, and unanimously accepted—for the following reasons:—

First.—Because they comprise many of the most essential of those reforms which the General Practitioners have for years past so loudly and so repeatedly demanded: as, 1. Corporate rights and privileges, secured to the General Practitioners by the establishment of a Representative Collegiate Institution; 2. A uniform, high standard of education and qualification, which, after the Bill becomes law, will be secured on the part of every individual who in future enters into practice as a General Practitioner; 3. Reciprocity of practice founded on uniformity of education, similarity of the standard of qualification, and the examination tests being rendered equally stringent in the three kingdoms; 4. The registration of all legally qualified Practitioners and the periodical publication, under the authority of Government, of such registry, by which the public will be enabled to distinguish between legally qualified members of the Profession on the one hand, and charlatans and pretenders on the other hand; 5. That every member of the profession should be brought under the operation of a code of bye-laws, which he must observe, or render himself liable, as in the case of Attorneys, to be struck off the register, by which, it may be fairly anticipated, that the Profession will be relieved of the odium attaching to disreputable members appearing in its ranks; 6. The enactment of more effectual penalties against the practice of the Profession by individuals whose names do not appear in the register.



Second.—Because the proposed Charter of Incorporation for the General Practitioners is the same in principle, and embraces the same details, as the Charter petitioned for by the National Association of General Practitioners, after a very mature discussion, by a Committee consisting of upwards of one hundred General Practitioners; a canvass of the whole of the members; and a ratification, at a public meeting of the members, at which many hundreds were present. These principles and details are, mainly, a Representative Institution of a Collegiate character; a Council of forty-eight General Practitioners, half metropolitan and half provincial, with a President and three Vice-Presidents, elected triennially; a Court of Examiners competent to test the qualifications of candidates for General Practice in every department of medical and surgical science and practice; no candidate to be admitted to examination without a previous course of studies of five years duration, nor under twenty-two years of age, but the system of compulsory apprenticeship to be abolished; the power of making bye-laws for the regulation of this branch of the Profession; an Act of Parliament to give effect to the Charter.

Third.—Because, while they secure to the General Practitioner the whole of the rights and privileges here enumerated, and certain immunities, they erect the Profession into ONE TRIPARTITE FACULTY. They realize the public idea and harmonize with the customs of society. They increase the power and render more stable the most venerable of our Institutions—the Royal College of Physicians—thereby securing for the Profession, in its unity, the highest position in Literature as well as Science, and satisfying the public requisition for a class of individuals whose talents and whose lives are exclusively devoted to the cultivation



of Physic. They ratify the powers and privileges of the College of Surgeons, and secure the encouragement—in persons of education and high scientific acquirements—of practical manual skill in the Art of Surgery. While they afford the General Practitioner all the advantages hereinbefore detailed of an independent incorporation, they open a portal for those among them who may become distinguished in Physic, to pass to the right hand chamber and enter the College of Physicians, and to those whose talents and ambition lead them to eminence as practical Surgeons, to pass to the left hand chamber and enter the Fellowship of the College of which they are already members. To those who are prevented, by the laborious routine of an extensive General Practice, from concentrating their skill and abilities upon any one department in particular, they open avenues to rewards and honorable distinctions in their own College, which must ever promote the Advancement and General Diffusion of Knowledge.

Fourth.—Because the existing state of the Profession is most inimical to the public welfare. Hitherto the improvement of the great body of General Practitioners has depended upon the Society of Apothecaries, who, from their limited powers under the present laws, and the inadequacy of their means, are totally unable to effect any further beneficial results. The duties of the College of Physicians are restricted to the interests of society as respects Physicians only, who must ever constitute but a limited portion of the Profession; and the measures of the College of Surgeons, as respects progress and improvement, are directed altogether to the Fellowship, which includes, chiefly, those individuals who profess to practice pure Surgery—the Fellowship of this College being also but a very limited



section of the Profession. The qualifications and acquirements of the General Practitioners, under such circumstances, must necessarily be neglected; and without imputing any dereliction of public duty to the existing institutions, as far as the great body of the Profession is concerned, a distinct limitation and check to the encouragement and development of high scientific and extensive practical attainments in Medical and Surgical Science and Art exists, and incalculable evils are thereby inflicted upon Society at large.

Fifth.—Because the experience of fifteen years' agitation, with the introduction of seven or eight Bills into the House of Commons, and the failure of every previous attempt which has been made, demonstrates the difficulty of legislation upon the subject, and the importance of taking advantage of the present agreement of the different bodies; and because the present Government, ever since it came into office, has held "that something might be done, if the different branches of the Profession could be agreed amongst themselves, but nothing otherwise."

These are among the more prominent of the reasons which have induced the Council of the Institute to record their hearty concurrence in the Acts of the Conference,—others, of nearly equal weight, might be appended; as the immense advantage which must accrue to the Profession and the Public from the former being in future accurately defined, as a body politic, with a supreme Council to regulate Medical Affairs, a large majority of the Members of which are to be Members of the Profession; this Council having one of Her Majesty's Principal Secretaries of State for its President. The Profession has very justly complained that its social and political position has hitherto been



very unsatisfactory; as compared with the Church and the Law, for instance, it is regarded by society at large in a very unfavourable point of view. Its higher political status, with the internal, intrinsic improvement, which may fairly be anticipated to result rapidly from the contemplated measures, will most effectually correct this evil, and place it in its proper position amongst the various grades and classes which constitute society. This consideration alone ought to possess immense weight with those who have the true interests of the Medical Profession at heart; and the Council feel that to draw attention to these points, is to secure the cordial support of every individual who sincerely desires its welfare, and who is willing that the waves of the existing agitation should be calmed, the Profession settling itself down, to its peaceful pursuits, on the basis of true respectability.

Medical Legislation in the direction of a Reform in the Medical Institutions, and the General Medical Polity of Great Britain and Ireland, having thus far satisfactorily progressed, a Parliamentary Committee, with the Lord-Advocate for its Chairman, having given great attention to the subject, and all the ancient Medical Institutions of England, Scotland, and Ireland having concurred, not only in a series of Principles, but in an outline of a Medical Reform Bill, a fair prospect presented itself for the passing of such a Bill through the Legislature during the present Session of Parliament; but a less pleasing part of the duty imposed upon the Council in drawing up the present Report, remains to be performed, viz: to reply to the objections of those who have deemed it expedient to oppose the proceedings in furtherance of the above measures.

