

The Fellows, Members, and Council of the Royal College of Surgeons.

Contributors

Royal College of Surgeons of England

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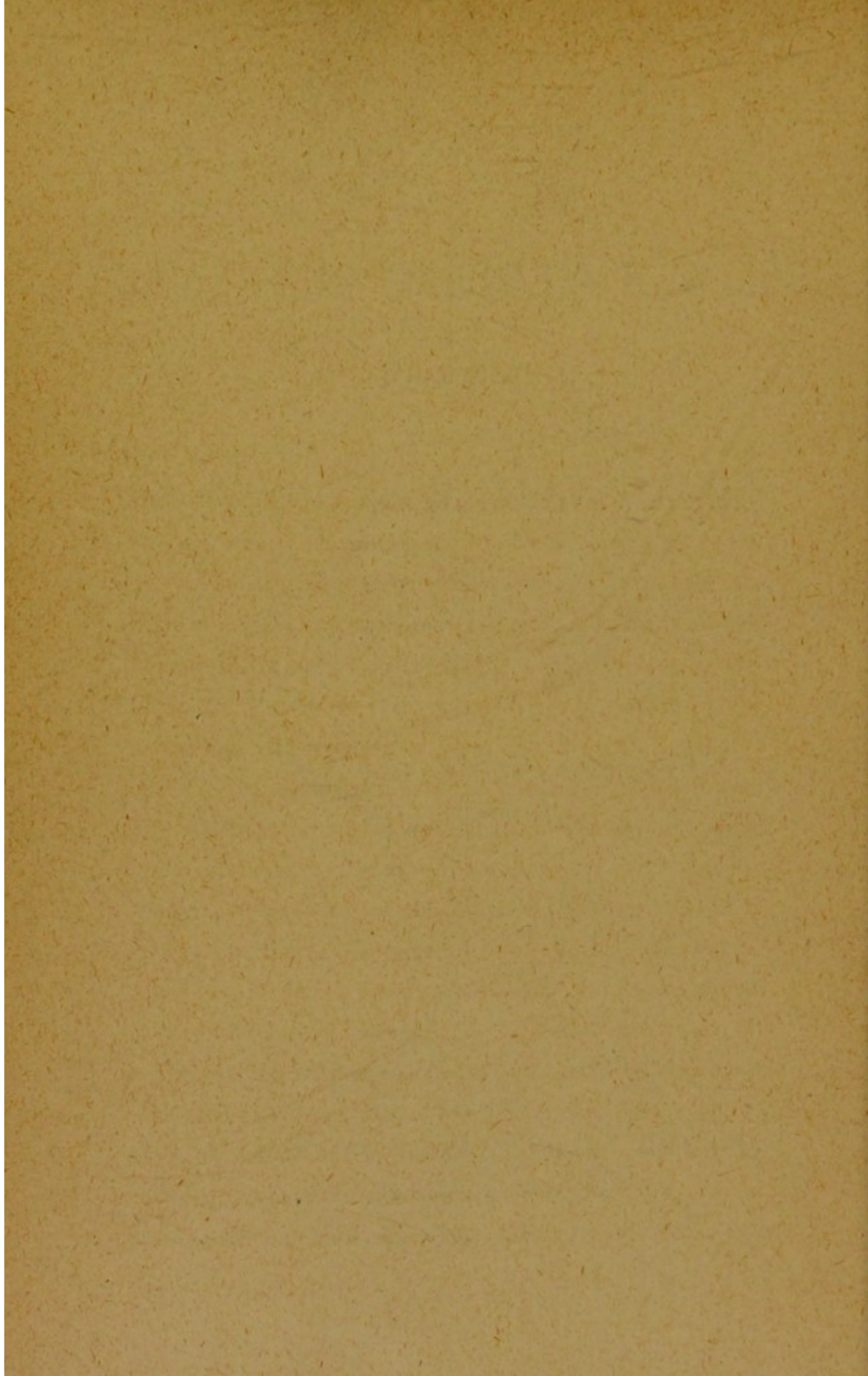
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THE
FELLOWS, MEMBERS, AND COUNCIL
OF THE
ROYAL COLLEGE OF SURGEONS

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INTRODUCTION.



