

Medical reform : a letter to the Right Hon. Viscount Melbourne with the outlines of a Bill for regulating the practice of surgeon-apothecaries and chemists and druggists ... and a plan for suppressing uneducated practitioners ... / by Martin Sinclair.

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MEDICAL REFORM.

A LETTER

TO THE

RIGHT HON. VISCOUNT MELBOURNE,

WITH THE

OUTLINES OF A BILL

FOR

REGULATING THE PRACTICE OF SURGEON-APOTHECARIES,
AND CHEMISTS AND DRUGGISTS,

THROUGHOUT THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND,

AND

A PLAN FOR SUPPRESSING UNEDUCATED PRACTITIONERS
IN A SUMMARY MANNER BEFORE A MAGISTRATE OR
JUSTICE OF THE PEACE.

BY MARTIN SINCLAIR, M. D.

MEMBER OF THE ROYAL COLLEGES OF SURGEONS IN LONDON AND EDINBURGH,
SENIOR MEDICAL OFFICER TO THE HULME DISPENSARY,
&c. &c. &c.

"This is not the cause of faction, or of party, but the interest of every man in Britain."
JUNIUS.

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NOTE.—Since the manuscript of the letter to your Lordship was placed in the hands of the Printer, I have received a Copy of the "Report by the Royal College of Surgeons in Edinburgh, on the proposals of Messrs. Warburton and Hawes for the Amendment of the Laws relating to the Medical Profession in Great Britain and Ireland." The report is a dignified and talented production in favour of Medical Reform, and contains an able analysis of the several clauses of Mr. Warburton's and Mr. Hawes's Bills. In the leading points the Report and the Bill, now submitted for your Lordship's consideration, coincide; but the author of the Report in common with Mr. Warburton and the writer of the Article on Medical Reform in the Quarterly Review for December, 1840, deprecates any penal enactments for suppressing unqualified Practitioners, while Mr. Hawes and the Profession unanimously approve of a summary mode of putting down unlicensed Practitioners, as a measure absolutely necessary for the protection of the public. As I humbly, and with all due deference to the author of the Report, conceive that the formation of a National Faculty of Medicine is an undertaking of great magnitude and invested with great difficulties, I shall not indulge in any further observations on that subject than to repeat that that question will afford ample materials for a second Bill being introduced to the consideration of the Legislature at a future period. I beg leave, therefore, to direct your Lordship's attention to the Edinburgh Report, and also to the following *papers*, as bearing on the plan of Medical Reform advocated in the following pages, viz:—a paper entitled "Memoranda submitted to the Select Committee of the House of Commons on the Apothecaries' Bill," by G. J. Guthrie, Esq.—Parl. evidence on Medical Education, Part 2, page 48.—Evidence of Mr. Nussey, Master of the Society of Apothecaries. Op. Cit. part 3, page 53.—The leading articles in Dr. Ryan's Medical Journal, for 13th and 20th July, 1833.—Report of the Naval and Military Commission.—Letter addressed to Mr. Warburton by a Druggist: Lumley, London.—The Regulations of the London University for obtaining the degrees of Doctor in Medicine, and Bachelor in Medicine.—A Letter in the Lancet, No. 833, page 751, entitled "Hints on Medical Reform by a Magistrate."—The leading article in the Provincial Medical and Surgical Journal for December 12, 1840.

December, 21st, 1840.

M. S.

Entered at Stationers' Hall.

TO THE

RIGHT HON. VISCOUNT MELBOURNE.

MY LORD,

The disabilities under which numerous Medical Practitioners in various parts of the Empire labour, owing to the operation of restrictive laws, and the grievances of which the Profession at large complain, having been brought under the notice of your Lordship's Government and the Legislature of the country during the years 1832 and 1833, a Bill, under the title of the *Apothecaries' Act Amendment Bill*, to remove these disabilities and to remedy these grievances, was introduced into the House of Commons in the latter part of the Session, 1833:—that Bill was referred to a Committee of the House and amended; but, as the parties who were interested in the measure could not adjust their conflicting interests, the Bill was withdrawn, and the Committee to which it had been referred recommended that an enquiry should be instituted into the state of the Profession in the next Session of Parliament. In the beginning of the Session of 1834, a Committee of the House of Commons was accordingly appointed to enquire into the Education and Practice of the Medical Profession in the United Kingdom, and that Committee, under the able superintendence of Mr. Warburton, prosecuted its labours for several months and reported at very great length the evidence given before them: the disease, if I may be permitted to use a professional phrase, has been probed to the bottom, and the only thing remaining to be done is to apply a suitable remedy. When we see on the one hand men who have obtained the highest honours in the Profession, gentlemen who are Graduates in Medicine and Members of one of the Royal Colleges of Surgeons, precluded from dispensing medicines to their patients, and otherwise acting as General Practitioners of Medicine in

England in consequence of the construction that has been put upon the Apothecaries' Act of 1815; and when we see on the other hand persons carrying on the business of Chemist and Druggist without being required to pursue any prescribed course of preliminary or professional education; when we see Druggists vending and compounding the most powerful and dangerous remedial agents without the least knowledge of their quality; and when we see, by a recent decision of a court of law, that Druggists are by the provisions of the same statute authorised to visit and prescribe for the sick, without having received any medical qualification whatever,—surely this anomalous state of the law calls loudly for reform; and when we advert to the deaths, as testified by coroners' inquests, which are occasioned by the practices of quackery and empiricism, surely the health of the Community is a subject demanding the attention of the paternal government of a civilized nation, and it is to be hoped that any measure calculated to remedy these evils will receive the support of your Lordship's administration.

Having given considerable attention to the question of Medical Reform, since the subject was mooted in the year 1832, I have taken the liberty of bringing under your Lordship's notice the Outlines of a Bill which I humbly submit would go far to remove the grievances of which the Profession has to complain, without making any changes in the constitution of the existing Medical Corporations; and when that Bill or some corresponding measure has passed into a Law, the question of the formation of a National Faculty of Medicine may be then entertained—at present I conceive the subject is premature, and however plausible the subject may appear in theory, the legal difficulties with which the question is invested and the conflicting interests of the different parties will throw obstacles in the way of carrying the project into practice; and as those obstacles will not be removed so easily as may be imagined, the subject, therefore, deserves the most deliberate consideration and mature judgment. As this view of the question will appear to many warm and zealous reformers as an insufficient amendment of the laws that regulate the Medical Profession, I hope your Lordship will permit me to bring the question fairly under consideration, how far the grievances of the Profession may be remedied by the present Bill, or how far the creation of a Faculty of Medicine, as contemplated by Mr. Warburton, by Mr. Hawes, and by the British Medical Association, in their respective Bills, is necessary for accomplishing

the same object. I may here premise that the objects contended for by Medical Reformers are the following, viz :

- 1.—Uniformity of Education of Medical Practitioners.
- 2.—Uniformity of Privileges of Medical Practitioners.
- 3.—A General Registration of Medical Practitioners.
- 4.—A License to carry on the business of Chemist and Druggist.
- 5.—A summary mode of suppressing unqualified Practitioners.
- 6.—A Representative system of Medical Government.

In the Bill which I have submitted for your Lordship's consideration, the objects respectively numbered 1, 2, 3, 4, and 5, are, in my humble opinion, fully attained, and in a manner at once simple, and fair, and equitable to all classes of Practitioners. In the three Bills already alluded to it is proposed that, as regards existing Practitioners, any person who has obtained a Diploma from one of the existing licensing bodies shall be admitted a Member or Fellow of the contemplated Faculty: this at the very first view will appear unjust to those who have prosecuted their profession to the fullest extent, and obtained Diplomas of fitness to practise Medicine and Surgery, inasmuch as it will place the person who has had a minimum education upon a footing of equality with those who have received an extended education; it will entitle a person who has never studied or been examined upon Surgery to assume the title of, and to practise as, a Surgeon; and *vice versa* it will entitle a person who has never studied or been examined upon Medicine to practise that branch of the Profession. In the Apothecaries' Act Amendment Bill of 1833, the great point contended for was that the Diploma of the College of Surgeons of Edinburgh, and the License of the Faculty of Physicians and Surgeons of Glasgow, should each be considered equivalent to the qualification possessed by the English General Practitioner, viz., the *Diplomas* of the College of Surgeons and the Society of Apothecaries in London. That point, however, has now been conceded by the Edinburgh College of Surgeons, as that body, in a paper entituled "Propositions relative to the Education and Privileges of Practitioners in the several branches of Medicine, &c. and dated March, 1839," proposes, after requiring a full and comprehensive course of education to be pursued by the student, "that the final examination to practise should be divided into at least two parts, to be held on different days; and that, in *Edinburgh*, these examinations may be advantageously conducted by a joint board of Fellows of the Royal Colleges

of Physicians and Surgeons :'' this arrangement it is presumed would obviate the objection raised against the Scottish Practitioner practising in England with only one Diploma and with having undergone only one examination as to his fitness to practise Medicine and Surgery ; but I respectfully submit that as this scheme calls into existence a new body (the College of Physicians) which has never exercised any power or authority in the licensing of Medical Practitioners, and as it is questionable whether that body can exercise such powers by its Charter, the mode detailed in the present Bill, of giving the holder of a surgical Diploma the option of taking a medical degree, or the License of the Society of Apothecaries, is preferable,—it will give more satisfaction to the holder of the Scottish Surgical Diploma, as by holding two Diplomas it will place him on a footing of equality with his English compeer ; and to the public it will impart confidence, inasmuch as they will know that no Practitioner, be he educated in England, Ireland, or Scotland, can follow his calling without being examined and duly licensed to practise every branch of the healing art. On this point it, perhaps, may be necessary to remind your Lordship that there is no Incorporated Society of Apothecaries in Scotland, and that the College of Surgeons in Edinburgh and the Faculty of Physicians and Surgeons in Glasgow, exercise the powers of Apothecaries ; but as the Diplomas of these bodies do not certify that the holders thereof are qualified to practise *Medicine*, they were accordingly, in the amended arrangements of 1833, and in the arrangements of this Bill, recognised quâ Diplomas of Surgery only, leaving the Diplomats the option of taking a medical degree or the License of the Society of Apothecaries* to entitle them to practise *Medicine*. In the Bill propounded by Mr. Warburton, the Honourable Chairman of the Committee of the House of Commons on Medical Education, it is proposed to establish a *College of Medicine of the United Kingdom*, with independent powers, and without being amalgamated with the existing Medical Corporations ; but as the establishment of that College with these powers would perpetuate the evils complained of, of numerous medical bodies exercising an independent power and authority in regulating the education and practice of the members of the Medical Profession, and, as it were, competing with each other in licensing the

