

**A letter addressed to the Faculty of Physic in London, on the illegal and unwholesome bye-laws of the College of Physicians of London, establishing a monopoly in favour of the graduates of Oxford and Cambridge / by Henry Robertson.**

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*for Thomas Dunsmuir Junr.*  
*Wm. the Author Compt.*

A

# LETTER

ADDRESSED TO

THE FACULTY OF PHYSIC  
IN LONDON,

ON THE

ILLEGAL AND UNWHOLESOME BYE-LAWS OF THE COLLEGE  
OF PHYSICIANS OF LONDON,

ESTABLISHING

*A MONOPOLY*

IN FAVOUR OF THE GRADUATES OF OXFORD AND CAMBRIDGE.

—◆—  
BY

HENRY ROBERTSON, M.D.

OF THE UNIVERSITY OF EDINBURGH.

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LONDON:

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AND SOLD BY ALL BOOKSELLERS.

—  
1827.

LETTER

THE FACULTY OF PHYSIC

IN LONDON

ALLIANCE AND DEPENDENCE OF THE COLLEGE  
OF PHYSICIANS OF LONDON

CLAY, PRINTER, DEVONSHIRE STREET,  
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HENRY ROBERTSON, M.D.

OF THE UNIVERSITY OF EDINBURGH.

LONDON:

PRINTED BY SMITH & SON, STATIONERS, COURT

AND AGENTS FOR THE UNIVERSITY OF EDINBURGH.

1857.

R35934

## ADVERTISEMENT.

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SINCE the following Letter was sent to the printer, the College of Physicians have thought it prudent to relinquish proceedings at law against Dr. Harrison, for the recovery of penalties they alleged he had incurred by practising physic within the City of London and seven miles around, without having been examined and *licensed* by them to do so. The College, in shrinking from the prosecution which they said it was *their duty* to carry on, and declining to *accede* to the fair proposition offered by Dr. Harrison, of trying the question at issue between them and the great body of Physicians throughout the British dominions, have made manifest to the public the absolute nullity of those powers they have for a length of time affected to possess over Graduates of the Scotch Universities. Every Physician, coming to reside in London, will now know that he may exercise his

profession, *nulla à Collegio petitâ veniâ*, without submitting to the degradation of re-examination, and taking an oath on his bended knees to observe bye-laws that he has never an opportunity of becoming acquainted with; or of subjecting himself to the payment of a heavy fine of about seventy pounds for a piece of worse than useless paper, denominated *their Licence!!* The friends of humanity and science must feel much indebted to Dr. Harrison for the independent spirit and manly firmness he has displayed on this occasion in behalf of himself and his professional brethren.

For full information on a subject of such vast importance, not only to the profession, but to the public at large, the reader is referred to a Work recently published by Messrs. Longman and Co. Paternoster Row, London, entitled, "*An Exposition of the State of the Medical Profession in the British Dominions, and of the injurious Effects of the Monopoly, by usurpation, of the Royal College of Physicians in London.*"

## A LETTER,

§c. §c.

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GENTLEMEN,

I AM induced to call the attention of the public to a grievance, of which a highly honourable and useful body of his Majesty's subjects have to complain,—the illiberality and injustice of the London College of Physicians, in regard to the Graduates in medicine of the University of Edinburgh; those of Oxford and Cambridge arrogating to themselves, on the pretence of superior attainment, an exclusive right of becoming Fellows, or of alone forming that corporation, whose proceedings have,

for a great length of time, been conducted upon the same selfish principle and in the same spirit that exists in choosing the self-elected magistrates of a close borough.

It could not certainly be credited by any one, that an Institution, made by its bye-laws so irreconcilable to good sense and common justice, should be tolerated in England, the boasted land of equal rights and liberality of sentiment; and still less, that if such a corporation should be overlooked, could we expect it would be upheld and composed by men boasting of superior education. But such is the melancholy fact, that the Graduates of the English Universities have conspired for the very worst and meanest of purposes, as members of a learned profession, and by mis-directing an Institution originally intended for the protection and diffusion of science, have