THE first of the following articles appeared in THE LANCET of Oct. 30th in anticipation of the general meeting of Fellows and Members of the College of Surgeons held on Nov. 4th. At that meeting it will be remembered the following resolution was passed by a very large majority: "That, in the opinion of this meeting, it would conduce to the welfare of the Royal College of Surgeons, and tend to promote the interests of medical polity and education, first, if Members of the College were empowered to take part (separately or conjointly with the Fellows) in the election of the Council; second, if Members of the College were eligible to sit in the Council, provided (a) that no Member of the College shall be entitled to vote till he have been such Member for a period of ten years, (b) that no Member of the College shall be eligible to sit in the Council till he have been such Member for a period of twenty years, and (c) that not more than one-fourth of the Council shall consist of Members of the College who are not also Fellows." The only opposition emanated from Mr. Erichsen, whose speech has since been published as a

pamphlet, under the title "The Fellow, the Member, and the Franchise." It was at the time suggested that the republication of our article of Oct. 30th in a separate form might serve a useful purpose by correcting some misapprehensions and helping to a truer knowledge of the corporate status of Members of the College of Surgeons. In adopting this suggestion, it has been thought well to supplement that article by another giving a brief account of the circumstances which led to the establishment of the College, and which determined the peculiarities of its original constitution. This opportunity is taken of appending a letter from a well-informed writer, signing himself "Historicus," which deals with some of the *facts* contained in the pamphlet above referred to.

THE
FELLOWS, MEMBERS, AND COUNCIL
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HISTORY AND INFERENCE.

No. I.

For many years before his death Mr. J. F. South was known to be engaged in collecting materials preparatory to writing a history of the College of Surgeons, but he did not live even to arrange the mass of facts and papers which he had gathered together. His manuscripts, having been sent to the College of Surgeons, have been edited by Mr. D'Arcy Power, and were published a few months ago under the title of "Memorials of the Craft of Surgery in England," with an introduction by Sir James Paget. It is not our intention at present to criticise either Mr. South's collection or Mr. Power's editing, or to consider to what extent these "Memorials" contribute to the history of surgery in England. What we wish now to do is to make use of some of the data scattered about the pages of these "Memorials," to elucidate some of the questions that have lately been exercising the minds of the Council, the Fellows, and the Members, and which are likely to come prominently to the front again at the general meeting of Fellows and Members of the College to be held next Thursday. In

another column we publish some resolutions which it is intended to move at this meeting, and it will be seen that they refer to the corporate rights of the Members, the academic status of the Fellows, and to the claim of the Fellows and Members to sanction any alterations that may be made in the constitution and relations of the College or in any of its bye-laws.

In order to understand the anomalous constitution of the College as it now exists, it would be necessary to trace the history of the rise and progress of the various companies and corporations which preceded the College, and from which the College is descended. Mr. South's "Memorials" in their present form afford only casual and incidental aid in such a task. But, fragmentary as they are, they do furnish sufficient evidence that the exclusive exercise of legislative powers by the Council is a flagrant violation of the fundamental principle of *corporation*.

Sir James Paget, in his brief and apologetic introduction, remarks, "it is an error to suppose that English surgeons are, in any fair sense, the descendants of barbers." Happily this is strictly true. But to allege that "the surgeons from whom our College can trace an uninterrupted descent were not barbers" is not, in any fair sense, either historically true or logically consistent. The constitution of the College, as laid down in the Charter of the year 1800, is almost identical with that of the old Corporation of Surgeons, and this was framed on the same lines as the Combined Company of Barbers and Surgeons, which in its turn was merely an extension of the original Company of Barbers. Their principles of government are similar, their later policy and prejudices identical. It betrays a strange misapprehension of the nature and history of these and kindred institutions when a writer usually so accurate as Sir James Paget can suggest that the events recorded in these "Memorials" should be studied "as the history of a *development*"; whereas, on the contrary, they afford a most striking and typical illustration of what Brentano, in his "History and Development of Gilds," designates the *degeneration* of Craft

Gilds. A brief survey of the history of these Gilds, of which the Barbers' Company, the Corporation of Surgeons, and the College of Surgeons are ordinary examples, will make this clear.