* The Society of Apothecaries, London, by the fourteenth Section of the Act of 1815, have the power to examine all persons applying for their license as to their skill and abilities in the science and practice of Medicine, which evidently places that body in a different position than its Title would imply to a superficial observer.

greatest number of Practitioners in the shortest period, and at the smallest possible expense, I respectfully submit that a College founded upon such a basis would not meet the wants of the Profession or of the Public at the present day, and would not establish uniformity of education amongst the members of the Profession; and from the numerous distinctive titles and divisions of labour contemplated in the Bill, greater jealousies and invidious distinctions would be created than under the existing Corporations. Again, under Mr. Warburton's Bill, Chemists and Druggists, quacks and mountebanks, and half-educated doctors are legalized to practise medicine and surgery, in chief; and if the Secretary of State for the Home department be a complaisant and accommodating gentleman, the names of these worthies may be registered under a third and fourth class of Practitioners; and thus an official reputation will be gained by them, and their success in practice may probably be more certain and rapid than those who have devoted much care and anxiety to study every branch of the Profession.

As the end of all legislation is the public good, the objects which any legislative enactment applied to the Medical Profession should embrace are the following, viz:—1st. to provide a suitable supply of well-qualified Medical Practitioners competent to exercise every branch of the healing art;—2nd. to protect the regularly educated Practitioner in the exercise of his calling;—and 3rd. to prevent the uneducated from usurping the functions and discharging the duties of a Medical Practitioner. In the course of education to be pursued by Candidates for the Medical Profession the curriculum of study ought not, on the one hand, to be too extended, nor, on the other hand, to be too contracted: if the former, persons in the middle ranks of life will be prevented from entering into that honourable profession—the supply will consequently be inadequate to the demand—and quackery will reign triumphant.—If on the other hand the curriculum be of a low standard an opposite evil will follow,—an inferiorly educated and incompetent class of Practitioners will be legalized to act as Medical Practitioners—the public health will be jeopardised—and the lives of numerous families and individuals placed in imminent hazard and danger. As health is a blessing of the first importance to every member of the community, and to none more so than to the labouring man, who has to maintain his family by his ability to pursue his daily labour, it follows that the Legislature ought not to sanction any measure which does not provide that every Member of the Profession should be

competent to practise Medicine, Surgery and Pharmacy,—in other words to be qualified to be the Physician, Surgeon and Apothecary to the peer or to the peasant in any department in which his services may be required. It is, perhaps, unnecessary to remark that the upper classes of society, from their education, &c., are fully qualified to distinguish the educated from the uneducated members of the profession ; but as those in the humbler walks of life have not that advantage, and have no other facilities to enable them to ascertain and discriminate the qualifications of their medical attendant, it becomes the duty of the Government and the Legislature to interpose its authority, and to impose a test by which the poorest individual in the state may be able to distinguish the educated from the uneducated practitioners, and thus in the hour of sickness and affliction to be cheered with the hope of amendment, and alleviation of their sufferings, inspired by the confidence which the attendance of a duly qualified Member of the Profession must impart. An eminent Member of the Profession, Mr. Carmichael, of Dublin, has suggested that one class of Practitioners should be licensed to practise in towns, and that another or inferiorly educated class of Practitioners should be licensed to practise in the rural or remote districts of the country, but as this proposal will not stand a fair criticism, and will not meet the legitimate demands of the public in having every medical man competent to practise every branch of the Profession, be he a town or a country Practitioner, I shall not pause to examine at any further length the merits or demerits of Mr. Carmichael's plan of licensing Medical Practitioners. When we look at the plan propounded by Mr. Warburton, what a degrading picture does the subject present ! what sacrifice of life may not be made under the sanction of the law by a quack legally registered to practise any branch of the Profession he may think proper ! what an awful responsibility will rest upon the legislature that will sanction this department of the plan of Medical Reform proposed by Mr. Warburton ! In sober earnestness, can any unbiassed individual, in the profession, or out of the profession, be satisfied with Mr. Warburton's plan of trusting the lives of Her Majesty's subjects in the hands of any charlatan or adventurer—can no remedy be found to meet the evil—cannot the Law, if judiciously and temperately called into requisition, cure the disease ? I apprehend that every unprejudiced person will answer this question in the affirmative. It is but justice to Mr. Warburton to state that while his Bill contains no coercive measures for putting down unqualified practitioners, he

trusts to the increasing intelligence of the age in enabling the public to draw a line of demarcation between the well-instructed and the ill-instructed; and he further proposes that all medical appointments and patronage, which the state or any authorities under it have the distribution of, should be distributed amongst the well-instructed only. When we look at the lamentable state of ignorance however that prevails amongst mankind it will require no great penetration to foresee that, even considering the means that are now being adopted for diffusing education amongst the people, centuries may be required to convince the populace of the superiority of a well-disciplined and well-educated Practitioner over a quack or an ignorant Chemist and Druggist; and as to public appointments, these are but few in civil practice, and the heads of the Army and Navy medical departments have always taken care that none but regularly-educated Practitioners received appointments in those services; and thus the health and lives of civilians would be left to the mercy of any Practitioner who might favour any locality with his presence, were he a registered Practitioner of the first, second, third, or fourth class. While we deprecate the plan proposed by Mr. Warburton of allowing quacks and uneducated practitioners to have free and unrestrained scope in the exercise of their calling, it is but fair to give that gentleman credit for the sincerity of his opinion that no law, however rigorously enforced, would be sufficient to put down unqualified practitioners; and while Mr. Warburton believes that that class of interlopers and adventurers is so numerous that they may well be styled *Legion*, no law, unless very stringent and rigorously enforced, perhaps would suffice to meet the emergency. It is believed, however, that the unqualified practitioners are not so numerous as to be beyond the reach of the law; and it is also to be borne in mind that heretofore no law or statute could be called into requisition to punish this class of offenders. In the Apothecaries' Act of 1815, there is no doubt a power to inflict a penalty of Twenty Pounds upon persons practising Medicine, and as an Apothecary without the License of the Society; but as all actions instituted by the Worshipful Company must be raised in a Court of Record, the expense is so enormous that no Corporation, however rich, could be able to pursue that mode of putting down unqualified practitioners. Again, the Apothecaries' Act does not invest the company with any power or controul over persons practising Surgery, and the Charter of the College of Surgeons in London is equally impotent on this head, and as their authority does not

extend more than seven miles beyond London, no law whatever exists to interpose its authority in punishing unqualified persons from practising Surgery ; and if any case, when brought into a Court of Law, has any bearing of a surgical character, it immediately places it beyond the reach of the provisions of the Apothecaries' Act. Further, we have recently seen, in the prosecution instituted by the Society of Apothecaries, against a Druggist, Greenough by name, at St. Helen's, and tried at the Liverpool Assizes in August 1839, for practising medicine without any licence, that a jury of the country decided that the right to practise medicine was reserved to Druggists by the twenty-eighth section of the Apothecaries' Act of 1815 ; and thus any man may, under the title of a Druggist, practise medicine with impunity, and beard the public in any court of law in the kingdom ; and when such is the state of the law, well might Mr. Warburton apply the term *Legion* to the uneducated throng, and despair of restraining their operations by its enforcement. In the Outlines of the Bill I have taken the liberty of submitting for your Lordship's perusal, I propose to meet this evil by allowing summary proceedings before any Magistrate or Justice of the Peace for the place or district where the offence was committed, and, without any written proceedings, to hear and determine the case, and if conviction ensue, to impose a small pecuniary fine or penalty, without the power of mitigation ; but giving the party convicted the power, if he think proper, of appealing to the Quarter Sessions. If a person practise any branch of the healing art, or assume the name or title of a Medical Practitioner, without any qualification thereto, and without his name being published in the official Gazette by the Clerk of the Peace for the County wherein he may reside, an information may be laid against such unqualified practitioner, by any person or persons, before any Magistrate or Justice of the Peace, who is bound to hear and examine into the cause of complaint ; and as parties are not wanting to carry out the provisions of other Acts of Parliament which give one half of the penalties imposed to the informer, it is presumed that individuals would be found able and willing to carry out the provisions of any Act of Parliament passed for protecting the health and lives of Her Majesty's subjects on the one hand, and for securing the rights and privileges of educated and well-instructed Medical Practitioners on the other hand. In accordance with the spirit that reigns throughout Mr. Warburton's Bill, it is proposed that Chemists and Druggists shall not be *compelled*, but that

it shall be left to their option to undergo an examination and take out a license, as they may think proper, to carry on the business of Chemist and Druggist, in the vending of Drugs, Chemicals, &c., as well as in the more important departments of compounding pharmaceutical preparations and dispensing medical prescriptions. It is unnecessary to say that the business of a Chemist and Druggist, throughout England and Wales, as now conducted, is a compound of such a nature that it would take the skill of an Alchymist of the olden time to unravel and decipher the contents of the *store* of the modern Pharmacopolist;—in some places we find the business of *Grocer*, *Druggist*, and *Oilman* carried on together; in other instances that of *Colourman* is united; and in other places the business of *Drysalter* is superadded: this no doubt prevails to a greater extent in small than in large towns, and no doubt arises from there having been no law in force to regulate the business of a Chemist and Druggist: but, I would ask, is not this a department of the medical estate requiring a compulsory enactment—are the public to be poisoned for want of a protective law—are medicines of the grossest quality to be doled out to the small villager instead of the pure articles of the *materia medica*? I apprehend that the answer to this question will be an unanimous affirmative from all classes of society; and in so much as we value life, so far will the necessity of demanding every Druggist to possess a certain qualification for carrying on his business, with safety to the public, be enforced by the Legislature. I would therefore submit to your Lordship that Mr. Warburton's plan of allowing Chemists and Druggists *voluntarily* to undergo an examination as to their fitness to carry on that business in all its departments would not secure that safety to the public which is necessary for the compounding and dispensing of medicines; and as no registration fee could be exacted from those Druggists who did not voluntarily undergo an examination and comply with the provisions of the Bill as to registration, certain parts of this measure, which I shall afterwards advert to, could not be carried into effect.