thereby converted it into an engine for their particular views of emolument and gain. This subject is already before the public by Dr. Harrison ; and my attention has been more particularly called to it, by one of those presumptuous persons having recently objected to me as a Scotsman, and for being only qualified with a Scots degree. This he has done in order to put forth his claims as a *regular* physician, in a way by no means consistent with the modesty usually found allied with men of talent and high acquirements ; and most widely at variance with good manners and a knowledge of the world. I must here claim permission to say a few words in reply to these points of objection, as being necessary, besides, for elucidating the argument of this address, in which also the pretensions to superior education in the English Graduates will be reviewed. I am not aware of any moral or intellectual

inferiority in my countrymen, to make me regret being a native of Scotland;—that country has given birth to patriots, men of letters, statesmen, orators, &c. of as high fame as those of any country in Europe. In many of her institutions, particularly in her system of education, Scotland stands proudly pre-eminent beyond her neighbours. By the laws of Scotland, a course of study at an University is prescribed for those destined for any of the learned professions; and candidates are only admitted to the pulpit, the bar, or to medicine, by public and private examinations, and after having thus afforded satisfactory proof of their proficiency. For *with us* no student *takes out his degree* upon the strength of a prescribed matriculation alone, as in England. This plan of education is most strictly followed at Edinburgh in regard to medicine. But although men of the greatest professional eminence and learning

have emanated from that University, still they are objected to as unfit candidates for a Fellowship of the London College; I shall therefore endeavour to meet the objections of the College, so far as I am acquainted with them.

The excellence of a medical education at Edinburgh is not disputed; but the College objects that our education, however profound, is not acquired in an University; for, according to its notions, Oxford, Cambridge, and Dublin, are alone entitled to that appellation in the United Kingdom,—therefore, our literary distinctions, though tolerated, are but assumed; and, being as it were factitious, cannot be legally acknowledged. This is an assertion which is supposed to be supported by a legal decision, when an authority, influenced by the prejudice of education, is said to have sanctioned so gross an usurpation of

general rights; but however high and respectable that authority may be, an opinion given in opposition to the law of the land is not to be implicitly assented to, however gratifying it may be to the Graduates of the English Universities.\* The Act of Union between Scotland and England is either waste paper or valid in every unrepealed clause. The 4th article of that act still exists, and every attempt to degrade a Graduate of the former country, is an infringement of his civil rights. Moreover, our Universities were chartered and

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\* The case now alluded to, was a prosecution against the son of a Scots Graduate in England, who had taken out a game licence, supposing he was qualified, in like manner as the son of an English Graduate. To the best of my recollection the case was tried by Lord Ellenborough, with English counsel, and an English jury; and in the whole trial not one word was said about the 4th Article of the Union. If we are foreigners in the eye of the English law, as this decision palpably infers, the jury, being all English, made the trial invalid; and redress ought to have been sought by petition to Parliament, or the King in council.

endowed when Scotland was an independent kingdom, and were acknowledged by the governments of both countries at the Union, when our laws and privileges were confirmed to us. In the 4th article of the Act of Union, it says—“ *And that there be a communication of all other rights, privileges, and advantages, which do or may belong to the subjects of either kingdom, except where it is otherwise expressly agreed in these articles.*” But as there is neither stipulation nor agreement in favour of the London College, or of the English Universities, it must be, therefore, ignorance or absolute arrogance in any one to deny the Scots Universities their proper denomination; and it must be pusillanimity and baseness itself on the part of any Scots Graduate, who would allow the assertion to pass uncontradicted. Now, as I have shewn that the Scots Universities are as legally recognised as those of England; and

constituted, with equal authority as Institutions, for instruction in literature, the sciences, and the arts, with the power of granting honorary distinction to proficients; why, in the name of common sense and common justice, should a person regularly educated as a physician in Scotland be unfit to become a Fellow of the College of Physicians, while a physician graduated in Dublin, claims admission as a matter of right? We are not inferior in acquirements, we are equally subjects of the united empire, and as such are entitled to equal rights and privileges; and yet this corporation has, with unparalleled insolence and vanity, dared to cancel an article of the Act of Union, and thereby deprive of their rights a highly honourable and highly educated body of men, who have done more for the promotion of science and the literary reputation of the country, than the London College of Physicians

since its foundation, with the two Universities superadded.