A Meeting of Surgeons, purporting to be a Meeting of the Ten Thousand Members of the Royal College of Surgeons, was called by advertisement for the 13th day of June, at the Free-



mason's Tavern, for the purpose of taking into immediate consideration the Measures in progress, and to determine on the propriety of appointing further witnesses to state the case of the Members of the College of Surgeons before the Committee of the House of Commons. The advertisement convening the Meeting was inserted in only one of the medical periodicals, and the number of individuals who attended this Meeting did not exceed TWENTY-SEVEN, of which number several were known to be present as spectators only. Resolutions were nevertheless passed, and no less than four individuals connected with this Meeting were called before the Parliamentary Committee to give evidence against the principles agreed upon. The following are the Resolutions in question :—

[*Copy.*]

1. Moved by P. CARTWRIGHT, Esq., of Oswestry, and seconded by T. ABRAHAM, Esq. :—“That the present Colleges of Physicians and Surgeons are sufficient, if properly modified, for the requirements of the profession, and that the formation of a third and inferior incorporation is totally unnecessary.”

2. Moved by T. LEWIS, Esq., and seconded by W. S. GILL, Esq. :—“That this meeting feels bound to express its strong disapprobation of the course taken by the Council of the College of Surgeons in accepting the Charter of 1843, whereby the feelings of a very numerous body of educated men were deeply wounded by the selection of a limited number of gentlemen to form a new grade in the college, at the expence of the members at large—a proceeding which was not only unnecessary, but created invidious distinctions where none previously existed. That, in the opinion of this Meeting, the charter of 1843 should be repealed, and another, securing the constitutional principle of representation to the members, should be substituted in its place.”

Almost simultaneously with this meeting, another meeting of Surgeons appears to have taken place at Colchester, at which a petition to the Legislature was agreed upon. It is with re-



luctance, and deep regret, that the Council of the Institute feels itself called upon to refer to this document, both on account of the objectionable matter of the petition itself, and the respectability of many of the gentlemen whose names must have been appended to it in error. The petition is a direct misrepresentation to the Legislature, of the facts of the case before the petitioners. That there may be no misunderstanding, however, upon this point, the Council place before the Members of the Institute the following:—

[*Copy.*]

*To the Right Honourable the Lords Spiritual and Temporal of the United Kingdom of Great Britain and Ireland, in Parliament assembled.*

The petition of members of the Royal College of Surgeons of England, resident in the county of Essex, in public meeting at Colchester assembled, sheweth,—

That by the Charter last granted to the Royal College of Surgeons of England, certain of its members were created “fellows” of that college, by which injustice was done towards the great body of members, inasmuch as all became members on equal terms, passing through the same course of study, undergoing the same examination, paying the same fees, and until then enjoying the same privileges.

That the establishment of any new medical corporation such as that proposed under the title of the “Royal College of General Practitioners” will be unjust towards the members of the Royal College of Surgeons, since by it they will be deprived of their present rights and titles, and compelled to belong to an inferior grade and rank in the profession to be by it created.

That the Company of Apothecaries, being willing to relinquish its position as an examining body, the Royal College of Surgeons of England is well fitted, by the learning of its council, its long establishment, great wealth, and extensive library and museum, to direct the affairs of the profession generally, and that the addition of medicine, midwifery, and pharmacy, to their present examinations, with an extended and liberal administration of its affairs, will render it efficient for the direction and protection of the interest and honour of the medical profession.



That the sentiments entertained by your petitioners are fully borne out and corroborated by Mr. G. J. Guthrie, who formerly occupied the honourable position of President of the Royal College of Surgeons, and have been fully detailed and explained by him in evidence before a Committee of the honourable the House of Commons, (in his replies to questions numbered respectively, 194, 235, 251, 252, 253, 258, 259, 260, 261, 281, 284, 285, and 291, in the published "Minutes of Evidence.")

Your petitioners therefore pray your right honourable House, that it will withhold its sanction to the establishment of the Royal College of General Practitioners, or to any new medical corporation or licensing body whatever.

That it will bestow such powers on the Royal College of Surgeons of England as shall enable it to remedy the injustice perpetrated on the great body of its members by the Charter last granted, and likewise render it efficient for directing the examinations of the profession generally, as also such other powers as may enable it to afford protection to its various members in the exercise of their professional duties.

And your petitioners will every pray.

This petition is composed of six paragraphs. The Council fully concurs in the allegation contained in the first paragraph, of injustice done by the Charter of 1843, to the Members of the College of Surgeons; and it is a sense of that, with other weighty considerations, which has induced the Profession to claim another Charter of Incorporation.

The *second paragraph* contains more than one palpable misrepresentation. It asserts that the establishment of a Royal College of General Practitioners will deprive the Members of the College of Surgeons of their present rights and privileges. This is diametrically opposed to the truth. According to the "Principles" before recited, which comprise the establishment of a new College—every Member of the College of Surgeons will retain his title of Surgeon—every Member of the College of Surgeons will be registered as a Surgeon—every Member of



the College of Surgeons will be entitled to hold office in any public institution as a Surgeon—every Member of the College of Surgeons will retain all the rights he now enjoys as a Member of that College, even the right of becoming a *Fellow*, and the right of continuing to seek redress of the grievances inflicted upon him by the Charter of 1843; and in addition to all this, every Member of the College of Surgeons will acquire the right of belonging to the new Royal College, embracing Medicine and Midwifery, which College will be founded upon the most liberal representative basis. Thus it is proved, most unequivocally, that no Member of the College of Surgeons will be deprived of any right or title which he now possesses, by the establishment of the proposed Royal College.