I have stated in the former part of this letter that one of the points contended for by the Medical Profession, is an efficient Registration of licensed Practitioners of Medicine, and also of Chemists and Druggists. There are three modes by which this may be effected,—firstly, according to the plan suggested in this Bill with the Clerks of the Peace for the different Counties in the United Kingdom; secondly, at the Stamp-office in

each Metropolis of the Empire, as is now the practice with the members of the Legal Profession ; or, thirdly, by the appointment of a Registrar for each division of the Empire, who shall devote his whole attention to the duties of his office, and that these Registrars shall respectively reside in London, Dublin, and Edinburgh. When we look at the machinery proposed by Mr. Warburton for carrying his system of registration into effect, it would seem that, in the mind of the honourable member, Medical Practitioners and Druggists are as numerous as municipal and parliamentary electors, and that their classification is an object of most difficult accomplishment ; we accordingly find that Mr. Warburton, in England calls in the aid of the Registrars of Births and Deaths, in Scotland parish Schoolmasters, and in Ireland the Police and Constabulary force as Sub-registrars, to carry his scheme into effect, and as the honourable member contemplates an *efficient* registration, the means which he has suggested may be necessary for his view of the case. A question, however, arises how many Medical Practitioners and Druggists are there in any part of the Empire, say England for example : although no calculation I believe has ever been made as to the precise numbers of this class of the community, I may hazard a statement that 60,000 will be a very near approximation to the truth ; but, even making allowances for inaccuracies and omissions, if the number were taken at 80,000, that would certainly include every Medical Practitioner and Druggist in England ; now, as the registration is only to be once a year, and if accurate lists, under Mr. Warburton's plan, are to be forwarded to the Registrar for England by the several Sub-registrars throughout the country, the whole registration may be completed in a few weeks, and thus, in my humble opinion, the appointment of a separate and distinct officer as Registrar, with all the machinery of Sub-registrars, Clerks, Parish Schoolmasters, Police Officers, Constables of the Peace, &c., &c., as assistants, would be superfluous ; and as the object is so simple it may be accomplished without entailing any expense on the country. The plan which I have therefore submitted for your Lordship's consideration, is to effect the object through the medium of the Clerks of the Peace in every County in the Kingdom. It is unnecessary to observe that the Clerks of the Peace are gentlemen of education, and, of course, may be considered as equally competent to register the Diplomas of Medical Practitioners, as Sub-registrars of births and Police Officers in any part of the country ; and from each Clerk of the Peace having

only to register the Medical Practitioners and Druggists in his own County, the registration of the whole empire could be effected in one or two weeks: accurate lists of the Medical Practitioners and Druggists in each County would then be published and advertised in the London, Dublin, and Edinburgh Gazettes, by the respective Clerks of the Peace of the different Counties, and these lists would serve as legal evidence in courts of law as to any person's right to practise Medicine and Surgery, or to carry on the business of Chemist and Druggist: the season of the year for effecting the registration is also another point not undeserving of attention, and I have therefore proposed that all Diplomas, Licenses, &c., shall be registered with the Clerks of the Peace on or before the First of October in every year, and that the lists, duly certified under the hands of the Clerk of the Peace, be published and advertised in the Gazette on or before the First of November following. It is, perhaps, unnecessary to inform your Lordship that the *Medical Year*, if I may so call it, in Universities, Colleges, and Medical Schools, commences on the First of October, and therefore, that period annually brings to the recollection of every Practitioner in the country the opening of the different Medical Schools, and would naturally bring in its train the remembrance of the Medical Registration. Again, permission is given under the Bill to any person to publish copies of the certified lists of Practitioners and Druggists, and from the period of the year at which the registration is to be made, ample opportunity would be afforded to those who are in the practice of publishing Medical Almanacks and other works of that nature, at the beginning of every year, to transcribe into their pages the certified lists of any particular county, or of the whole country, as might best suit their views or the wishes of their readers. Practitioners who were licensed to practise after the beginning of October in any year, and Practitioners who removed from one county to another shortly after the annual registration, might be registered, and their names published in a supplemental list in the Gazette; and it may be a question whether the whole expense of this supplemental registration and publication ought to be defrayed by the respective persons registered, or whether the ordinary fee, payable for registration at the beginning of each medical year, only should be payable.

This leads me to offer a few observations on the Fees that ought to be paid for registration, and on the expense that will be incurred in carrying the scheme into operation: for the mere

purpose of registration, we have the evidence of several eminent members of the Profession given before the Committee of the House of Commons on Medical Education, that the sum of one shilling, or one shilling and sixpence, paid by each member of the Profession in the kingdom, would be amply sufficient to defray every expense that would be incurred in making an efficient registration of Medical Practitioners and Chemists and Druggists in the United Kingdom; but I may safely assure your Lordship and the Right Honourable Chancellor of Her Majesty's Exchequer that the members of the Medical Profession would cheerfully submit to a higher rate of registration fee to accomplish a higher object, in suppressing quackery and empiricism in so far as these derive their importance from being "*patronised by government*" in having a stamp affixed to each package, be it box or bottle, of every nostrum that is duly set forth as fit to cure every disease which flesh is heir to. It is admitted on all hands that in no country in the world does quackery prevail to a greater extent than in England; and nothing tends more to keep up the delusion which the nostrum-mongers daily practise upon the weak and the ignorant than the circumstance of their compositions being enveloped in a stamp, as with swaddling clothes, and many of them have the audacity to advertise that, because they are so invested, they are patronised by Government. It is to be hoped that, in this enlightened age, your Lordship's administration will wipe away this blot and stain that has been cast on the character of Englishmen, and by at once repealing the stamp duties and licenses payable on and for selling such poisons, rescue hundreds of the community from an untimely grave, and the character of the nation from the stigma of folly and ignorance. As the carrying this proposal into effect will resolve itself into a question of revenue, that point, I think, can be settled in a very few words. The national income derivable from Patent Medicine Stamps, Licenses, &c., as appears by Porter's Revenue Tables, amounts to about £32,000. per annum for England and Wales—now taking the number of Medical Practitioners and Druggists in England as 80,000, and supposing each Practitioner and each Druggist were to pay a registration fee of Ten Shillings annually, a revenue of £40,000. would be thus created, which would be more than sufficient to make up the loss the revenue would sustain by the repeal of the Patent Medicine License and Stamp duties; and further, would leave an ample fund to defray the expense of the additional duties that would be imposed on the Clerks

of the Peace for conducting the registration of Medical Practitioners and Druggists, and for defraying the expense of advertising the certified lists in the London Gazette. I may here cursorily observe that if the duties on Patent Medicines and the License for vending these articles were repealed, I do not conceive that quack nostrums would cease to be used by the community, still they would not be sought after and swallowed with such avidity as at present; and as no person, except he be a licensed Medical Practitioner, or a licensed Druggist, could advertise or set forth for sale any proprietary medicine, the nostrums would daily diminish in number. The licensed Practitioners and Druggists, who might become the tools of knaves and charlatans, in order to have the nostrums puffed and advertised in their name, would be cautious of lending their name to countenance any preparation of questionable propriety; and as the reputation of Practitioners and Druggists, who would become the medium of introducing these medicines to public notice, would suffer in the eyes of their professional brethren, their number would daily diminish, and with them would follow the diminution of the nostrums, so that proprietary medicines would eventually be reduced to certain chemical compounds, such as James's powder and other articles, which are of admitted value in the treatment of disease. The third mode, adverted to above, of effecting a registration of Medical Practitioners and Druggists through the medium of the Stamp-office in each Metropolis of the empire, I shall only bring under your Lordship's notice by stating that the members of the Legal Profession are registered in that manner; the registration I believe is as simple as that proposed in this Bill, to be effected with the Clerk of the Peace of the several counties in the country; and further, I believe, the registration is quite effectual and satisfactory to the members of that learned Profession. On account of the mode of suppressing unqualified Practitioners, contemplated in this Bill, in a summary manner before any magistrate, I conceive the plan of registering with the Clerks of the Peace preferable for the Medical Profession; at the same time it may become a question with the Right Honourable the Chancellor of the Exchequer whether, in the event of the Patent Medicine Licenses and duties being repealed, the duties of conducting the registration of Medical Practitioners and Druggists could not be transferred to the Clerks of the Stamp-office, and that without entailing any additional expense upon any public department.