In the eleventh century the handicraftsmen of Europe were divided into two classes, the bondmen and the freemen. The latter belonged originally to the body of full citizens and as members of the full Citizens' Gilds, enjoyed under the protection of their Gild immunity from external interference, while the former continued for some time subject to the control of the town or other authority in all matters relating to their trade. Even when the free handicraftsmen were expelled from the full Citizens' Gilds they maintained their independence, and exercised their right to freely elect their own warden. On the other hand, the Craft Gilds, made up of the whilom bondsmen, when obtaining their privileges, were frequently compelled to pay certain imposts in return for their greater independence, and had to consent to have their warden appointed by external authority. These and other considerations make it almost certain that the fraternity of Barbers consisted originally of bondmen who had obtained a smattering of medical knowledge and acquired some dexterity in performing minor surgical operations. Persons of this class swarmed in Europe from the second to the eighteenth century. Oribasius, writing in the fourth century, deploras not less the scarcity of properly educated medical men than the superabundance of pretenders of the medical art, who, though knowing only how to bleed, apply cupping glasses, make scarifications and other *servile* offices (καὶ τὰ ἄλλα τῆς ὑπηρευτικῆς ἐμπειρίας), did not hesitate to arrogate to themselves the whole of medical practice, to the great detriment or actual destruction of their patients. Of such were the barber-surgeons of the fourteenth and succeeding centuries.

The idea implied in the foundation of all Gilds is that of a brotherhood for mutual help and support. As Wilda aptly remarks, the Gilds were "imitators of the family." The Craft Gilds, were however, more especially interested in the

maintenance of the rights, privileges, and customs of the Craft. The essence of these Gilds was the general meetings, at which all the Gildmen met. The president or warden, who was always elected by the whole Gild, summoned the meetings and presided at them, and with the consent of those present enacted ordinances for the regulation of the Craft, and had to see that those ordinances were carried out. But when in the course of time the Craft Gilds obtained complete independence and authority in all matters relating to the Craft, there soon set in the *degeneration* of Gilds. The fees for membership were raised to an extortionate amount, and the members of the executive body began to entrench themselves behind restrictions, and thus gradually succeeded in transferring the government of the Gilds into the hands of a few of the richer or more influential families. Towards the end of the sixteenth century, instead of the general meetings of all the Gildmen, a "Court of Assistants" sprang up, who governed the Gild and enacted its ordinances, and in the seventeenth century the transfer of the elective franchise from the "Community" to the Courts of Assistants was generally recognised in the Charters. The Courts of Assistants were henceforth elected for life, and as individual members died the "Court" filled up the vacancies without reference to the opinion or wishes of the Community. An oath was also introduced, in which all the members swore to obey the master and wardens and *their* ordinances. This transference of authority from the assembled members of the Gild to the Court of Assistants was, however, not always effected without resistance. It appears, from a pamphlet of the year 1649, mentioned by Brentano, on the "Constitution of the Clothworkers' Company," that a part of the Gild associates, relying on the old Charters of the Gild, claimed for the whole body of the Gild members both the right of electing their wardens and of framing ordinances. In answer to this contention, "this pamphlet endeavours to prove," says Brentano, "with the most arbitrary misrepresentation of the sense and the words, that the word 'commonalty' in the old Charters

meant, not the collective body of Gild members, but only the master, warden, and assistants." This was, be it remembered, nearly 250 years ago; but the Council of the Royal College of Surgeons of England, in the year of grace one thousand eight hundred and eighty-six, is not ashamed to resort to a similar subterfuge when eighteen thousand members of the Corporation claim the right to elect the president, to participate in the legislative acts of the College, as well as to supervise and sanction any alterations that may be made in the constitution or relations of the College, or in any of its bye-laws.