The oft repeated statement, that the new College must necessarily be an *inferior* Institution, is dealt with in another part of this Report; but as respects the vague assertion, also comprised in the paragraph adverted to, viz., “That the Members of the new College must be of an inferior grade and rank in the Profession,” the Council will here only observe, that inasmuch as the new College will be mainly constituted in the first instance, and wholly in future, of Members of the College of Surgeons, if the assertion of the gentlemen of Essex mean anything, it is this: “we ourselves, without any corporate rights and privileges, are of an inferior rank and grade in the Profession,—vested with corporate rights and privileges, in a Collegiate Institution, we shall remain an inferior grade and rank.” For it will be observed, that the Petitioners have averred, in the first paragraph, that virtually, by the Charter of 1843, the Members of the College of Surgeons, not being Fellows, have been constituted an inferior grade, or rather, it might be said, the injustice thus inflicted has deprived them of all rank whatever, and has degraded them to the lowest possible degree,



both in the estimation of the Profession, and so far as it can understand the question, in the eyes of the whole community.

In the *third paragraph*, the Petition assumes, in the most unqualified manner, that the Society of Apothecaries is willing to relinquish its position as an examining body; whereas, it is notorious in the Profession, that the Society has never given its *unqualified* assent to relinquish its powers; the Society has, on the contrary, upon all occasions, explicitly stated, that it must previously be satisfied that the General Practitioners are to be placed in an improved position, and possessed of an efficient control over the education and qualification of their own class. This *conditional* surrender of the Society's present powers may be adduced as a further guarantee that the proposed College of General Practitioners, will not, if established, be of an inferior character.

The fourth and fifth paragraphs express the sentiments and wishes of the Petitioners, upon—as appears on the face of the Petition—the most erroneous assumptions and misapprehensions. The *sixth and last paragraph* prays that the College of Surgeons may have a power given to it, which will enable it to remedy the injustice which has been perpetrated upon its Members. This is to seek for the accomplishment of an impossibility. In the first place, the College could not now exercise such a power without committing a new and equal injustice to another portion of its Members,—those who have obtained the Fellowship by Examination and the payment of Fees. Time and the course of events, have rendered it totally impossible for the College to repair the injustice complained of, and the Council of the Institute cannot but feel, that a pertinacious reiteration to the Profession of the practicability of this reparation, which can never be effected by any change in the College itself, can only tend to prevent any settlement of the Medical question, and to protract Professional anarchy.



The sixth paragraph of this Petition, in context with the first, contains also, the glaring inconsistency of desiring to throw all the interests of the General Practitioners into the hands of that Council, which, according to its own statement, has exercised its powers by inflicting upon them the greatest injustice.

A numerous Meeting of the "*Shropshire and North Wales Medical and Surgical Association*" was held on the 26th of June, 1848, at which the following Petition to Parliament was also agreed upon:—

[*Copy.*]

*To the Honourable the House of Commons in Parliament assembled.*

The Petition of the Associated Medical and Surgical Practitioners of Shropshire and North Wales, and other Members of the Profession, adopted at a Public Meeting, held at Shrewsbury, June 26, 1848,

Showeth, that your Petitioners consider—

1st. That no adjustment of the grievances under which the profession have so long laboured can be satisfactory unless the obnoxious Charter of the College of Surgeons be first rescinded.

2d. That in any new Charter to be granted to that body provision should be made to empower all those who were members of the College in September, 1843, and all who shall hereafter be members of ten years' standing, to vote in the election of the Council; or that Mr. Guthrie's proposal, as given in evidence, No. 194, be adopted, and that the election of the Council shall be regulated on just and equitable principles.

3d. That the College of Physicians and the College of Surgeons, if properly modified, are sufficient for all the requirements of the profession, and that no third College (much less an inferior one) is necessary.

4th. That the Colleges of Physicians and Surgeons be empowered to appoint a Board of Examiners (subject to the supervision and approval of a Council of Education), to make such a preliminary examination as shall be a fair test of qualification in all those sciences, a knowledge of which may be considered necessary to the formation of a competent medical and surgical practitioner, and that every candidate shall pass this preliminary examination previously to undergoing such other examination or examinations as may be required for obtaining his licence to practice, or being registered under any grade or



title in the Colleges of Physicians or Surgeons respectively ; and that such preliminary examination shall form a common portal for all to pass through, by which a sufficient knowledge of medicine will be insured in the education of the Surgeon, and a sufficient knowledge of surgery in the education of the Physician.

5th. That the numerous corporate bodies throughout the United Kingdom, having the power of granting degrees or diplomas, should be assimilated in the amount of qualification required for the attainment of each degree of a like denomination, and that the possessors of such degrees be entitled to practice in every part of Her Majesty's dominions.

4th. That the Colleges of Physicians and Surgeons (subject to the alterations herein proposed) should be empowered to grant a licence to practice to all who are or may be hereafter enrolled in those colleges, and to all who are legally qualified practitioners at the time of granting a new Charter or passing an Act of Parliament to confirm these arrangements.

7th. That a penalty be fixed for all who falsely pretend to be registered, or who assume a title to which the register does not give them a claim, and that summary punishment be provided for all unqualified practitioners.

8. That the proposals for medical legislation put forward by the Conference of the Medical and Surgical Corporate bodies and the National Institute will neither be beneficial to the profession nor remedy the evils done by the Charter of 1843.

We, your Petitioners, therefore pray that two, or three, or more, of the following gentlemen—

J. Y. ARROWSMITH, Esq., F.R.C.S.E., &c.

W. J. CLEMENT, Esq., F.R.C.S.E., &c.

PEPLOE CARTWRIGHT, Esq., M.R.C.S.E.

DRURY OTTLEY, Esq., 5, Bedford Place, London, M.R.C.S.E.

W. P. BROOKES, Esq., Much Wenlock, M.R.C.S.E.

be admitted to give evidence before the Committee of your Honourable House on the proposals herewith submitted to your consideration, and which have been adopted and agreed to by us.

And your petitioners, &c.

HENRY JOHNSON, M.D.

President of the Associated Medical and Surgical Practitioners of Shropshire and North Wales, and Chairman of the Meeting on behalf of the following Gentlemen, 158 in number.



The Council have not the same objections to make to this Petition as to the former,—it contains no misrepresentations, and there does not appear to be any great discrepancy in principle between the Petitioners and themselves; they differ mainly on the means to an end, the experience of the Council assuring them that the means advocated by the Petitioners involve an impossibility; but the Council solicit the earnest attention of the Petitioners and of the Profession to the following remarks suggested by the subject-matter of that Petition.