Having now laid before your Lordship the plan proposed by

Mr. Warburton for the registration of Medical Practitioners and Druggists, and the plans proposed for effecting that object either with the Clerks of the Peace, or at the Stamp-office, I would ask your Lordship, or any unbiassed person, does Mr. Warburton's plan, with all its complicated machinery, carry out an effective registration? I answer no; and when the provisions of his Bill are examined, the registration will be quite nugatory. Section 17, specifies "That from and after the first day of August, in the year _____, it shall not be lawful for any person who is not registered in some one or other of the aforesaid registers, even although he hold a medical qualification, to act as a Medical Practitioner in any part of the United Kingdom; any custom, or anything contained in any statute, charter, gift, grant, or deed, or any bye-law, regulation, or statute of any corporate body, to the contrary notwithstanding." Now although it may be here declared unlawful for any unregistered person to practise medicine, as no penalty whatever is attached to the non-performance of that duty, few will be found to perform that voluntary act, and therefore the provisions of this part of the Bill I think are quite nugatory and inefficient. Again, in Section 8, Mr. Warburton proposes "That from and after the year 1842, every such Registrar shall, in every year, cause to be abstracted from the returns to him so made, the name and domicile of every party practising medicine in chief, and the branch or branches of the profession in which every such party practises; and to the name of every firm contained in such abstract, shall cause to be annexed the name of every male partner of the firm; and to the name of every Medical Practitioner included in such abstract, shall cause to be annexed the branch or branches of the profession in which such Practitioner practises, and such Practitioner's medical or other qualification: and shall cause such abstract to be divided into four principal divisions; the first to consist of persons who hold a medical qualification, and of firms whereof each of the partners holds the like qualification; the second division to consist of firms whereof some of the partners do and some do not hold a medical qualification; the third division to consist of parties who practise medicine in chief in their capacity as Chemists and Druggists; the fourth division to consist of parties who practise medicine in chief, and are not included in any of the preceding divisions: and shall cause each division of such abstract to be arranged in a two-fold order; the first the alphabetical order of the names of the parties; the second, the

alphabetical order of the names of the places in which the parties are domiciled ; and shall cause such abstract, so divided and arranged, to be entered in a book, to be called the Register of the Medical Practitioners of the Country and for the year to which it appertains." Section 9 provides that the first and second divisions of the Register of Medical Practitioners shall be published annually in England, Scotland, and Ireland, on or before the first of August in every year ; and Section 10 provides that the Secretary of State for the Home Department may order the third and fourth divisions of the Register of Medical Practitioners (those, viz., which contain the names of Druggists, quacks, &c., who practise medicine *in chief* without any medical qualification whatever) to be printed and published : lastly, Section 42 provides "That the Senate shall make bye-laws to direct the said Councils to institute examinations, and to appoint Examiners for the purpose of examining upon certain subjects all such persons carrying on, or intending to carry on, the business of a Chemist and Druggist, as shall voluntarily apply to any such Council to be examined ; and that the examination shall relate to the Latin language, the interpretation of Prescriptions, the Pharmacopœia, the articles of the Materia Medica, the quantities of different simple or compound medicines which may safely be administered to patients, Chemistry, and practical and pharmaceutical Chemistry and Botany ; and that each of the said Councils shall make regulations and shall appoint Examiners for the purpose of carrying such bye-laws into effect ; and that every person who shall offer himself for such examination, if he shall be found to have complied with the regulations made on that behalf by the Council to which he shall apply, shall be admitted to such examination ; and that the Examiners shall report to the Council, by which they were appointed, the names and domiciles of those who shall pass such examination to their satisfaction ; and that, to every person so reported, the Council shall grant a certificate, certifying the fact of his having been examined, and found to be proficient in the above-stated subjects of examination ; and that if any person so certified shall, on or before the first day of March in any year, make known to any such Registrar, as aforesaid, his name and domicile, and the country where, and the year when, he received his certificate, and shall signify his desire to be registered by that Registrar for that year, as a certified Chemist and Druggist, every such person shall be registered by such Registrar accordingly ; and the Registrar

shall insert the person's name and domicile, and the country where, and the time when, he received his certificate, in a list to be drawn up annually for that purpose ; and such list shall, in every year, be printed and published as an appendix to, and together with the first and second divisions of the Register for that year of the Medical Practitioners of the country for which the Registrar acts ; and that any person so certified shall be entitled to carry on the business of a Chemist and Druggist in any part of the British dominions ; any custom, or anything contained in any statute, charter, gift, grant, or deed, or any bye-law, regulation, or statute of any corporate body, to the contrary notwithstanding."

The above extracts will, I apprehend, show to your Lordship that Mr. Warburton's plan of registration will not be satisfactory to the Medical Profession, or to the public, inasmuch as it is not compulsory, and that there is no penalty for omitting to register,—inasmuch as it ranges Chemists and Druggists and others who have received *no medical education whatever* in the ranks of the medical Profession as licensed Medical Practitioners ;—and lastly, inasmuch as it gives Chemists and Druggists the option of undergoing an examination as to their fitness to carry on their business and of registering their qualifications as certified Druggists as they may think proper, or otherwise ; and if the registration be optional, no fund could of course be raised to make up the loss in the revenue that would occur upon the extinction of the Patent Medicine Licenses and Stamp duties. In the Bills respectively proposed by Mr. Warburton and Mr. Hawes, the registration of Assistants is a measure which appears quite superfluous, and which would be attended with serious inconvenience to Practitioners and Assistants : in Mr. Warburton's Bill no specific qualification is enjoined ; but there is this invidious provision that each Register, for England, Scotland, or Ireland, shall contain the name, age, and qualification, of every Assistant, in juxtaposition with the name of the party practising medicine in chief employing the said Assistant or Assistants ;—this I conceive to be a superfluous piece of legislation, and seems to view Assistants as little better than school-boys regularly enrolled in the pedagogue's list, so that their conduct may be detected at one glance as good, bad, or indifferent ; and with respect to Practitioners, it is a sort of proclamation what extent of practice Mr. A. has, how much Mr. B. has, and that Mr. C. keeps two or three Assistants, without any employment for their services, in the hope of being

one of the highly-favoured "elected councillors." In Mr. Hawes' Bill, on the contrary, the same indulgence is not shown to practitioners as to the qualification of assistants they may employ.—Section 36 enacts, "That no Medical Practitioner shall, after the thirty-first day of December 1842, employ any person as an Assistant who does not possess a Diploma of qualification or a certificate to practise the art of medicine; and no Chemist and Druggist shall employ any person to assist him in the actual vending of drugs and medicines who does not possess a Diploma of qualification to carry on the business of Chemist and Druggist, unless such persons, so being assistants to any Medical Practitioner or Chemist and Druggist, shall be apprentices for any period not exceeding seven years, and duly registered": again, Section 44 enacts, "That every Medical Practitioner and every Chemist and Druggist who shall employ any assistant not duly qualified according to the provisions of this act, or who shall neglect to make a declaration of any person being an assistant or apprentice in his employ according to the provisions hereinbefore contained, and every person not being duly qualified according to the provisions hereinbefore contained, who shall act as an assistant to any Medical Practitioner or Chemist and Druggist, shall forfeit and pay for every such offence any sum not exceeding ten pounds." Now, My Lord, I respectfully submit that the public safety does not require such provisions or safeguards, and that Practitioners ought to be left to employ such assistants as they may think proper, and with such qualifications as they may think meet: a Practitioner, for example, pursuing his calling in a remote and poor district, it may be, might not be able to give that remuneration for the services of an assistant with a "medical qualification," which such a gentleman might reasonably expect, and thus the hard toiling Country Practitioner would be prevented *by law* from employing an assistant to relieve him in his laborious duties; and, as regards assistants themselves, many young men, at present, are in the custom of acting as assistants to Practitioners for several months in the year, which supplies them with the means of going on with and completing their studies, which source of emolument would be completely cut off by Mr. Hawes's Bill. I would ask, does the end justify the means proposed? I would reply in the negative—no such restriction exists in the legal profession, and no Practitioner, however wishful, could satisfy his Patients with the substitution of an incompetent assistant in place of the principal;

and I think your Lordship and every unbiassed member of the Legislature will concur with me in deciding that no provision in any Medical Reform Bill is necessary as to assistants. I may also add that the Registration of Students may be also dispensed with as perfectly unnecessary, leaving the Lecturers at the several Medical Schools to conduct the registration of their pupils as heretofore.

As I repudiate the plan of redressing the grievances of which the Profession has to complain, by the Institution of a Faculty of Medicine *at the present period*, I shall not here enter further into the merits of Mr. Warburton's plan of a College of Medicine of the United Kingdom, but shall merely observe that the plan appears to have been conceived with the greatest distrust of the Members of the Medical Profession, and the suggestion of having one-third of a Medical Council to consist of persons, the "appointed councillors," "who neither are nor ever have been engaged in the practice of medicine," is a proposition to which none but the Honourable Member for Bridport would assent, and which no member of the Medical Profession could approve.

I would now call your Lordship's attention to the plan proposed by Mr. Hawes for the establishment of a Faculty of Medicine, which is to annihilate the existing Medical Corporations, except as mere examining bodies, and to centralize all power in the new faculty. The words of Mr. Hawes, Section 31 of his Bill, are as follows, "and be it enacted, That from and after the publication of the bye-laws for the regulation of the examinations of persons applying for a Diploma or qualification to practise the art of Medicine as herein provided in the *London Gazette*, no Corporation sole or Corporation aggregate, nor any University, nor any person whatsoever, except under the provisions contained in this act, shall have the power of granting any Diploma, Certificate or License to practise the art of Medicine, or to carry on the trade and business of a Chemist and Druggist, in any part of the United Kingdom of Great Britain and Ireland." The plan of the British Medical Association as developed by the worthy President, Dr. Webster, at a Meeting held at Exeter Hall on the 8th of October, is as follows,— "That, in future, no person or persons shall be allowed to practise any branch of the healing art until he or they shall have been examined and licensed by the Council or Senate of the Faculty as aforesaid." To effect these organic changes, and to interfere with vested interests of medical bodies which have been

incorporated by Charter for centuries, cannot be effected at once by a dash of the pen: I would ask, for example, if all the Medical Corporations are to be disfranchised, and to be placed in Schedule A, what sins has the College of Surgeons of Edinburgh committed?—That body has been incorporated since 1505, and has always occupied high vantage ground in advancing the interests of the Profession; the fees paid to the examiners are so reasonable that they have been pronounced as inadequate for the remuneration of a mechanic; and the fee payable for the Diploma is such that no complaint has ever been made of its magnitude; and in addition to the professional objects of the College a Fund has been raised for the relief of Members' Widows, the regulation and appropriation of which is controlled by a special Act of Parliament. If the plan propounded by Mr. Hawes or the British Medical Association were carried into effect, the revenues of the several Colleges would be so affected that a question would arise what compensation would the respective Corporations be warranted in claiming for being deprived of their privileges. It may be answered that the Constitution of the Colleges is not suited to the present times—that I will readily admit, but I maintain that that is not a valid reason for disfranchising and annihilating the different Medical Bodies in the United Kingdom; and instead of consigning them to utter oblivion we ought to amend them, and adapt them to the spirit of the age;—to adopt the words of the British Medical Association in 1838, we ought to endeavour “to procure wholesome changes in the Constitution of the Medical Corporations or Colleges.” How are these changes to be effected? I would reply, not by annihilating the existing Corporations, but by amalgamating them, and, retracing the practice of our forefathers and the ancients, to unite the practice of medicine and surgery, and thus to form a National Faculty of Physic or a National Faculty of Medicine and Surgery. The details of the plan proposed by Mr. Hawes for working a National Faculty of Medicine I consider quite unobjectionable; but the formation of a Faculty will be found to be a work of greater difficulty than is anticipated, and I would, therefore, respectfully submit to your Lordship that it would be prudent to effect the reforms specified Nos. 1, 2, 3, 4, and 5, (at page 5,) by the present Bill, or by some corresponding measure, and when the Profession is thus united, then to proceed by a Second Bill to the formation of a National Faculty of Medicine;—which may be formed thus,