This common tendency and this culmination of Craft Gilds may be discovered in the history of the College of Surgeons, as described in Mr. South's "Memorials." In 1308, a warden was elected by the barbers and presented to the Lord Mayor; in 1375, two wardens were "chosen by common assent" of the craft; in 1415, two wardens were chosen "by a majority of the barbers practising surgery"; in 1423, the members of the conjoint Colleges of Physicians and Surgeons were of themselves to choose, in prescribed form, surveyors, &c.,; in 1435, the members of the Guild of Surgeons were instructed to yearly come together on the day of St. Cosmo and Damien to choose four masters for the year "as cold custum was"; in 1461, the Charter of Edward IV. provided that the Fellowship of Barbers were to elect two masters, and that whenever need be they were to make honest and lawful assemblies of themselves, and "also ordeyne and make Lawes and Ordenances"; in 1493, the members of the Combined Fellowship of Barbers and Surgeons were to choose of themselves two wardens. These powers and privileges were confirmed in 1526 by Henry VIII.; but the process of "degeneration" had already begun. The master and wardens not only conducted the ordinary business of the Company, but began to speak of the statutes, ordinances, and oaths as those, not of the Company, but of the "master and wardens and their predecessors." Henceforth the degeneration spread rapidly. In 1604, by an Act of Parliament, the Court of Assistants were to be elected

for life, and the master was to be chosen from among the assistants. The ordinary members of the company were more or less excluded from sharing in the management of the company. The Act of 1745, by which the Surgeons' Company—the immediate progenitor of the present College of Surgeons—was instituted, prescribed that the assistants were to be elected for life, the master and wardens were to be elected from the assistants, and “the power of making bye-laws and elections was vested in the master, wardens examiners, and assistants.” Meetings of members were rarely summoned, the last general meeting being, we believe, held in the year 1784.

The Charter of the year 1800, by which the College of Surgeons was founded, secured to the Court of Assistants the sole exercise of both the executive and legislative powers of the College. Great pains were taken to exclude Members of the College from exercising any control over either of these functions. Any loophole that may have been left through the inadvertence of those who inspired the Charter was stopped—*O tempora! O mores!*—by a bye-law framed in the year 1831, to prevent Members from meeting in the College. By a strange irony of fate, it is under the provisions of this bye-law that the meeting next week will take place. This is history; the inference is obvious.

Oct. 30th.

No. II.

IN an article which appeared in our issue of Oct. 30th we gave a brief historical account of the various Companies or Gilds which preceded the institution of the present College of Surgeons, and traced some of the changes which had in the course of two or three centuries been introduced into their constitution and modes of government. Up to the beginning of the seventeenth century the government of the Barbers' Company and of the Company of Barbers and Surgeons, successively was, like that of other craft-gilds, practically in the hands of the whole commonalty. There were regular assemblies of the gild-men to elect the President and Wardens, to enact bye-laws, and transact the business of the Gild. The Charters embodying the constitution of all the Companies were confirmed at the beginning of every new reign up to the time of Elizabeth. But on the accession of James I. important changes were introduced. Instead of confirming the old Charters by *Inspecimuses*, this Sovereign granted a series of new Charters to the more important of the Companies. By these Charters the ancient mode of election by the commonalty was superseded; the Court of Assistants became self-elective and held office for life, and the government of the Gild and the exercise of the franchise were transferred from the community to the Master, Wardens, and Court of Assistants. By an Act of Parliament passed in 1604 (2nd James I.) the members of the Court of Assistants of the United Company of Barbers and Surgeons were, in accordance with the new practice, for the first time elected for life, and the Master was chosen from and by the Assistants. The Act of Parliament of 1745, which separated the Barbers and the Surgeons, not only confirmed these monopolies, but vested solely in the Master, Wardens, and Assistants the power to make or abrogate such bye-laws and ordinances as might seem requisite. In the face of this it is absurd to represent that some Members of the present

College of Surgeons pretend to base their claim to elect the Council on the Charter of Charles I. Even if this Charter had conferred on ordinary members of the Company the right to elect the governing body, the Charter was itself superseded by the Act of Parliament of 1745. This Act did not, however, deprive the Members of the old Company of Surgeons from the right of meeting in general court on important occasions. It is important to bear this in mind, for though this right was, for some reason, not exercised after the year 1784, the fact of its existence had an important influence on subsequent events. It is probable, for example, that if the Master and Court of Assistants of the late Company of Surgeons had had the honesty and candour to confer with the Members, the Company need not have come to such an ignoble end, and in any case the present College of Surgeons would have been honourably established by Act of Parliament, instead of having to resort to questionable expedients in order to obtain a Charter. Had an Act been fairly and honestly obtained, it is certain that those constitutional anomalies and abuses which the present agitation for reform is seeking to remove would have been unknown.