The Petition comprises a scheme of Medical Reform propounded by the Petitioners, and published as a kind of counter scheme to that contained in the foregoing “outline of a Bill” as framed by the Conference in London, the principles and details of which have obtained the concurrence of so many of the existing Institutions and the most influential bodies in the Profession.

By the first paragraph in this Petition, as in those before commented upon, the rescinding of the obnoxious Charter of the College of Surgeons is made a part of the Petitioners’ scheme of Reform, and a *sine qua non* of any satisfactory adjustment of the grievances under which the Profession has so long laboured.

By the second, third, fourth, and sixth paragraphs, the College of Surgeons would be converted into a College of General Practitioners. Every individual who, being a Member of the Medical Profession, practises, or professes to practise, Surgery, or Medicine and Surgery, or Medicine, Surgery and Midwifery, or Medicine, Surgery, Midwifery and Pharmacy, must be a Member of the College of Surgeons, and if of ten years’ standing, would have a vote at the election of the Council of the College of Surgeons.

The Council of the Institute will not for one moment impute to their Medical brethren in Shropshire, a deliberate intention to



prevent or obstruct all legislation in Medical affairs, nor can they believe that so numerous a body are content that the Profession should continue in its existing anomalous state. The Council have, furthermore, no hesitation in admitting, on the part of the General Practitioners of England, that if the object of the Petitioners could be obtained, viz., the concentration of the great body of the Profession in the College of Surgeons, with a ten years' franchise, the right of voting carrying the right of holding offices of honor and distinction in the College, under proper limitations, but with no distinction as to whether the individual practices as a Surgeon purely considered, or as a General Practitioner—by which modification of the constitution of the College of Surgeons, the General Practitioners would have an efficient control over their own affairs and a direct influence over the examinations of their own class—that their demands would be satisfied. But the Council are conscientiously and fully convinced that, however desirable in the minds of many individuals such a modification of the College of Surgeons may be, it is totally impracticable; and since herein appears to exist the difference of opinion between themselves and their brethren in Shropshire, and others, they feel themselves called upon to state specifically the grounds upon which their own convictions are founded.

Those who demand a modification in the College of Surgeons to the extent of abrogating the Charter of 1843, or doing justice to the Members of the College, and granting the franchise to every Member of ten years' standing, by which Medicine, Midwifery and Pharmacy must necessarily be fully recognized, and constitute the major part of the business and responsibilities of the College, and the most essential part of the education and examination of the Surgeon, are probably unaware of the efforts which have been made from time to time to effect this change, and



of the uniform failure of such efforts. The Members of the College made a strenuous effort to obtain the abrogation of the disqualifying Laws against Midwifery and Pharmacy about the commencement of the present century. They were heard by Counsel before the Attorney-General and Solicitor-General, and their claim disallowed.\* Again, in 1833, the Council professed to have an examination in Midwifery, and the Bye-laws for establishing it passed through all the regular rules and orders till they went to Sir Frederick Pollock, the standing Counsel of the College, who declared that the Court of Examiners had not the power to appoint Examiners in Midwifery.† Subsequently to the grant of the Charter of 1843, at the commencement of the present agitation, a Memorial, with the object of opening the College, was got up by the "*Medical Protection Assembly*," which was said to be signed by 1200 Members of the College. Petitions and Memorials innumerable, of the same tenor, from all parts of the country, have been presented to the College and to the Government. All these exertions have been unattended with success. Not the slightest sympathy with those who wish to abrogate the powers of the Apothecaries' Society, and make the College of Surgeons the "*alma mater*" of the General Practitioners, has been manifested by any party of influence, or in authority; the Council of the College of Surgeons, under the existing Laws and Charters, are thus compelled to maintain it as a College of Surgeons specially so considered, and to resist any change, the immediate or remote effect of which must be the conversion of it into a College of General Practitioners in Medicine, Surgery and Midwifery.

The only resource left then for the Petitioners is—the Legislature. An Act of Parliament must be obtained to modify the

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\* Minutes of Evidence, 1848—Second Report, p. 4. † Idem, p. 15.



constitution of the College of Surgeons in face of the opposition of the Council of that College and the Government; doubtless also, of the main body of the Fellows of the College of Surgeons, of the College of Physicians, and other parties; for the effect of the change must be to render the College of Surgeons to all intents and purposes a College of Medicine. The Council of the Institute do not believe that there is the remotest chance of effecting this, and, as practical men, they strenuously advise the General Practitioners not to be led into a new and fruitless agitation for an unattainable object, nor for the sake of humbling those who have doubtless inflicted upon many individuals an act of the greatest injustice, to seek to deny themselves, their profession and the public, the advantages of any and every beneficial arrangement which may be placed within their reach.

In stating their opinions thus strongly, the Council of the Institute are not unmindful of the fact, that if all other objects were abandoned, and the demands of the General Practitioners restricted to some such power as that sought for by Mr. Guthrie to be given to the Council of the College of Surgeons, enabling them to make another selection from the Members of a limited number of individuals to be created Fellows, restricted probably to those of twenty, or even twelve, years' standing, possessing certain qualifications, and under certain certificates of recommendation, that by some considerable effort on the part of the great body of the Members of the College such a demand might ultimately be conceded. The Profession will observe, that the augmentation of the Fellowship in the College of Surgeons to this extent, and even further, is by no means inconsistent with the principles of Reform as agreed upon, nor has it any bearing whatever upon those Measures for the future regulation of the Profession which all parties deem so desirable. The Council of the Institute



consider such a step would enable the Council of the College of Surgeons to do, although but partially and tardily, an act of justice, to a few of its injured Members, and that, "*pro tanto*," it would be acceptable. But it would not even thus partially satisfy the justice of the case as respects the remaining 9 or 10,000 Members. Of the 138 gentlemen who have appended their names to the Shropshire Petition, if half a dozen were created Fellows to morrow, and the cause of the others delayed or abandoned, would the remaining 132 be satisfied? and amongst the gentlemen who attended the meeting at the Freemasons' Tavern, if one or two of the more active, were made Fellows, would this advance one iota the cause of Medical Reform?