The College of Physicians, the College of Surgeons, and the

Society of Apothecaries, in London, to be incorporated by Act of Parliament into a National Faculty of Medicine.* The Libraries, Museums, and Halls, that belong to these bodies to become the property of the Faculty, and to be held in trust for the general benefit of the body at large;—that there be two degrees, classes, or ranks of Medical Practitioners, viz., Doctors in Medicine and Surgery, and Bachelors or Masters in Medicine and Surgery: that no person obtain the higher degree unless he has obtained the first or Bachelor's degree, nor until five years shall have elapsed from the period of obtaining that degree, nor unless he has obtained the degree of M. A. at a British University; and that no hospital should be recognised unless the Medical Officers have obtained the Doctorate degree; and that this regulation should apply to all Lecturers, public and private: for the Bachelors or Master's degree in Medicine and Surgery, a full and comprehensive course of study should be enjoined; but I would not consider it necessary that any degree in Arts should be obtained. Of the existing Practitioners their subdivision into the classes specified above may be thus effected, viz.,—those who are qualified to act as Surgeon-Apothecaries under the present Bill, would be ranked as the Bachelors or Masters in Medicine and Surgery; and the Fellows and Licentiates of the College of Physicians, the Members of the Council of the College of Surgeons, the Master, Wardens, and Assistants of the Society of Apothecaries, the Physicians and Surgeons of the several recognised Hospitals, and Practitioners of more than twenty-five years' standing in the Profession, with a medical or surgical Diploma, would constitute the first Doctors in Medicine and Surgery. In Dublin and Edinburgh the corresponding bodies in these cities would form the nucleus of the National Faculty for Ireland and Scotland; and the Practitioners, possessing qualifications corresponding to those specified above for England, would form the first Bachelors or Masters and Doctors in Medicine and Surgery. In the above brief sketch of a Faculty of Medicine, to be formed by the amalgamation of the existing medical bodies in each Metropolis of the Empire, your Lordship will perceive that there is no sub-division into Physicians and Surgeons, which is a distinction perfectly artificial, not conducive to the public weal, and tending only to excite jealousy and rivalry amongst the

* This being accomplished, the Society of Apothecaries would, of course, cease to be a trading body, and would also denude itself of any functions that appertain to it as one of the Guilds of the City of London; and the phrase Apothecary as applied to a Medical Practitioner should be abandoned, as the Apothecary would merge in the Bachelor of Medicine in the National Faculty of Medicine.

members of the healing art. In ancient times we find that Galen, Hippocrates, and Celsus treat indifferently of the nature and management of fevers, injuries, external and internal disorders and operations. In the dark ages which intervened between the downfall of the Roman empire and the revival of letters in the west of Europe, learning and science, embracing the practice of medicine, were confined to the members of the Ecclesiastical Profession; and as the Council of Tours, held in 1163, declared that the Church abhors the shedding of blood, priests and monks were obliged to desist from all curative proceedings that involved loss of blood: these were taken up by barbers, attendants on baths, itinerants and mountebanks. In course of time Surgery, which then consisted merely of bleeding, tooth-drawing, and a few other simple processes, became, with the art of the barber, the occupation of a class of men who were legally incorporated in this and other countries under the title of barber-surgeons. The separation of Surgery, or one branch of treatment, from that medical knowledge which is the indispensable guide to the time and mode of its application, and its association with the art of the barber, long outlived the circumstances which produced them. In England it lasted till the middle of the last century, when the company of barber-surgeons was legally extinguished, in the Reign of George II. [see Mr. Lawrence's lecture, *Lancet*, 3rd. October, 1829.]

The Surgeon is not now the slave and dependent of the Physician, and instead of the meagre education of former times his education is equal, and indeed superior, to that of the Physician; and the latter Practitioner, instead of being educated in and qualified to practise every branch of the healing art, is often entirely ignorant of the nature and treatment of surgical diseases: in any plan, therefore, for remodelling the Profession, the Consulting Practitioner instead of being educated in and qualified to practise one branch of the Profession only must study every branch, and give proof of his competency and skill to practise both Medicine and Surgery; and the holder of the high sounding title of *Physician* must extend his course of study, and acquire a knowledge of every form of disease:—the public safety demands this, and no man who has not an intimate knowledge of Medicine and Surgery can have any pretensions to the title of a Consulting Practitioner. In the army and navy the absurdity of having a superior class of medical officers, with a title which impaired their usefulness and implied that they were to practise or to consult in one branch of the

Profession only, has been fully exposed, and we accordingly find that the title and offices of Physician in the Navy and Physician to the Forces have been abolished.

As there are some who would still advocate the separation of Physic from Surgery, I shall quote Mr. Lawrence's words on that subject: that gentleman observes, "When we look to the nature and causes of disease, the absurdity of the distinction now under consideration is still more apparent, and the inseparable connexion between the interior and exterior of our frame more obvious. Internal causes produce external diseases, while external agencies affect inward parts. The Eyes have been entrusted to the Surgeon as external parts: yet the organ is the most complicated in the body; and many of its component tissues are highly organised, so that its affections are very much diversified, and require a greater insight into pathology and therapeutics than those of any other part. If, therefore, an organ so complex in its structure, and liable to such a number and variety of diseases, can be safely entrusted to the care of the Surgeon, I am at a loss to know why there should be any distinction, grounded on the nature of the affection, between the Surgeon and Physician. In those serious cases, in which external disease is connected with more or less general symptoms, it is the obvious interest of the patient to be under the care of men who understand the case in all its bearings. It matters not to him whether the person thus rendering him service belongs to this College or to that: the Surgeon who understands only the local, and the Physician who knows only the general, treatment of such a case, are, each of them only half informed; and the two together deserve much less reliance than one who is conversant with the whole. The confidence which ignorant persons are inclined to repose under such circumstances, in what they call a combination of talent, is quite fallacious, if the combination consist of a Surgeon ignorant of the general, and a Physician who knows nothing of the local, treatment. In many of those serious cases, the mere local means are of little importance, while the fate of the Patient depends upon the treatment; so that a Surgeon ignorant of the latter, is incompetent to the duties of his profession. Thus whatever view we may take of the subject, the same conclusion forces itself on the mind with irresistible evidence, viz., that there is no natural distinction between Surgery and Physic; that they are merely parts, and united parts, of one science and art; that the practical principles rest in both on the same scientific foundation; and that the two branches of

the Profession must, in most instances, adopt the same proceedings, because they have the same purposes to accomplish, while their occasional differences are merely unimportant modifications in the means of arriving at the same end. Thus the distinction turns out, at last, to be quite arbitrary ; to depend on, and be regulated by usage ; founded on no fixed principles, and, therefore, fluctuating and uncertain, like all matters of custom." [see Mr. Lawrence's lecture, *op. cit.*] These observations will, I trust, be sufficient to satisfy your Lordship that the study and practice of Physic and Surgery ought not to be separated, and that no person ought to be licensed to exercise the healing art unless he be qualified to practise Medicine, Surgery, and Pharmacy, leaving it to his option to practise those branches, afterwards, which he may prefer, or which he may select for special pursuit ; and further, that no person ought to have the second or higher degree of Doctor in Medicine and Surgery until five or six years have elapsed from the period of obtaining the first or Bachelor's degree, so that there may be some reasonable pretence for exercising the functions of a Consulting Practitioner. Two objections, however, have been made to the above union to which I shall very briefly advert,—the first is, that a Gentleman who thinks proper to confine his practice to Surgery, viz., the pure Surgeon, ought not to be required to take out a medical degree, either from the Society of Apothecaries or from an University : in answer to this objection—I would adduce the evidence of Mr. Lawrence quoted above ; and I would also further adduce evidence, given before the Committee of the House of Commons on Medical Education, that the Colleges of Surgeons are merely Colleges of Surgery, and that nine-tenths of the practice of pure Surgeons is of a strictly medical character, or, in other words, what ought to belong to the Physician : these I humbly submit are sufficiently cogent to induce the Legislature to require that every Practitioner ought to be qualified to practise both branches of the Profession. The second objection, to the union of all the branches of the Profession, is, that no Practitioner ought to be allowed to practise Pharmacy, or in other words, to prepare medicines for his patients. Independently of old habits and customs, to preclude Practitioners in remote districts of the country from dispensing medicines to their patients would be quite impracticable, and an extension of legislation quite uncalled for ; and, further, Practitioners have more confidence in remedial agents compounded under their own immediate superintendence, and the recent exposure of the practices carried on

in the Drug trade must serve to confirm the practice of allowing Practitioners to dispense their medicines if they may think proper. In large towns the inconveniences would not be so great as in the country, if Practitioners were deprived of the power of dispensing their medicines; but an effect would result from such a prohibition that would nearly amount to a monopoly, inasmuch as the Practitioners of long standing and reputation would engross the practice of the localities where they resided, as the public, more particularly the uneducated portion of the community, would not be disposed to remunerate young Practitioners for professional services with pure fees unless they received some tangible equivalent for their *gold and silver* in the shape of medicine.