When the London College arrogates superiority of attainment above other professional men, it is evident, by the following quotation, they have profited but little from their previous and boasted classical education. Τὸ μὲν γὰρ ἀλαζῶν ἔμοι γε δοκεῖ ὄνομα, Κεῖσθαι ἐπὶ τοῖς προσποιουμένοις καὶ πλουσιότεροις εἶναι, ἢ εἰσι καὶ ἀνδρείοι, καὶ ποιῆσειν ἂ μὴ ἱκανοὶ εἰσι ὑπισχνουμένοις,—καὶ ταῦτα φανεροῖς γιγνομένοις ὅτι τοῦ λαβεῖν ἕνεκα καὶ κερδᾶναι ποιοῦσιν.\*—*Xenoph. Cyropæd.* lib. ii.

The constitution of the Scots Universities is widely different from those of

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\* The term "Braggart" seems to me to apply to those who pretend to superior endowments from fortune and nature, and put forward pretensions to which they are unequal; and particularly when these pretensions are urged with a view to individual gain.—*Xenoph. Cyropæd.* lib. ii.

England; but it is a difference that I think militates in favour of our mode of education. The Universities of Scotland cannot boast of rich endowments, influential offices, and political patronage, and have to depend solely for support on the talents and industry of their members; while, on the other hand, the English Universities, possessing the advantages just mentioned, and having in that way, as well as by their constitutions, a powerful political influence, they seemingly consider these as more than compensating the details of studies, which the Scots and other nations have decided to be indispensable for attaining a necessary knowledge of the medical profession. For no man will commit his character so far as to assert, nor would he be credited were he to affirm, that a knowledge of medicine could be acquired at either Oxford or Cambridge. In short, it is well known that the candidates for English

medical degrees resort to Edinburgh to acquire their profession, while their terms run on at their respective Universities. Now this is no unequivocal proof of the greater learning in that Scots University.—Nor is it in medical science alone that we are pre-eminent. It is not usual for Scotsmen to repair to the English Universities for the sake of literary knowledge : some there are, who with the view of taking orders in the Church, and others from the vain and futile notion of forming connexions for their pursuits in public life, may be found amidst all the parade and mystifying formality of an English University, but not one for the real and essential purpose of instruction. On the other hand, there is nothing more common than for those even of the highest rank in England, to resort to Scotland for those acquirements they cannot find at home. This may be galling to the pride

of our southern neighbours,—but true it is ; besides that our superiority in every essential branch of education is sanctioned by the opinions of the learned of Europe and America.

There is a liberality in the plan of education in the Scots Universities which I shall now mention. In the first place, there is no test oath, nor other religious ceremony required on commencing our studies. Our Church, and consequently our Universities, have embraced the reformed religion by Calvin, but we do not consider that it corresponds with the doctrines of Christianity, or the principles of a nation enjoying free civil rights, to exclude from the advantages of education those who differ from us, either in religious or political opinions. In the next place, our academic terms are two in the course of a year, which are not interrupted by holydays

or vacations. The winter term consists of six months; the summer term includes three; making a period exceeding the academic terms of two years at an English University. After this explanation, it may be very well asked, in what respect is an Edinburgh Graduate disqualified for admission as a Fellow of the London College of Physicians, rather than any other Graduate of England or Ireland? The spirit of the Universities of England, and of the London College of Physicians, bears in their conduct towards the Scots Graduates the strictest resemblance to that of every monkish institution; for instead of seeking knowledge from every favourable source, or communicating it with liberality to others, they confine their researches to the limits of their convent walls, and stupidly refuse to admit that either knowledge or virtue can exist without their precincts, or can possibly be found with the mem-

bers of a different order; and the higher the acquirement, and the more exemplary the conduct of the latter, so in proportion is the rancour and invective of the former bitter and unrelenting. Explain it as it may, such is the true feeling of the English Institutions towards the Universities of Scotland. There is one fact so strong, that the mention of it must carry conviction to the mind of the merest driveller, that did the College of Physicians really possess the superior talent and knowledge to which it pretends, then there would be no occasion to seek protection for what it calls its privileges (*i. e.* byelaws) by legal process: for superior attainment cannot be concealed, and must be admitted by others, however reluctantly. Therefore, when the College thus fails in establishing its overbearing pretensions to greater learning and superiority of talent, the words of So-

phocles pointedly designate its abject condition.

Ὅστις γὰρ αὐτὸς ἢ φρονεῖν μένος δοκεῖ

Ἡ γλῶσσαν ἣν οὐκ ἄλλος ἢ ψυχὴν ἔχειν

Οὗτοι διαπτυχθέντες ὥφθησαν κενοί.\*

SOPHOCLES ANTIGON. 719.