There is only one other point, in the scheme propounded in the Petition from Shropshire, to which the Council think it necessary to advert, viz., the proposal for the appointment of a Joint Board of Examiners by the Colleges of Physicians and Surgeons. The National Association and the National Institute have offered no opposition to the institution of such a Board, either for the purpose of a preliminary or a final test of the qualifications of the candidate, provided the General Practitioners are at the same time admitted to corporate rights, and they are assured that the qualifications of their own class will be sustained, either by Members of their own class being placed on such Joint Board, or the powers being vested in themselves, of examining and testing the qualifications of the future General Practitioners. The Reports of the Joint Deputation already adverted to indicate this. The gentlemen who sign the Shropshire Petition wish for a preliminary Examination, which every Candidate is to pass previously to undergoing such examination or examinations as may be required for obtaining his license to practise, or being registered, under any "GRADE" or title in the



Colleges of Physicians and Surgeons respectively. This scheme, therefore, implies grades in the College of Surgeons; and accordingly, as the Council of the Institute conceive, that the great body of the Profession, the General Practitioners, are to constitute an *inferior grade*. For, except so far as the General Practitioners can obtain it through the ruling powers of the College of Surgeons, they will have no control over the qualifications and examinations of their own class. The control will be given entirely to the College of Physicians and the Fellows of the College of Surgeons, since, although the Examining Board is to be subject to the supervision and approval of a Council of Education, that Council of Education, in the absence of any representative head of the General Practitioners, must also necessarily be composed of Physicians, and Fellows of the College of Surgeons. In order to render this plan of a Joint Board consistent and satisfactory, the General Practitioners ought to be represented thereon, for which purpose, one of two things must be brought to pass,—either the College of Surgeons must be converted into a College of General Practitioners, or a new College must be instituted. The Petitioners object to the latter, and the impracticability of the former has been shewn, which would almost induce a calm spectator of the movements of the Profession to doubt whether these gentlemen sincerely desire any reform whatever.

A Petition has been presented also from Gloucester, a copy of which is given below; it is signed by *Dr. Wright*, as Chairman of the Meeting, and *Mr. Wilton*, a Fellow of the College of Surgeons, as Honorary Secretary; this Association is, accordingly, *not an Association of General Practitioners exclusively*: a circumstance which the Council of the National Institute would not have remarked upon, but that the Petitioners undertake, on the part of the General Practitioners, to call in question the powers



of a Council numbering 48, every individual being a General Practitioner, upon which Council the duty has been imposed of representing the interests of an Association of General Practitioners numbering at least 4000. No statement is given of the number of individuals who attended the Meeting at which the Petition was agreed upon.

[*Copy.*]

*To the Honorable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.*

The humble petition of the undersigned members of the Gloucestershire Medical and Surgical Association,

Showeth,—That the charter granted to the College of Surgeons in 1843, forms an insurmountable obstacle in the path of Medical legislation, and that no attempt to adjust, by Act of Parliament, the difficulties of this subject, can be successful or satisfactory, until the injustice perpetrated by that obnoxious measure be done away with.

That the Colleges of Physicians and Surgeons, if rightly organized, are quite sufficient for the requirements of the profession in this country, and that the proposed creation of a new corporation, for the enrolment of the General practitioners, is uncalled for by any necessity, and that such new institution would be alike injurious to the interests of the profession and the public.

That the parties who have undertaken to appear, on the part of the general practitioners, in the conferences which have led to the proposal of a new corporation, have no title whatever to be considered as representing the views and opinions of that great body of the profession.

That the foregoing statements of opinion are copies of certain resolutions proposed at a special general meeting of the Gloucestershire Medical and Surgical Association, held at Cheltenham, on the 20th instant, and passed unanimously.

Your petitioners, therefore, humbly pray, that as a preparatory step to any measure for the regulation of the medical profession, the provisions of the charter granted to the College of Surgeons in 1843, and the manner in which they were carried out, may undergo a searching investigation, and that your honourable House will be pleased to reject any Bill concerning the medical profession which shall tend in any way to perpetuate the injustice inflicted by the said charter upon the great body of the members of the College of Surgeons.

And your petitioners will ever pray, &c.



Signed on behalf of the members of the Gloucestershire Medical and Surgical Association,

THOMAS WRIGHT, M.D.,  
President of the Association and Chairman of the Meeting.

JOHN WILLIAM WILTON, F.R.C.S.E.  
Honorary Secretary.  
Gloucester, July 21st, 1848.

Other Resolutions and Memorials of the same tenor have come before the Council of the Institute, but they contain no new point worthy of notice. Memorials have also been presented in *favour* of the "Principles" of the Conference, and the Council cannot refrain in this place from the remark, that had the subject been better understood, and the spirit of the following Documents generally acted up to, the probability would have been greatly increased, that by this time, an Act of Parliament might have been obtained and the whole question settled.

## SURREY.

### MEMORIAL TO THE HOME SECRETARY.

(*Copy.*)

*To the Right Honourable Sir George Grey, Baronet, her Majesty's  
Principal Secretary of State for the Home Department,*

Showeth,

That your memorialists, being legally qualified Members of the Medical Profession, have read with great attention and approbation a paper intitled "Principles of a General Measure for Medical Reform," which have been unanimously agreed upon as the result of several conferences held by a committee representing the different sections of the Medical profession, and which your memorialists are informed have been submitted to the head of the Home Department.

The undersigned after due consideration, are of opinion that a legislative measure founded on those principles will be eminently conducive to the public welfare, and will be generally satisfactory to the profession itself. The undersigned, therefore, pray that her



Majesty's Government will adopt these principles, and promote the completion of them in due form, as an act of the legislature.

THOMAS SMITH, Crawley.  
 EDWARD BOULGER, Bletchingley.  
 WILLIAM HENRY SARGANT, Bletchingley.  
 JOHN STEELE, Reigate.  
 GEORGE HAMPTON, Reigate.  
 PETER MARTIN, Reigate.  
 JOSEPH SARGANT, Reigate.  
 THOMAS MARTIN, Reigate.

### BRIGHTON.

[*Copy.*]

*To the Right Honourable Sir George Grey, Baronet, her Majesty's  
 Principal Secretary of State for the Home Department,*

Showeth,

That your Memorialists, being legally qualified Members of the Medical Profession, have read with approbation a paper entitled "Principles for a General Measure of Medical Reform," which have been agreed upon by the joint committee of the Royal Colleges of Physicians and Surgeons of England, the Society of Apothecaries, and the National Institute of Medicine, Surgery, and Midwifery; and which your Memorialists believe have been submitted to the head of the Home Department.