In the formation of a National Faculty of Medicine for the British Empire, to have one branch in London, another in Dublin, and another in Edinburgh, with concurrent powers and jurisdictions, the Faculty of Physicians and Surgeons in Glasgow would of course cease to be a licensing body; and as that Corporation has since the year 1599 exercised the power of licensing and controlling Practitioners in several counties in Scotland, and has, in connection with its corporate duties, raised a fund for the maintenance of the widows of deceased members, I submit that the withdrawal of these privileges will resolve itself into a question of compensation, which of course must be determined by Parliament.* The degrees granted by Universities being merely honorary, and conferring no right to practise, no claim could be made by those Institutions for compensation in the event of a National Faculty of Medicine being formed in each Metropolis of the empire, with the exclusive power of granting licenses to practise Medicine, Surgery, and Pharmacy. Universities would therefore, after the formation of a Faculty, by the amalgamation of the existing Medical Corporations in each Metropolis, be Seminaries of Education, and degrees might be still conferred upon such candidates as complied with any particular course of study; and these degrees would, consequently, as they would confer no title to practise, be viewed in the light of certificates of honour.

As the Bill now submitted for your Lordship's consideration does not take any cognizance of that class of Practitioners styled

* In an official paper now before me, I find that in the years 1835, 1836, and 1837 the number of Licenses granted by the Faculty of Physicians and Surgeons, Glasgow, was 129, and that the Fees paid thereon amounted to £948. 3s. This will give an average annual income, from this source, of £316. which at twenty years' purchase would be equivalent to £6320, as redemption money. During the above period seven persons have been admitted Fellows of the Faculty, and their Fees amounted to £1095. 7s. 6d.—of that sum, two thirds, £730. 15s. form the contribution to the Widows' Fund,—the remaining third, £365. 7s. 6d. goes to support the library and the ordinary expenses of the Faculty.

Physicians, it would be necessary, in the event of that Bill or any corresponding measure being passed into a law, previously to the formation of a National Faculty of Medicine by the amalgamation of the Medical Corporations in each Metropolis, to introduce a short Bill, as a separate measure, or to incorporate certain provisions with the present Bill, in order to regulate the practice of Physicians,—as, in the absence of such a check, every quack and uneducated Practitioner would designate himself a Physician, and would thus evade the enactments of any Bill for regulating the practice of Surgeon-Apothecaries. With respect to the provisions of any Bill for regulating the practice of Physicians, it would be reasonable to require that no person shall be allowed to practise in that capacity who is not a Fellow or Licentiate of one of the Colleges of Physicians in London, Dublin, or Edinburgh; and that every Physician shall register his Diploma, as Fellow or Licentiate, with the Registrar for the County wherein he may reside, subject to the same regulations and penalties as Surgeon-Apothecaries.

It was my intention to have offered some further observations on the clauses of the present Bill in addition to the remarks I have made in noticing the Bills of Mr. Warburton and Mr. Hawes, but as this letter has extended to a greater length than I had anticipated, I shall draw it to a close with apologising to your Lordship for the liberty I have taken in bringing this subject under your Lordship's notice, and soliciting your Lordship's indulgence for the hurried and imperfect manner in which this letter has been written,

I have the Honor to be,

My Lord,

Your Lordship's most obedient humble Servant,

MARTIN SINCLAIR, M. D.

Member of the Royal College of Surgeons in London,
Fellow and Licentiate of the Royal College
of Surgeons in Edinburgh, &c. &c. &c.

Manchester, October 30, 1840.

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B I L L

To Regulate the Practice of Surgeon-Apothecaries, or General Practitioners of Medicine, throughout the United Kingdom of Great Britain and Ireland, and to Amend certain provisions of the Act, 55° George III. Cap. 194, entituled "An Act for better regulating the practice of Apothecaries throughout England and Wales."

1.
Preamble.

Whereas many Individuals who have obtained the degree of Doctor in Medicine, and who are Members of the Royal College of Surgeons of London, Dublin, or Edinburgh, or of the Faculty of Physicians and Surgeons of Glasgow, and the Medical Officers of the Army, Navy, and of the Honourable East India Company's Service, are precluded from Dispensing the Medicines they may prescribe for their patients, and otherwise Acting as Apothecaries or General Practitioners of Medicine in England and Wales, in consequence of the provisions of the "Act for better regulating the practice of Apothecaries throughout England and Wales"; and whereas much doubt exists as to the power of Surgeon-Apothecaries, or General Practitioners of Medicine, to charge a reasonable sum for their professional attendance upon sick persons, over and above the price of the medicines they may supply; and whereas many individuals commence and engage in the business of Chemist and Druggist, including the dispensing of Medical Prescriptions, without any preparation or qualification thereto, to the great danger of Her Majesty's subjects; and whereas it is expedient to establish and enforce a general Annual Registration of all Surgeon-Apothecaries and Chemists and Druggists, who shall be duly licensed to practise as such; and whereas much doubt and difficulty exists as to the power and means of the Colleges of Surgeons and the Societies of Apothecaries to suppress ignorant and unqualified Practitioners of Medicine; and whereas it is reasonable and expedient that these grievances be redressed.

2.
Classification
of Surgeon-
Apothecaries,
or General
Practitioners
of Medicine.

Be it therefore Enacted, by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That from and after the passing of this act, every person qualified as hereinafter specified shall be entitled to practise as a Surgeon-Apothecary, or General Practitioner of Medicine, in any part of the United Kingdom of Great Britain and Ireland, anything contained in any Charter, Gift, or Act of Incorporation, or Act of Parliament, now or heretofore in force in

any part of the United Kingdom of Great Britain and Ireland, to the contrary in anywise notwithstanding: that is to say, viz:—

- A.—Persons who are Members of the Royal College of Surgeons of London, Dublin, or Edinburgh, or of the Faculty of Physicians and Surgeons of Glasgow, and Licentiates of the Society of Apothecaries of London or Dublin.*
- B.—Persons who are Members of the Royal College of Surgeons of London, Dublin, or Edinburgh, or of the Faculty of Physicians and Surgeons of Glasgow, and Graduates in Medicine of any English, Irish, or Scotch University.*
- C.—Persons who have been in practice as Surgeon-Apothecaries, or General Practitioners of Medicine, in any part of the United Kingdom of Great Britain and Ireland, on or before the first day of August, 1815, and Medical Officers of the Army, Navy, and of the Honourable East India Company's Service: provided always that every person who has obtained or who shall obtain a Diploma as Member of the Royal College of Surgeons of Edinburgh, or of the Faculty of Physicians and Surgeons of Glasgow, on or before the first day of October, one thousand eight hundred and forty-three, shall be entitled to practise as a Surgeon-Apothecary or General Practitioner of Medicine, in any part of Scotland, anything contained in any Charter, Gift, or Act of Incorporation, Act of Parliament, or this Act of Parliament, to the contrary in anywise notwithstanding.

And be it further enacted, That every person duly qualified as above, to act as a Surgeon-Apothecary, or General Practitioner of Medicine, may charge a reasonable sum for the Professional Attendance, or for the performance of any Manual or Surgical Operation, upon any Sick Person, over and above the price of the Medicines supplied to such sick person, anything contained in any Statute, Law, or Custom, to the contrary in anywise notwithstanding.

3.

Surgeon-Apothecaries may charge for Professional Attendance, &c.

* The expense of obtaining several of these Qualifications, at the option of Candidates for Licenses to practise, may be here specified.

	£.	s.	d.
Fee for the Diploma of the College of Surgeons, London.....	22	0	0
Fee for the License of the Society of Apothecaries, London.....	6	6	0
	£28	6	0
Fee for the Diploma of the College of Surgeons, Edinburgh.....	7	5	0
Fee for M. D. Diploma at Edinburgh.....	25	0	0
	£32	5	0
Fee for the Diploma of the College of Surgeons, Edinburgh (a).....	7	5	0
Fee for the License of the Society of Apothecaries, London.....	6	6	0
Expense of Journey to and from London from Edinburgh, say.....	15	0	0
	£28	11	0
Fee for the Diploma or Letters Testimonial of the College of Surgeons, Dublin.....	31	10	0
Fee for the License of the Apothecaries Company, Dublin.....	0	16	0
	£32	6	0

a) The Fee for the Diploma of the Faculty of Physicians and Surgeons of Glasgow is £7. 7s.

4.

Recital of Powers and Privileges of Surgeon-Apothecaries or General Practitioners of Medicine. Production of Diplomas, Affidavits, &c. sufficient evidence that the person therein named is entitled to the privileges of this Act.