By my own experience, I know that a Graduate of Edinburgh is unhesitatingly acknowledged every where on the continent. I was at once admitted Fellow of a college upon that qualification alone; and the name of the University was marked in my diploma, as a compliment due to its celebrity; and it is with indignation I repeat that it is only the selfish illiberality of the English institutions that attempt to degrade her members. Those who affect

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\* Those who arrogate to themselves exclusively the possession of superior knowledge, language, or mental power, will, when examined, be generally found wanting.—*Sophocles Antig.*

to hold themselves up with pretensions conferring exclusive privileges, must be reminded that some of the most distinguished contributors to science in general have been members of the Scots Universities. It was at Edinburgh the practice of medicine was first scientifically arranged and illustrated; it was within the walls of her University that the most brilliant, the most useful, and therefore the most interesting discovery ever made known was first divulged,—I allude to our knowledge of the properties of heat. Indeed, I cannot think so meanly of any tolerably educated member of our profession, as to imagine that any thing but obdurate pride, or malignant prejudice, could prevent him admitting that there is no branch of medical or general science that has not been illustrated by the Graduates of the Scots Universities. After all this, one naturally inquires for the proofs of the superiority of the

London College, so as to be able to detect the alleged deficiency in the Graduates of the Scots Universities. We cannot admit that any professional superiority is to be acquired at their Universities, for there the science of medicine is merely nominal; neither is it to be perceived in their professional writings, for these are not one iota more profound than the usual dissertations published on the same subjects by the candidates for medical degrees in Scotland; and certainly the pretensions of the College do not seem to be borne out by an increase of public confidence in the skill of its members. The contrary is the inference to be drawn from the fact, that men who have dedicated their sole attention to a different part of the profession, are now regularly called to assist in consultation upon cases, the peculiar province of the physician, which, it is to be observed, could never have happened were the

knowledge acquired by an English graduation equal to a regular medical education at Edinburgh. With an affectation of liberality, it has been conceded by some, that the Edinburgh Graduates may be well qualified for the Fellowships of the College; but then it is objected, that if the doors are thrown open to the Graduates of one Scots University, those of the others will claim an equal right. I am not an advocate for promiscuous admission, but surely there can be no unreasonable presumption in a medical Graduate of Aberdeen or St. Andrew's claiming equal professional privileges with those of Oxford and Cambridge. This matter could be easily adjusted. A public examination should alone be the test for whoever presents himself with a degree from an University, when there is no opportunity of studying his profession; and this examination should take place however or wherever the degree

may have been obtained. Upon this point I have also to observe, that, as a great proportion of the Graduates of the English Universities have acquired the knowledge of their profession at Edinburgh; and as many physicians, with degrees from the two northern Scots Universities have studied at the same school; I should like to be informed how a medical degree from Cambridge, for instance, should be presumed of more consequence under these circumstances than a similar distinction from St. Andrew's or Aberdeen; for really it does not appear that society is better protected against the evils of ignorance, or the tricks of imposition, by the former, when the degree is taken as a matter of routine, than in the latter, when the certificates of two regular and respectable physicians are required as a testimony of the knowledge and competency of the candidate. Hence it follows, that if degrees in medicine ema-

nate from a university, where that science is but nominally taught, it matters not whether the degree be given with affected modesty, after a prescribed residence, or is unblushingly sold to applicants for money; the interest of society is equally exposed in both cases. A regular and legitimate degree in any of the learned professions is the merited reward of laborious study and proficiency in a university where these are fully taught; or a degree is an honorary compliment paid to eminent acquirement; and in both cases it entitles the Graduate to take a station in society of consideration and respect. But besides this honorary distinction, a degree in medicine gives a right to the exercise of a profession, whereby it is presumed that society is guarded against the evils attending the practices of ignorant and unprincipled men. Therefore the country is deeply interested that a degree in medicine

should only be bestowed on properly qualified persons. In that respect, neither the English Universities, nor those of St. Andrew's and Aberdeen, can claim a consideration equal to those of Edinburgh or Glasgow.

Those who support the ridiculous pretensions of the College of Physicians, wish it to be understood that the great objection to Scots Graduates originates not in their professional acquirements, but in a supposed meagerness or deficiency of their previous classical education.