The undersigned are of opinion that a legislative measure founded on those principles will conduce to the welfare of the public, and will be generally satisfactory to the Medical Profession.

Your Memorialists, therefore, pray that, as an act of Legislature, her Majesty's Government will adopt those Principles of Medical Reform.

George Drummond, M.R.C.S., L.S.A., Brighton; Thomas Allen, M.D., Brighton; John Dill, M.R.C.S., Brighton; Thomas Blair, M.D., Brighton; George Hall, M.D. Oxon, Brighton; Andrew Plummer, M.D., Brighton; John Lawrence, F.R.C.S.E., Brighton; James Arnott, M.D., Brighton; Edward Dix, M.R.C.S.E., Brighton; James Turner, M.R.C.S., L.S.A., Brighton; James W. Wilson, M.D., Brighton; George Royde, M.R.C.S.E., L.S.A., Brighton; Augustus Franz, M.D., M.R.C.S., Brighton; J. Cordy Burrows, M.R.C.S.L., L.S.A., Brighton; William Kibbell, M.D. Brighton; J. R. Simonds, M.R.C.S.E.; Edmund J. Furner, surgeon; Richard Newnham, surgeon; Robert Tayler, F.R.C.S., L.S.A.; William



King, M.D., Cantab, 23, Montpellier-road; E. Wildman Whitehouse, M.R.C.S., L.S.A., Brighton; T. B. Winter, M.R.C.S., L.S.A.; Thomas Andrews, surgeon, Montpellier-road; Thomas Yates, M.D.; James Oldham, Norfolk-square; M. D. Nugent, M.D., F.R.C.S. Lond. and Dublin, Brighton; William Scott Watson, M.R.C.S., L.S.A.; George S. Jenks, M.D., Brighton; Jenkin Jones, M.D., Brighton; George Lowdell, M.R.C.S., L.S.A., Brighton; Gavin Elliott Pocock, M.R.C.S., L.S.A., Canon-place; Richard Rugg, M.R.C.S., L.S.A., Brighton; T. Paine, surgeon, Brighton; George Tatham, M.R.C.S., L.S.A.; W. B. Rowe, M.R.C.S., L.S.A., Brighton; J. King Dingle, M.R.C.S., L.A.C.; Thomas Barker, M.D., Brighton; W. R. Mott, surgeon, formerly surgeon 47th Regt. Foot; W. Adam Maiben, M.R.C.S., L.S.A.; J. T. Gardner, M.R.C.S., L.S.A., St. James's-street; W. H. Fry, L.S.A., Dorset-gardens; William Wilton, M.R.C.S., L.S.A., St. James's-street; Thomas B. Horne, M.R.C.S., L.S.A.; Hampton Weekes, M.D.; Robert Caudle, surgeon, Brighton; William Verrall, surgeon, Brighton; R. M. Philpott, Brighton; S. K. Scott, M.R.C.S., L.S.A.; George Battcock, surgeon, Brighton; John Lawrence, jun., Brighton; B. Thomas Seabrook; Robert Dix, surgeon, Brighton; Henry Sutton, Surgeon-accoucheur, Brighton; E. D. W. Mitchell, M.R.C.S.E., L.S.A., Brighton; James Ansley Hingeston, M.R.C.S.L.

Similar Memorials in favour of the measures have been forwarded to Sir G. Grey from ULVERSTONE, ASHFORD, RYE, FAVERSHAM, GUILDFORD, CROYDON, YALDING, and other places.

Having thus brought under review the special objections contained in the above Documents, the Council have now to deal with the assertion, that a new College of General Practitioners must necessarily be an *inferior College*, which has been so positively made and so industriously reiterated. It occurs in the Resolutions already commented upon, but the dissentient parties have in no instance stated in what that inferiority will consist. The Council have in vain looked for evidence on this point, and all they can find is the unsupported, bare *assertion*. If the assertion could be verified, the Council would one and all repudiate any connection with such an Institution.



On the other hand, the Council have had to contend with parties holding an opinion directly the converse, viz., that the proposed College must necessarily be co-ordinate in rank with the existing Institutions ; and this, in truth, has constituted one of their chief difficulties, since they have had to appease the fears of those who infer from this, that a College of General Practitioners would in a short time supersede the functions and rise superior to the elder Institutions. It may be useful to show on which side the weight of authority lies upon this prevision. The gentlemen who quote Mr. Guthrie, and adopt his views, will doubtless admit him to be of the highest authority, and the following is a record of his opinion respecting the inferiority of a College of General Practitioners :—

*Extract from the Minutes of Evidence taken before the Select Committee of the House of Commons, on Medical Registration, &c., March 3rd, 1848, the interrogatories being on the subject of the proposed "Royal College of General Practitioners of England," as to its rank, equality and influence, &c.*

G. R. GUTHRIE, ESQ., examined.

Do not you consider that their being connected with a College of a lower grade would be likely to lessen them in the public estimation ?

They do not propose that it shall be of a lower grade, but an equal grade.

Is it not proposed in the Document to which I have referred, that the College shall be called "The College of General Practitioners," and not the College of Surgeons ?

In the first place I do not profess to know what a General Practitioner is myself, *but it does not follow that they should be a College of a lower grade.*



Would you yourself give your support to a College of equal rank and privilege and influence with your own?

*It must be so, if it is established*; that is a matter for the Government, and not for me, to consider; if it is made so, I cannot help it.

In the memorials of the Colleges of Physicians and Surgeons to the Secretary of State, the opposition of these Colleges to the establishment of a new College, has invariably been founded upon the danger in their opinion likely to result from the number and respectability of the General Practitioners, to the stability and permanency of these Institutions; and the Council of the Institute must candidly confess that they believe the fears of those who anticipated evil from the increasing importance and probable influence of the new College, were far better founded than the anticipations of evil from its inferiority; eight or ten thousand individuals associated together in a representative Collegiate Institution, with the means of giving encouragement to learning and science, and conferring honors, emoluments, and rewards to the distinguished and deserving, might become a one Faculty, and soon, in the language of the Minister of the Crown, "strand" the existing Institutions, if the latter were not shielded by some efficient safeguard. It is this which has influenced successive Ministers in declining to accede to the prayer of the General Practitioners for a Charter of Incorporation, without the consent of the Corporations, and a general Bill defining the power and privileges of each of the Royal Colleges; it is this dread of the overwhelming influence of the General Practitioners under favorable auspices, which has rendered the existing Institutions reluctant in giving their assent to a new incorporation.