And be it further enacted, That every person qualified as above shall be entitled to act and practise as a Surgeon-Apothecary, or General Practitioner of Medicine, in any part of the United Kingdom of Great Britain and Ireland; to enjoy all the privileges and qualifications thereunto appertaining, and to act and practise the Art, Mystery, and Profession of a Surgeon-Apothecary, or General Practitioner of Medicine, in as full a manner as such Art, Mystery, or Profession, had or used to be carried on, practised, or exercised before the passing of this Act; to act as Surgeon, Apothecary, or Medical Officer, to any Parish, Parochial Union, Parochial Workhouse or Poorhouse, Hospital, Infirmary, Dispensary, Lunatic Asylum, Gaol, or other Public Institution; or to any Society formed for Mutual Relief in Sickness, Infirmary, and old Age; to compound and dispense the medicines he may prescribe for his Patients; to sue in any Court of Law or Equity in Great Britain and Ireland for any Charges claimed by him for Medicines, Professional Attendance, or Surgical Operations; to receive under his charge and tuition Pupils or Apprentices, who, after complying with the Course of Study prescribed by the College of Surgeons of London, Dublin, and Edinburgh, the Faculty of Physicians and Surgeons of Glasgow, and the Society of Apothecaries of London and Dublin, may demand to be taken upon examination for the Diploma or License of these respective Medical Bodies, without being liable to any Penalty or Disability whatsoever,—anything contained in Sections xiv., xv., xx., and xxi., of the before recited Act, 55 Georgii III, Cap. 194, to the contrary in anywise notwithstanding: and be it further enacted, that the production of a Diploma, under the Seal of any English, Irish, or Scotch University, and of the Royal College of Surgeons of London, Dublin, or Edinburgh, or of the Faculty of Physicians and Surgeons of Glasgow—or of the College of Surgeons of London, Dublin, or Edinburgh, or of the Faculty of Physicians and Surgeons of Glasgow, and of the Society of Apothecaries of London or Dublin, shall in all Courts of Law and Equity be, and be held to be, sufficient evidence that the person named in such Diplomas is entitled to the powers and privileges by this Act granted to any Person to whom such Diplomas have been given, without being obliged to give further evidence in regard to the same; and be it further enacted, that every person who has been in practice as a General Practitioner of Medicine, in any part of the United Kingdom of Great Britain and Ireland, on or before the first day of August, 1815, and every Medical Officer in the Army, Navy, or the Honourable East India Company's Service, shall, in like manner, upon the production of an affidavit or proof of having been in practice on or before the first day of August, 1815, or of holding, or of having held, a Commission or Warrant as Surgeon or Assistant Surgeon in Her Majesty's Navy, or as Surgeon or Assistant Surgeon or Apothecary in Her Majesty's Army, or as Surgeon or Assistant Surgeon in the Service of the Honourable East India Company, be entitled to the privileges of this Act.

5.

No Diploma or License to be conferred by any Medical

And be it further enacted, That no Diploma or License shall hereafter be conferred by the College of Surgeons of London, Dublin, or Edinburgh, by the Faculty of Physicians and Surgeons of Glasgow, or by the Society of Apothecaries of London or Dub-

lin, except under the condition that previously to any candidate for such Diploma or License being admitted to examination, he shall produce evidence of having completed the twenty-first year of his age, of a good moral conduct, of having served an apprenticeship, of Three Years' duration, to a regularly licensed Medical Practitioner keeping a Shop, or Surgery, for the compounding and dispensing of medicines, or, of having attended, for at least Twelve Months, at the Shop or Surgery of a Public Hospital, Infirmary, or Dispensary, and of having, during that time, been engaged in compounding and dispensing medicines, and of having had a sufficient medical education; anything contained in Section xv. of the before recited Act, 55 Georgii III, Cap. 194, to the contrary in anywise notwithstanding.

Incorporation,
except under
the within
conditions.

And be it further enacted, That every person who has obtained, or who shall hereafter obtain, the Diploma of the Royal College of Surgeons of London, Dublin, or Edinburgh, or of the Faculty of Physicians and Surgeons of Glasgow, shall, upon the production of such Diploma, be entitled to demand to be admitted to examination by the Examiners appointed by the Master, Wardens, and Society of Apothecaries of London and Dublin respectively, for the certificate of his qualification to practise as an Apothecary: provided always, and be it further enacted, that such examination shall be confined to the subjects of the theory and practice of Physic, Pharmaceutical Chemistry, Materia Medica, and Botany, anything contained in Section xv. of the before recited Act, 55 Georgii III, Cap. 194, to the contrary in anywise notwithstanding.

6.

Production of
a Diploma from
the College
of Surgeons of
London, Dublin,
or Edinburgh, or
the Faculty of
Physicians and
Surgeons of
Glasgow, to
entitle the
holder thereof
to be taken upon
examination for
the License of
the Apothecaries
Company
of London
or Dublin.

And be it further enacted, That from and after the passing of this Act, no person shall be entitled to practise, exercise, or carry on the business of a Chemist and Druggist by retail, in the vending of Drugs and Chemicals, in the compounding of Pharmaceutical Preparations, and in the dispensing of Medical Prescriptions, in any part of the United Kingdom of Great Britain and Ireland, except Persons already in practice or business as such, who has not served an Apprenticeship of Three Years' duration to a regularly licensed Chemist and Druggist, who has not completed the twenty-first year of his age, who is not of a good moral character, and who has not been examined by, and received a Certificate or License from the Society of Apothecaries of London or Dublin, or from the Royal College and Incorporation of Surgeons and Apothecaries of Edinburgh, of his fitness to practise, exercise, and carry on the business of a Chemist and Druggist, anything contained in Section xxviii. of the before recited Act, 55 Georgii III, Cap. 194, to the contrary in anywise notwithstanding: provided always, and be it further enacted, that the sum of Six Pounds Six Shillings shall be paid for the Certificate or License of every person examined and found duly qualified to practise, exercise, and carry on the business of Chemist and Druggist, at the time of obtaining each and every such Certificate or License.

7.

Qualification
of Chemists
and Druggists.

And be it further enacted, That every person qualified as above, to act as a Surgeon-Apothecary, or as a Chemist and Druggist, shall transmit his Diplomas, Certificates, or Licenses, authorising and empowering him to act as a Surgeon-Apothecary, or as a Chemist and Druggist, respectively, (and in the case of a Medical Prac-

8.

Registration
of Certificates
with Clerk of
the Peace.

titloner who was in practice as a General Practitioner of Medicine, in any part of the United Kingdom of Great Britain and Ireland, on or before the first day of August, 1815; and in the case of a Medical Officer in the Army, Navy, or in the Service of the Honourable East India Company; and in the case of a Chemist and Druggist who was in practice or business before the passing of this Act, the said persons shall transmit an affidavit to that effect), together with the sum of _____ to defray the expenses of Registration, free of expense, to the Clerk of the Peace for the County wherein he may reside, on or before the first day of October, 1841, and so again on or before the first day of October of each and every year thereafter; and the Clerk of the Peace, for each and every County of the United Kingdom of Great Britain and Ireland, is hereby required, and shall, upon the receipt of the Diplomas, Certificates, or Licenses, and Affidavits, as aforesaid, enter and register the same, with the dates thereof, in a Book or Books to be kept for that purpose to be styled and entitled "Medical Register for the County of _____": and be it further enacted, that each and every Clerk of the Peace as aforesaid shall, on or before the first day of November, 1841, and so again on or before the first day of November in each and every year thereafter, publish and advertise in the London, Dublin, or Edinburgh Gazette, as the case may be, a true and faithful list, certified under his hand, of all legally-qualified Surgeon-Apothecaries, and of Chemists and Druggists respectively, who may practise or act in these respective capacities in the County for which he is the Clerk of the Peace; and every person who shall neglect or refuse to register his Certificates as above, shall be incapable of acting as a Surgeon-Apothecary, or as a Chemist and Druggist, and shall be subject to the penalty of Five Pounds for each and every neglect or refusal as aforesaid, over and above the costs or expenses of prosecution, to be recovered in the manner hereinafter mentioned: and be it further enacted, that if any person shall forge any such Diploma, Certificate, or License, or falsely represent himself as the person therein named and practise under such name, every person so offending shall be deemed guilty of _____, and shall, on conviction thereof, be sentenced to be imprisoned for any term not exceeding _____.

Penalty for forging a Diploma, or making any false representation, &c.

9. Republication of Certified lists of Medical Practitioners and Chemists and Druggists.

And be it further enacted, That it shall be lawful for any person to print and publish, or to cause to be printed and published, the whole or part of any certified list of Medical Practitioners and Chemists and Druggists, for any County or Counties, printed and published under the Authority of this Act.

10. Clerks of the Peace, for every omission to comply with the provisions of this Act, liable to the penalty of £5. to be recovered in a summary way.

And be it further enacted, That in case any Clerk of the Peace shall, in any matter or thing, refuse or neglect to comply with any of the provisions hereinbefore contained, every Clerk of the Peace shall, for every such offence, forfeit and pay the sum of Five Pounds; and every such penalty shall, upon proof of the offence before any Justice of the Peace for the County within which such offence shall be committed, or by the Confession of the Party offending, or by the Oath of any credible Witness, be levied and recovered, together with the costs of the proceedings for the recovery thereof, by Distress and sale of the goods and effects of the party offending, by warrant under the hand of such Justice, which war-

rant such Justice is hereby empowered and required to grant, and shall be paid to the person or persons making such complaint; and it shall be lawful for any such Justice of the Peace, to whom any complaint shall be made of any offence committed against this Act, to summon the party complained of before him, and in such summons to hear and determine the matter of such complaint in a summary way, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty or forfeiture incurred, and to proceed to recover the same, although no information in writing or in print shall have been exhibited or taken by or before such Justice; and all such proceedings by summons without information shall be as good, valid, and effectual to all intents and purposes, as if an information in writing or in print had been exhibited.

And be it further enacted, That every person who shall, from and after the passing of this Act, prescribe for, or visit and professionally attend upon, or perform any Manual or Surgical Operation upon, or otherwise act as Surgeon-Apothecary to, any sick person; or who shall accept the office and undertake to discharge the duties of Surgeon, Apothecary, or Medical Officer, to any Parish, Parochial Union, Parochial Workhouse or Poorhouse; or to any Hospital, Infirmary, or Dispensary; or to any Gaol, Lunatic Asylum, or other Public Institution; or to any Society formed for Mutual Relief during Sickness, Infirmary, and old Age; or who shall proffer or advertise to cure any disease or diseases, without being qualified and empowered as aforesaid to act as a Surgeon-Apothecary, or General Practitioner of Medicine; or who shall vend any Drugs or Chemicals, or who shall compound any Pharmaceutical preparations, or who shall dispense any Medical Prescriptions, or otherwise practise or exercise the business or trade of Chemist and Druggist by retail, without being qualified thereto, shall, respectively and severally, be subject to the penalty of Ten Pounds for each and every offence, over and above the expenses or costs of prosecution, to be recovered in the manner hereinafter mentioned;—anything contained in Section xx. of the before recited Act, 55 Georgii III, Cap. 194, to the contrary in anywise notwithstanding.