The circumstances which led to the dissolution of the old Company and the establishment of the present College, were briefly as follows: By the Act of 1745 it was enacted that the Master and at least one of the Governors should be present at every Court, with one or two ordinary Assistants, in order to constitute a quorum. It happened at the meeting to be held on July 7th, 1796, that in consequence of the death of one Governor and the serious illness of the other no legal Court was possible. Notwithstanding this, the Master and some Assistants determined on proceeding to business. This rash action proved fatal to the Corporation. The opinion of counsel was taken, and there was no doubt that the Corporation was destroyed by the illegal construction of the last court. In the following year a Bill was brought before Parliament, at the instigation of the Court of Assis-

tants, to indemnify the Court and to legalise its acts, as well as to procure the re-establishment of the Corporation under the name of a College. This Bill had passed through the House of Commons, and had been twice read in the House of Lords, before the Members of the Corporation were aware of its purport. A petition in opposition to the Bill was at once prepared, and presented to the House of Lords. This petition set forth that the Bill had been drawn up without the knowledge or sanction of the members of the late Company, who had not been convened to consider it. It further declared that the Master, Wardens, and Assistants, without the knowledge or consent of the Company, had alienated the property of the Company; made purchases greatly beyond the extent allowed by law; and been guilty of gross maladministration: that they had not taken one material step for the public good or the advancement of the science of surgery; that a certain number of the Court of Assistants had, as examiners, received for their private use a large share of the revenue of the Company; that if the Bill were to become law those persons who had been guilty of this maladministration would acquire absolute supervisal and control over the members and their affairs; that the ancient privileges of members would be annihilated, and their right of meeting in a General Court would be taken away; and that the Court of Assistants would be able to oblige members to swear to the observance of such laws as the Court might make, although the members themselves would have no voice in the making of these laws, and no choice in the appointment of those who should make them. The result was that the Bill was thrown out in the last stage. General indignation ensued on the disclosure of the gross and culpable mismanagement. Lord Thurlow, who took up the cause of those members who petitioned against the Bill, said: "The petitioners against this Bill have great reason to complain. Their privileges have been violated; and even their property has been invaded. They have been too long trampled under foot; and, however grating it may be to the ears of some people,

they have the strongest title in the world to have their complaints heard with patience and attention." A member of the Corporation, writing in 1797, immediately after the rejection of the Bill, said: "A Bill has been brought into Parliament, and was nearly carried through both Houses, calculated to give a despotic power over the Surgeon's Company to a junto, self-nominated, consisting of an insignificant number, who fill up all vacancies in their own body; so that you are to obey laws, made by persons who have an interest distinct from your own; laws, made by a legislative body, in which you have no representation. This is a degradation of your profession, and even of your species; it is a daring attack on the free principles of the British Constitution."

As bearing upon the present demand of Members of the College for the franchise, it should be stated that one of the reasons which led to the rejection of the Bill by the House of Lords was the determination of its promoters to exclude ordinary Members from any share in the management of the affairs of the College. A noble and learned lord asked one of the principal supporters of the Bill what objection he had to allow Members of the Corporation at large a share in the management of their own affairs. The answer was, "Some of them are ignorant, my Lord." To which his Lordship replied, "The more shame to you to let loose a set of ignorant fellows." This was, be it remembered, in the year 1797, and it is worthy of remark that after a lapse of nearly ninety years Mr. Erichsen, in his recent pamphlet against admission of Members to the franchise, reproduces the spirit and intention of this objection, though not the identical words.

But in spite of the rejection of the Bill by the House of Lords the discredited Court of Assistants of the defunct and dissolved Corporation did not despair; they continued to admit persons under letters testimonial, and though low in reputation and in funds, agreed on Dec. 13th, 1799, by a *unanimous* vote, to accept the charge of Hunter's Museum, for which Parliament had six months before voted a sum

of £15,000. The next step followed as a matter of course : the Court of Assistants had now no difficulty, by the aid of courtly intrigue, in satisfying George III. that it was impossible to discharge its trust without some method of replenishing its finances. What Parliament had refused the King was easily prevailed upon to grant, and thus in the month of March, 1800, the College of Surgeons was established by a Royal Charter, which sanctioned most of the obnoxious provisions contained in the Bill rejected by the House of Lords. The course of events since that time is more or less correctly known. But there is one fact that stands out conspicuously in the negotiations which preceded and led up to the establishment of the College, and that is, that Parliament refused to pass a Bill which excluded Members of the College from a share in its government. Consequently, though it is true that Members have no legal "right" to the franchise by the Charter of 1800, they have at least a tacit moral claim, which the present Council should frankly recognise, and thus do what it can to purge away the taint which has hitherto vitiated the constitution of the College.