There is certainly one specious reason which has been advanced to prove that the new College will be an inferior College,



viz: that it will not have the power *to licence*. The parties who urge this objection omit to state, that under the proposed Bill, and the Charters which are to accompany it, *none of the Colleges will have the power of licensing*. The licence to practice will be the Registration certificate, and all other powers of licensing by the Colleges of Physicians and Surgeons, or the Societies of Apothecaries in the United Kingdom, will be abrogated. It is true that the right to register will depend upon having passed certain examinations, and being admitted to the membership of certain Institutions. In this respect, the proposed new College will be placed, in reference to the General Practitioners, on an equal footing with the Royal College of Surgeons.

However disagreeable such a duty may be, the Council are not at liberty to shrink from the exposure and denunciation of the practice of misrepresentation which has but too frequently disgraced the discussion of the Medical Reform question. They believe that such a practice has never been deemed necessary, would never have been resorted to, or if resorted to, would never have been tolerated, in the agitation of any other great public question. For instance, it has been broadly asserted that under the new arrangement the Members of the College of Surgeons are not to be registered as Surgeons. There are numerous individuals both in and out of the Profession, who meeting with this assertion, made with confidence, and having no data to refute it, may thereby be rendered opponents, and before their minds can be disabused, become committed to an unjust opposition to the proposed measures. With the view to illustrate how, even in the highest quarters, misapprehensions have arisen, the Council cannot do better than refer to a portion of the printed evidence, given on the 3rd of March last before the Parliamentary Committee, premising it with the following quotation from the "Principles" which had been sent into that Committee by the



Conference at the College of Physicians; bearing date the 8th February.

[*Copy.*]

Surgeons.

That those persons shall be entitled to be registered as Surgeons, who shall have been admitted as Fellows or *Members* by the Royal College of Surgeons. That the Members of the College of Surgeons who dispense medicines, or supply medicines to their patients, shall be required to enrol themselves in the College of General Practitioners, and to be registered as Surgeons and General Practitioners; and after the passing of the Act, *Members* of the Royal College of Surgeons shall not be registered as Surgeons unless they be also admitted as Members of the Royal College of General Practitioners, *and registered both as Surgeons and General Practitioners.*

*Extract from Mr. Guthrie's Evidence before the Parliamentary Committee, 3rd March, 1848.*

By MR. WAKLEY.

(248.) You state that there have been Meetings between the existing Corporate Bodies, and persons calling themselves the National Institute; have you been present at those Meetings? No; the Executive officers manage the business of the College.

(253.) I will read you a passage from the Document\* I refer to—"But after the passing of this act, those who shall be admitted as Members shall be also admitted by the Royal College of Surgeons, and registered as General Practitioners." *Do you consider that it would be fair to deny to those gentlemen the right of being registered as Surgeons, or that it would be satisfactory to the Profession generally?* † Certainly not; I know it would be very unsatisfactory to the great Body of the Profession.

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\* This "Document" being the Principles, from which the above is a *verbatim* extract.

† The words in italics in these extracts have been rendered so by the Council.



The bearing of the questions propounded and of the evidence given will be fully appreciated by the Profession, when they are informed that no proposal was ever made in the Conference to exclude the Members of the College of Surgeons from the Register as Surgeons.

An inference has been drawn and an *ad captandum* argument founded upon it, for the purpose of sowing the seeds of dissension more plentifully still where the rank growth is already but too abundant, and of preventing the Profession accepting any Measure which will really benefit it, unless such Measure not only satisfy the desires and aspirations, to the fullest extent, of all the more honorable of its Members, but also, the unreasonable expectations of the misinformed, the vain, and the discontented. The Council refer to the inference that a Measure of Medical Reform, of the present day, must necessarily be *final*—that it must be a settlement for the “*next century*,” as if, where every thing else is “*progress*,” medicine alone must stand still. That, so far as the Medical Institutions are concerned, inertia has hitherto too much prevailed, none will deny. That it must continue to do so there can be no doubt, unless the Profession be content to hold to a substantial benefit within its reach, rather than be amused by catching at a shadow which an evil genius flits before it. But that once organized, and constituting an independent and essential part of the machinery of society, with the facilities for advancement increased tenfold, that the Profession should cease to advance and to improve its institutions is beyond reasonable credence. The views entertained by the Council under this head are, that by the proposed Bill, if it become law, the Profession will be clearly defined; after a very short period there could be no mistake whatever as to what it consists in, or who does or who does not belong to it; every individual will be represented by the



Council of the College or Colleges, one or more, to which he belongs; a Secretary of State will form, as it were, one of its integral elements. Under these circumstances, all that is good in the arrangement will, in the ordinary course of events, be perpetuated; but should any part prove defective, after a reasonable period for testing the working of the Measure, the facilities for amending it would be increased a hundredfold as compared with the present state of affairs. Suppose any practical grievance suffered by the General Practitioners, the Members of the new College, through their representative Council, will have a direct communication with the Government, whereby such grievance can be made known; and should any Government prove neglectful of its duty to any part of the Profession, that Government will be liable to be called to account in either of the Houses of Parliament.

In concluding their Report, the Council of the National Institute implore the Members of the Profession, of all classes, to bear steadily in mind that Medical Reform is not an abstract question—that medicine and its institutions can only be properly regarded in their relation to society at large, and the spirit of the form of government under which we live. The Council urge upon the General Practitioners, as an axiom, that the legislature of this country will not be readily induced to concede to any portion of the Profession, however numerous or important, powers and privileges which will either set aside the existing Colleges of Physicians or Surgeons, or modify the special character with which, from the period of their foundation, these institutions have been vested, for the *separate* encouragement of Medicine and Surgery respectively. Where interests are so opposed, and opinions so diversified, as in the Medical Profession, some dissatisfaction must arise, and accordingly, some opposition must be expected, to any measure, from



whatever source it may be derived, or however satisfactory it may prove in the main. There are individuals, within and without the pale of the Profession, who have their advantage in the present undefined state of professional rights, titles, and privileges, and if, in a community like this, good measures were arrested because they cannot obtain universal approval, society would retrograde. The Council trust this will not be the case with the Medical Reform Question. They venture to express a hope that the Conference will resume its sittings on the approach of the next Session of Parliament, and with the public spirit which has hitherto characterized its proceedings, that it will complete the great work which it has so well begun. They hope that the influence which the Conference must necessarily possess, in the highest quarters, will be brought to bear upon the success of the proposed measures; and that under the auspices of the government, a Bill, founded upon the "Principles" agreed upon, will be introduced into the House of Commons early in the Session, by some member of station and influence.