This is not better founded than the other bold assertions made against us. The Fellows of the College have not afforded any proof of high acquirements in those necessary accomplishments; in fact, so shy have they been of making any demonstration of their classical knowledge, that

the possession of such acquirements rests merely as a courteous concession on our parts. While, on the other hand, we take especial care in the public examinations of our candidates to shew they possess every knowledge of Greek and Latin necessary for the study of their profession; and in this manner we repel illiberal insinuation by incontrovertible facts. But although the Graduates of Edinburgh do not admit that the English Graduates are superior to them in classical education, or even equal in professional attainments; there is, however, one agreeable branch of knowledge upon which we yield the palm—it is the *ars coquinaria*; the opportunities of cultivating this seducing science in the splendid halls of the English Universities is far beyond what our humble boarding houses can afford. Moreover, the frequency of their vacations gives time for acquiring proficiency in all equestrian

exercises, which, with some other more convivial and domestic amusements had recourse to, in order to fill up their vacant time, are supposed to be what Dr. Paris alluded to in his College Oration, when he boasted of the greater knowledge of his fellow-graduates in the collateral sciences of medicine. We all agree that exercise conduces to health, and that nothing supports the vigour of the system like generous living.

Any difference of opinion upon that declaration cannot, therefore, be any longer a subject of dispute. For the duration of our University terms, the punctuality and vigilance of our professors, and, as *we don't take out*, but have our degrees conferred upon us according to our proficiency, we have but little time to bestow on those agreeable avocations.

Our Universities have always taken a lead in the progress of knowledge, and, unsupported by any collateral or adventitious aid, either in extravagant endowments, or in preposterous political interest, they have risen to splendid reputation solely by the industry and talents of their members; and thus too, while other more favoured institutions stand inferior to every other in the world, inculcating an obsolete system of education at variance with the spirit and improvement of the age; in the present day, a person having the title to be called learned, must possess something beyond a critical knowledge of prosody and versification.

There can be no doubt, that had not the English Universities the patronage of rich livings, and were they not possessed of the direct influence of four members in the House of Commons, at the service of

whoever is in power, we should not now have to support the ridicule of any institution disseminating monkish prejudices in the most enlightened country in Europe. With much skill has Oxford and Cambridge interwoven the discordant principles of learning and politics ; but happy would it have been for the country had such union never taken place.

I shall now leave this subject to be pursued by those who have better health and better abilities than I have to continue it ; and I hope that by such means the Scots Graduates will hold meetings throughout the country, and that the patrons of our Universities will give up, for a time, their own petty interests and intrigues, and bestow some attention on the important duty of protecting the dignity of our public institutions. They are called upon by every motive that can have effect

with honest men, the honour of their country, and the good of posterity. It is only by their interference through the legislature that the stigma is to be repelled with scorn and indignation, and finally silenced, that is daily attempted to be thrown upon those connected with their universities; and this duty we have a right to call upon them to perform, knowing from past experience that their influence has been sufficiently manifested in comparatively trivial concerns. If this advice is not followed, let their modern Athens take a lesson from the fate of her prototype. It may be soon too late to remind our opponents of Cicero's opinion of individuals pushing over the heads of others superior in acquirements; but it will be but a slender consolation for us to have only his words to quote to them—"Utile quod non honestum habent, quâ nulla pernicies major hominum vitæ potuit

afferri. Qui parum perspiciunt, hi sæpe versatos homines et callidos admirantes, malitiam, sapientiam judicant: quæ sordidissima est illa ratio et inquinatissima, et iis qui ea tenentur, et illis qui ad eam confugere conantur: Male enim res se habet, quod virtute effici debet, id tentatur calumnia.”\*—*Cicero De Officiis*.

I remain,

GENTLEMEN,

Your very obedient

humble Servant,

H. ROBERTSON.

BOULOGNE-SUR-MER.

Nov. 5, 1827.

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\* Men who reckon that honourable which serves best their private interests; a mode of thinking which exercises a most baleful influence upon the human character. Shallow men, following in the steps of cunning and crafty fellows, who deem fraud wisdom, pursuing a course of life the most sordid and the most foul, not only to those who subsist, but to those who seek to subsist by it. The cause is in a bad state indeed, which attempts to bolster up by calumny what should be effected by talent alone.

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