THE MEMBER, THE FELLOW, AND THE
FRANCHISE.

To the Editor of THE LANCET.

SIR,—In an editorial notice of Mr. Erichsen's pamphlet, "The Member, the Fellow, and the Franchise," in THE LANCET of Dec. 4th, many of the author's statements are characterised as "visionary." Were it not that Mr. Erichsen's reputation for propriety and honesty of purpose is above suspicion, a stronger epithet might have been employed without undue severity. Whatever may have been the motive of Mr. Erichsen's speech at the College of Surgeons on Nov. 4th, or whatever be his personal justification and apology, the part which he is now playing does seem different from that which had popularly been assigned to him. Be this as it may, the publication of the pamphlet cannot fail, in spite of itself, to influence beneficially the progress of the present agitation for effectual reform. It shows at once the hollowness of the arguments and the untenability of the position of those who oppose a readjustment of the relations between the Council and the rest of the body politic and corporate of the College. Whether designedly or not, the publication of Mr. Erichsen's pamphlet will almost coincide with the issue to the Fellows of the interrogations of the Council, as to whether Members of the College shall, under certain restrictions, be empowered to vote in the election of the Council and be eligible to sit in the Council itself or not. This conjunction gives the pamphlet a degree of importance which it would not otherwise have had, and warrants a scrutiny which could not under ordinary circumstances be justified. If, however, the matter be closely examined, it will be found that Mr. Erichsen

scarcely makes a statement or draws an inference which cannot be directly controverted, or which does not at least require considerable modification.

In his exposition of the respective rights, rank, and status of Members and Fellows, and of the conduct, character, and constitution of the Council, Mr. Erichsen traverses a wide range of thought, interspersing his remarks with disquisitions on jurisprudence, politics, ethics, metaphysics, economics, pædagogics, biology, surgery, and antiquarian lore. Entertaining though all these things might otherwise have been, the only observations pertinent to the present issue are those which refer to the claims of Members to the franchise, to the prestige and the monopoly of the Fellows, and to the influence and action of the Council.

With a little trouble Mr. Erichsen's remarks may be arranged generally under three heads—namely, those relating (1) to Members, (2) to Fellows, and (3) to the Council. It is, however, predictive of the confusion of thought which is the prevailing characteristic of the pamphlet to find, at the outset, that what is entitled an "Appendix" appears as the *Preface*. This extraordinary disposition is doubtless intended to give the "Appendix" greater prominence; it would have been well if equal care had been taken to ensure greater accuracy.

In opposition to the claim of Members to take part in the election of the Council, Mr. Erichsen contends, first, that Members have never possessed the "right" to elect members of the Council (p. 7 *seq.*); second, that inasmuch as they have passed only a "minimum qualifying examination," they ought not, in accordance with the custom of kindred institutions to be entrusted with this privilege (pp. 4 and 6); and, third, that they are by training and pursuits unfit to take part in the direction of a great educational and scientific institution (*passim*). The Member of the College of Surgeons is, he says, a registered student who has passed a minimum qualifying examination in Anatomy, Physiology, and Surgery, and stands, therefore, on exactly the same level as a Licentiate of the College of Physicians