Finally, placing their utmost reliance on the honesty of purpose, good faith and public spirit of their professional brethren, of all classes, who by their representatives in the Conference have been parties to the proposed Measures of Medical Reform, the Council of the Institute trust that those who have hitherto dissented will be induced to withdraw their opposition; that while Sanatory measures are engaging so much of the public attention, a Bill may be carried through the legislature with the cordial support of the profession at large; and that under a new Act of Parliament, and a new order of things, Society will rapidly reap those advantages which must sooner or later flow from the subsidence of medico-political agitation, the improved



social and political status of the profession, and the steady progress and general diffusion of sound practical and scientific medical knowledge.

NATHANIEL CLIFTON, VICE PRESIDENT,  
*Chairman.*

At a GENERAL MEETING of the INSTITUTE, held at the Hanover Square Rooms on the 9th of August, 1848,

N. CLIFTON, Esq., VICE-PRESIDENT, *in the Chair,*

The foregoing Report was read, whereupon the following Resolutions were carried unanimously.

RESOLVED:—

1st. "That the Report now read be received, adopted, and printed for circulation."

RESOLVED:—

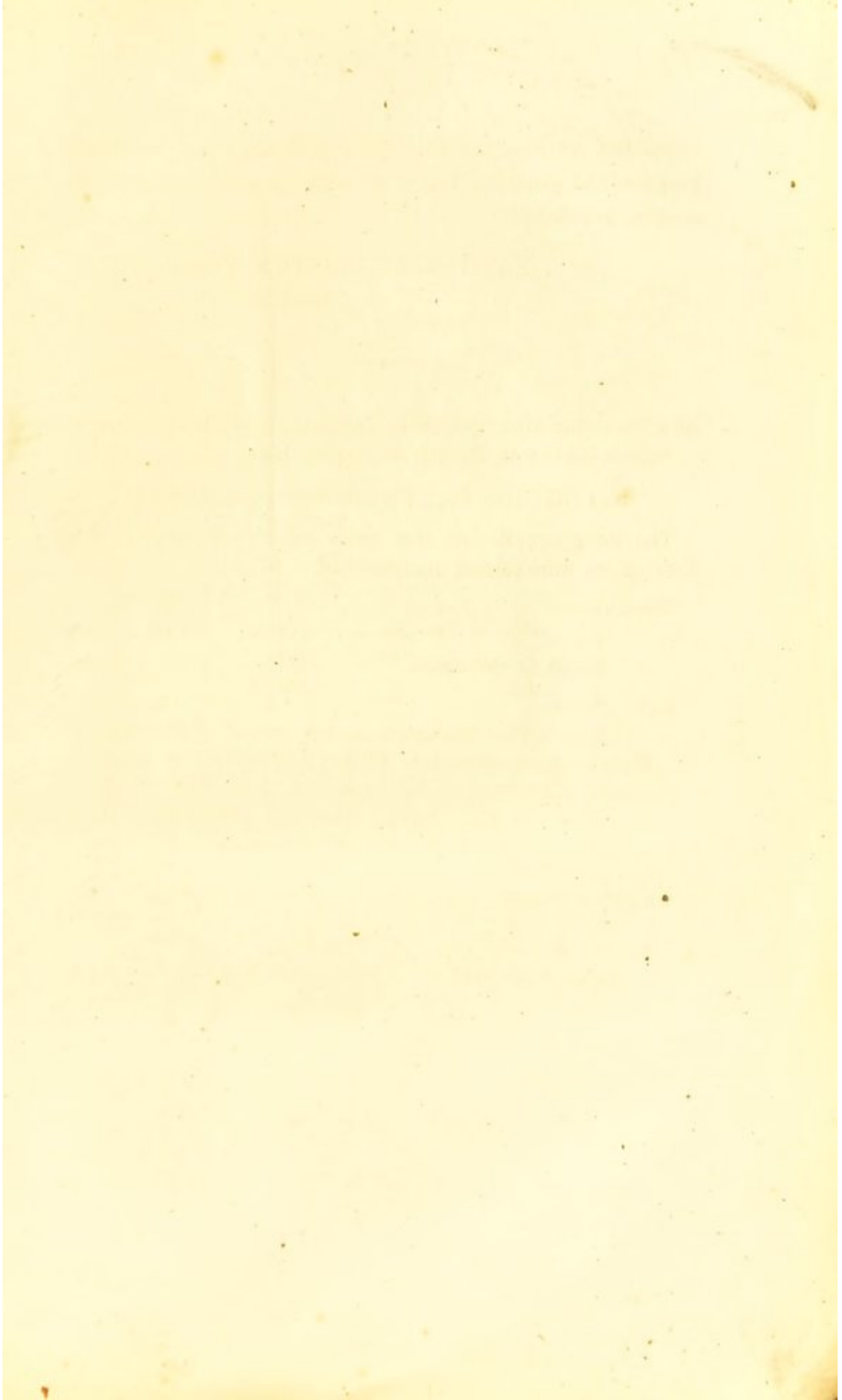
2nd. "That the most cordial thanks of the National Institute be presented to R. R. PENNINGTON, Esq., the venerable *President* of the Institute, JAMES BIRD, Esq. and HENRY ANCELL, Esq., for their able services at the recent Conferences at the Royal College of Physicians."

GEORGE ROSS,  
*Secretary.*

4, HANOVER SQUARE,  
*August 9th, 1848.*









**KING'S**  
*College*  
**LONDON**

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REPORT OF THE COUNCIL OF  
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OF GENERAL PRACTITIONERS  
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