11.
Penalty for
acting without
Certificate.

And be it further enacted, That from and after the passing of this Act, it shall be lawful for any person to inform or prosecute before any Justice of the Peace for the recovery of any penalty imposed or incurred under this Act, and it shall be lawful for any Justice of the Peace, having jurisdiction where the offence shall be committed, to hear and determine any offence against this Act which may subject the offender to any pecuniary fine of Five Pounds, or of Ten Pounds respectively; and further, it shall be lawful for any such Justice, and he is hereby required, upon information given or complaint made before him, to summon the party accused, and also the witnesses on either side, to be and appear before the said Justice, or before any other Justice of the Peace, at a time and place to be appointed for that purpose; and either on the appearance of the party accused, or in default thereof, it shall be lawful for such Justice, or any other Justice present at the time and place appointed for such appearance, to proceed to

12.
Recovery of
Penalties.

examine into the matter of fact, and upon due proof made thereof by voluntary confession of the party, or by production of the certified list of Surgeon-Apothecaries and Chemists and Druggists, as published and advertised in the London, Dublin, or Edinburgh Gazette, as the offence may have been committed and the information laid in any County in England, Ireland, or Scotland, or by oath of one or more witness or witnesses, to give judgment for the penalty; one moiety whereof shall be applied for the relief of the poor of the place or district where the offence was committed, and the other moiety thereof, with full costs of suit, shall be paid to the person who shall inform and sue or prosecute for the same, within three months next after the offence shall have been committed; and in default of payment thereof, to award and issue out his warrant for the levying of any penalty so adjudged, together with the costs or expenses of such proceedings, and also the costs and expenses of such warrant, and of levying the same on the goods of the offender, and to cause sale to be made of such goods in case they shall not be redeemed within seven days, rendering to the party the overplus, if any; and where goods of such offender cannot be found sufficient to answer the penalty and all such costs and expenses, it shall be lawful for such Justice, and he is hereby required, to commit such offender to the Common Gaol, or House of Correction, there to remain for any time not less than one calendar month, and not more than three calendar months if the penalty for which such offender shall have been convicted shall amount to Five Pounds; and for any time not less than three calendar months, and not more than six calendar months, if the penalty for which such offender shall have been convicted shall amount to Ten Pounds, unless such penalty and all such costs and expenses shall be sooner paid and satisfied; anything contained in Sections xxv., xxvi., and xxvii., of the before recited Act, 55 Georgii III. Cap. 149, to the contrary in anywise notwithstanding: and be it further enacted, that if the person convicted shall find himself aggrieved by the judgment of any such Justice, it shall be lawful for such person to appeal against the same to the Justices of the Peace at the General or Quarter Sessions of the Peace for the County or place within which the offence shall be committed, which shall be held next after the expiration of Ten days from the day on which such conviction shall have been made, of which appeal notice in writing shall be given to the Prosecutor or Informer, seven clear days previous to the first day of such Sessions; and such Justices at such Sessions are hereby authorised and required to examine witnessess upon oath, and finally to hear and determine such appeal; and in case the judgment of any such Justice shall be affirmed, it shall be lawful for the Justices at such Sessions to award and order the person appealing to pay such costs, occasioned by such appeal, as to them shall seem meet: Provided always, that no person convicted before any such Justice shall be entitled or permitted to appeal against such conviction in manner aforesaid, unless, within five days next after such conviction made, he shall enter into a recognizance, with two sufficient sureties, before such Justice, to enter and prosecute such appeal, and to pay the amount of the penalty and costs in which he shall have been convicted; and also to pay such further costs as shall be

Appeal.

awarded in case such conviction shall be affirmed on the hearing of such appeal: Provided also, that no such proceedings, so to be had or taken, shall be quashed or vacated for want of form, or shall be removed by Certiorari, Suspension, Advocation, or Reduction, or by any other Writ or Process, into any superior or other Court or Jurisdiction; any Law or usage to the contrary notwithstanding.

And be it further enacted, That if any Constable, or other Peace Officer, shall refuse or neglect to serve or execute any Summons, Warrant, or Order, granted, issued, or made by any Justice of the Peace, pursuant to any of the Provisions of this Act, every such Constable or Peace Officer so offending shall forfeit the sum of Five Pounds, to be recovered in the manner as aforesaid.

13.
Penalty on
Constables, &c.
refusing to serve
a Summons,
Warrant, &c.
£5.

And be it further enacted, That if any person, who shall be summoned as a Witness to give evidence before any Justice of the Peace, or before any Justices at Sessions, touching the matters alleged in or relating to any Information or Appeal depending before such Justice or Justices, for the recovery of any penalty incurred under this Act, shall neglect or refuse to appear before such Justice or Justices, at the time and place to be for that purpose appointed, without a reasonable excuse for such neglect or refusal, to be allowed by such Justice or Justices, or if any person so summoned shall appear, but shall refuse to be examined and give evidence before such Justice or Justices touching the matters aforesaid, every such person so offending shall forfeit the sum of Ten Pounds, to be recovered in the manner as aforesaid.

14.
Penalty on
Witnesses
neglecting or
refusing to
attend, &c. £10.

And be it further enacted, That from and after the passing of this Act, every Medical Practitioner, and every Chemist and Druggist, shall be exempt from Serving on all Juries and Inquests, and all Parochial Offices whatsoever, and in the Militia, and as a Constable.

15.
Exemption
from Serving
on Juries, &c.

And be it further enacted, That from and after the passing of this Act, the sum to be paid to the Master, Wardens, and Society of Apothecaries of the City of London, for each and every Certificate of fitness to practise as an Apothecary, either in the City of London, or in any other part of the United Kingdom of Great Britain and Ireland, shall be Six Pounds Six Shillings; anything contained in Section xix. of the before recited Act, 55 Georgii III. Cap. 194, to the contrary in anywise notwithstanding.

16.
Sums to be
paid for the
Certificate of the
Society of
Apothecaries.

And be it further enacted, That from and after the passing of this Act, the Curriculum or Course of Study to be pursued by Candidates for Diplomas, Letters Testimonial, or Licenses, to authorise and empower them to act and practise as Surgeon-Apothecaries, or General Practitioners of Medicine, Surgery and Pharmacy, and by Candidates for Licenses to authorise and empower them to act and practise as Chemists and Druggists, shall be such as may be approved and mutually agreed upon by the Royal College of Surgeons in London, the Royal College of Surgeons in Dublin, the Royal College of Surgeons in Edinburgh, the Faculty of Physicians and Surgeons in Glasgow, the Society of Apothecaries in London, and the Society of Apothecaries in Dublin, within three months first next ensuing after the passing of this Act, or as the same may be altered or amended from time

17.
Curriculum or
Course of Study
to be pursued
by Candidates
for Diplomas, &c.
to authorise and
empower them
to Act
and practise as
Surgeon-
Apothecaries,
or General
Practitioners
of Medicine,
Surgery and
Pharmacy, and
by Candidates
for Licenses to
authorise and

empower them to Act and practise as Chemists and Druggists.

to time by the said Royal Colleges, Faculty, and Societies, according to the advanced state of Medical Science; anything contained in any Law, Charter, or Statute, to the contrary in anywise notwithstanding.

18.
Saving Rights.

And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to lessen, prejudice, or defeat, or in anywise to interfere with any of the Rights, Authorities, Privileges, and Immunities, heretofore vested in, and exercised and enjoyed by any University in England, Ireland, or Scotland, the Royal College of Physicians, or the Royal College of Surgeons, of London, Dublin, or Edinburgh, the Faculty of Physicians and Surgeons of Glasgow, or the Society of Apothecaries of London or Dublin, respectively, other than and except such as shall or may have been altered, varied, or amended, in and by this Act; or of any persons or person practising as an Apothecary previously to the first day of August, 1815; but the said Universities, Royal Colleges, Faculty, and the said Societies, and all such persons or person shall have, use, exercise, and enjoy all such Rights, Authorities, Privileges, and Immunities, save and except as aforesaid, in as full, ample, and beneficial a manner, to all intents and purposes, as they might have done before the passing of this Act, and in case the same had never been passed.

19.
Construction of words in this Act.

And be it further enacted, That the phrase or term Surgeon-Apothecary, or General Practitioner of Medicine, shall mean and imply a person who possesses one or other of the qualifications, A, B, C, specified in Section 2; that the word Surgery shall mean and comprehend Midwifery, Dental Surgery, and any Manual or Surgical Operation performed for the cure or relief of any Disease, Bodily Infirmary, or Deformity; that the phrase Member of the Royal College of Surgeons of London, Dublin, or Edinburgh, of the Faculty of Physicians and Surgeons of Glasgow, or of the Society of Apothecaries of London or Dublin, shall mean and comprehend a person who is an Incorporated Member or Fellow, or an unincorporated Member or Licentiate of any College of Surgeons, or Faculty of Physicians and Surgeons, or Society of Apothecaries in England, Ireland, or Scotland; and that the phrase Graduate in Medicine of any English, Irish, or Scotch University, shall mean and comprehend a person who has obtained the degree of Doctor in Medicine, or Bachelor in Medicine, at any University in England, Ireland, or Scotland.

20.
Public Act.

And be it further enacted, That this Act shall be deemed a Public Act, and shall extend to Great Britain and Ireland, the Isle of Man, and Berwick-upon-Tweed, and be judicially taken notice of as such by all Judges, Justices, and other persons whatsoever, without the same being specially shown or pleaded.

Note to Clause 8.—Since the foregoing Bill was printed and submitted to the examination of several medical friends, it has been suggested that as the Clerks of the Peace are so fully occupied with the legal business of the Counties, it would be preferable for the Secretary of State for the Home department to appoint a Medical Gentleman, as Registrar for each County, to conduct the Registration in the manner indicated in the Bill, and for the Registrar to transmit the Fees to the Board of Stamps and Taxes.