(p. 4). And "the L.R.C.P. can never in his wildest dreams of professional ambition have looked forward to the possibility of his becoming one of the governing body of the College of Physicians", &c. Yet this "wildest dream" has possessed men whose name, fame, and memory are not altogether so contemptible as Mr. Erichsen's assumption would seem to imply. The Licentiates of the College of Physicians were regularly summoned to the *comitia majora*, up to the year 1765, when the practice was abruptly discontinued. In 1767 a number of Licentiates, amongst whom were William Hunter, John Fothergill, Alexander Russell, and other eminent men, associated with a view of taking legal proceedings against the College for the recovery of their right of incorporation. Eventually, in January, 1770, Dr. Archer and Dr. Fothergill did move the Court of King's Bench for writs of mandamus to compel the College to admit them. The case was argued in April, 1771, when Lord Mansfield and the other judges expressed the opinion that *Licentiates* could not set up their licence, accepted under a bye-law, as a foundation of a right to be admitted under the Charter. This ruling therefore disposed of the claim of Licentiates to be admitted to the College, and determined the radical and essential difference between a Licentiate and a Member. In this light Mr. Erichsen's forced and fanciful comparisons of the corporate status of a Member of the College of Surgeons and any Licentiate whatever turns out to be an unsubstantial figment. The only really apposite comparison which he draws is that between a Member of the College and a Graduate of the University of London who possesses only a lowest degree. Each occupies a precisely identical position in so far as he has passed only a "minimum examination." But here, according to Mr. Erichsen, the comparison ends. "There is not a single M.B. in the Senate," he says (p. 7), thereby implying, as indeed he did actually state in his speech at the College, that Bachelors of Medicine and others who had taken only a minimum degree are ineligible for a seat in the Senate, and on that account. Now it is true there is no M.B. in the Senate of the London

University, and for an obvious reason ; but the only legitimate interpretation which Mr. Erichsen's allusion will bear is not true. There are at the present moment no less than *four* members of the Senate who possess degrees of the lowest grade only.

In discussing the fitness of Members to take part in the direction of the educational and scientific departments of the College, Mr. Erichsen applies a test to which no reasonable person can object. "Who," he asks, "but men of science can control and direct efficiently a scientific department, and where are to be found the men of science connected with the College of Surgeons? Are they amongst its Fellows or in the ranks of its Members? The Fellowship of the Royal Society may be taken as indicative. Now where, I would ask, are the Fellows of the Royal Society to be found—amongst the Fellows or amongst the Members of this College?" Mr. Erichsen puts the question fairly enough, but he leaves it unanswered,—except by insinuation. Once more he is in error. The latest published list of Fellows of the Royal Society contains the names of at least thirty-one Members of the College—probably more,—and only of eight Fellows by examination. There are in addition fourteen Fellows of the College by election, and as they have, according to Mr. Erichsen's criterion, only passed the "minimum qualifying examination," they should be classed with Members; so that there are in the Royal Society forty-five Members of the College and only eight Fellows! Where, indeed, are the Fellows of the Society to be found? Where?

With a view of impressing the existing Members of the College with a due sense of the unreasonableness of their demand for electoral powers, Mr. Erichsen gravely remarks that originally the Council was self-elected, and its elections were controlled by the Court of Examiners, and that it was "in order to correct this obviously corrupt state of things" that the order of Fellows was instituted (p. 8). From that time forth all was well; finality was then attained. Those who wish to obtain the franchise may, he observes, do so by becoming Fellows (p. 8); indeed, it would appear

that the franchise is the sole use and purpose of the Fellowship. "The Fellowship was instituted in order to create an electoral body" (p. 15). It may be so, but, on the other hand, Sir Benjamin Brodie, the acknowledged author of the order of the Fellows, has given a different explanation of the origin and intention of this institution. "The object of this institution," he says, "is to ensure the introduction into the profession of a certain number of young men who may be qualified to maintain its scientific character and will be fully equal to its higher duties as hospital surgeons, teachers, and improvers of physiological, pathological, and surgical science afterwards. With this view, if they have not University degrees, they are required to undergo a preliminary examination in classics and mathematics; while their professional education having been continued for a longer period of time, they are expected to show that they have a more perfect acquaintance with those sciences which are the foundation of medical and surgical knowledge than can be expected of the great majority of those who are candidates for practice. If this system be properly and honestly carried out, I apprehend that the result will be that the Fellowship of the College of Surgeons will be the most honourable distinction that is offered to the junior members of the medical profession." Is this system being properly and honestly carried out by restricting the franchise to the Fellows in opposition to the wishes and aspirations of more than 16,000 of the members of the corporation, while the academic status is being persistently debased in the silly hope of allaying the disaffection of a few Members by the offer of a cheap but degraded Fellowship? The truth is, that the intellectual and professional prestige of the Fellowship is being seriously prejudiced by its forced association with an exclusive and obnoxious electoral privilege—a privilege, be it remembered, which is also an usurpation; for though it is true that the Members never did possess electoral rights, it is nevertheless a fact that by the Charter of 1843 they were deprived

of their inherent rights of eligibility for election to the Council and to the office of president.

There is, however, one possible contingency which in Mr. Erichsen's opinion might justify a change in the constitution of the College; but this, he thinks, is happily absent. "The advocates of change do not," he says, "rest their case on the only ground that would be unassailable—namely, that the Council of the College has been negligent or indifferent to the conduct of its affairs, and that its interests—material, educational, and scientific—have consequently suffered in their hands" (p. 4). What these interests and duties are he elsewhere describes—namely "the controlling of medical education" (p. 3), "the conduct of examinations" (p. 9), and "the supervision of surgical education" (p. 11). Most persons who have not enjoyed an "official connexion with the College" are under the impression that the Legislature has committed the care and keeping of these interests to the General Medical Council, to whose opinions and decisions the influence of the Council of the College of Surgeons must always be subordinated. Indeed, it is no secret that the General Medical Council has, in the past, more than once had to take the Council of the College and its Court of Examiners seriously to task for scandalous defects and misconduct in examinations. But let it be for the moment allowed that the Council of the College does possess all the influence and importance which Mr. Erichsen claims for it. How has it discharged its duties and obligations to the profession and the State?

The College was established in the year 1800. In 1818 Sir C. Monk said in the House of Commons, "The usual examination before the College of Surgeons is conducted in a very loose and slovenly manner"; and on the same occasion Mr. Peel suggested that the fees required for the diplomas were alone looked to, and that the examinations were a mere formality. In the year 1826, at a large meeting presided over by Mr. (afterwards Sir William) Lawrence, a resolution was passed condemning the examination "as

perfectly ridiculous as a test of qualification." This state of things continued almost unchanged for a further period of forty years. Mr. John Simon, writing in the year 1865, says of the late Joseph Henry Green, whose long connexion with the Council of the College of Surgeons began in the year 1835:—"I know it to have been against his judgment that the Council of the College of Surgeons, charged with the high trust of providing for the due qualification of persons who by that portal shall enter the medical profession, persisted in regarding its own ranks as the only source from which to appoint examiners for this important purpose—a view in which, alas, it still persists, though involving the absurdity and scandal that persons (superannuated hospital surgeons and the like) are thus the College's sole examiners in those daily growing sciences of physiology and pathology which the College affects to promote in the interests of the profession and the public."

In 1866-7 the Visitors appointed by the General Medical Council to inspect and report on the examinations of the College called attention to the imperfect character of the examination, and to the fact that the Council of the College granted its diploma to practise without requiring any examination in medicine. In consequence of this exposure examiners in medicine were appointed in 1868. In 1874 the Visitors again called attention to defects in the examination, and though some of the recommendations of the Visitors were adopted the most important of them were evaded. In 1881 a Royal Commission inquired into the Medical Acts. The Commissioners in their report called attention to the fact that "even the diploma of the Royal College of Surgeons of England does not imply a knowledge of midwifery." Alarmed at the possible influence which the publication of this "prominent defect" might have upon the course of threatening legislation, the Council had recourse to its old strategy of hurriedly adopting an innovation which could no longer with prudence or with safety be resisted. Examiners in midwifery for the diploma of

Member were consequently not appointed till the eighty-first year of the College's existence, and then, as in the previous case of the examiners in medicine, only as the result of external pressure.

The foregoing accusations can be supported by unimpeachable evidence. I wish in conclusion to guard against a possible misinterpretation. I have not the least desire to incriminate individual members of the Council. They are gentlemen of high professional reputation, and fully deserve Mr. Erichsen's eulogium on the goodness of their intentions and the sincerity of their devotion. But this only emphasises the necessity for a complete and radical reform in the constitution of the College. How vicious must that constitution be that can deprave so excellent a Council!

I am, Sir, yours &c.,

December, 1886.

HISTORICUS.

