

**Three reports by the joint deputation of the Society of Apothecaries and the National Association of General Practitioners, appointed to confer with the Secretary of State on the subject of the incorporation of the General Practitioners in Medicine, Surgery, and Midwifery.**

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14

# THREE REPORTS

BY THE

JOINT DEPUTATION

OF THE

SOCIETY OF APOTHECARIES

AND THE

NATIONAL ASSOCIATION OF GENERAL  
PRACTITIONERS,

APPOINTED TO CONFER WITH

THE SECRETARY OF STATE

ON THE SUBJECT OF THE

INCORPORATION OF THE GENERAL PRACTITIONERS

IN MEDICINE, SURGERY, AND MIDWIFERY.

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1846.



# THREE REPORTS

JOINT DEPUTATION

SOCIETY OF APOTHECARIES

LONDON:

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## PREFACE.

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ALTHOUGH the difficulties which have opposed themselves to legislation on medical affairs have induced the Secretary of State to pause in the task he has undertaken, and may have postponed for a while the settlement of the question of medical reform, it is obvious that the subject cannot be allowed to rest in its present unsatisfactory state, but that it must, of necessity, be resumed at no distant period.

Whenever that period may arrive, and under whatever auspices the further consideration of this complicated question may be conducted, the subject will be resumed under circumstances more favourable, in many respects, than those which have hitherto attended it. A great deal of ground which has been travelled over during the late discussions will not have to be retraversed; erroneous impressions which had previously existed will have been removed; in-



formation which was previously wanting will have been supplied ; the actual relation in which the various branches of the profession stand to each other and to the public will have become more apparent ; the particular sphere of duty which the public wants have assigned to each of those branches will have become better understood ; and the most effectual mode of rendering the members of every branch thoroughly competent to the discharge of their proper functions will be acknowledged as the great object to be attained by medical legislation.

These observations apply with especial force to the case of the General Practitioners. The information which the Secretary of State had received with respect to the members of this important branch of the Medical profession was confessedly very imperfect. He had been permitted, in a great measure, to overlook the large class who were engaged in general practice. He had not been adequately apprised of the nature of the education they had received, or the functions which they were required to exercise ; nor was he aware how large a portion of the public were dependent upon their skill, and upon their skill alone, in every visitation, whether of accident or disease. It ought not, therefore, to be

matter of surprise, and still less of reproach, that the measure which the Secretary of State originally introduced should have proved inapplicable to a state of things different from that which he had been led to contemplate.

The Minister, however, has had an opportunity of acquiring increased information on these points, and he has satisfied himself that it is of the highest moment that the Medical attendant of at least nine-tenths of the population should be so educated as to render him competent to the discharge of the duties which the public require at his hands ; and that the public have a deep interest in upholding the professional and social status, and elevating the moral and intellectual qualification of men who are entrusted with the health and lives of thousands of their fellow-creatures.

The Deputation have endeavoured to convince the Secretary of State, that it would be unsafe to entrust the education of this body of men either to those who deny, or to those who tardily and unwillingly admit, that the General Practitioner should be educated for all the emergencies of his profession. On the other hand, it has been asserted that a great mistake was made by the Legislature in 1815 in



confiding the Medical education of the General Practitioner to examiners of his own grade ; that the education of the class which it was the object of the statute to regulate has been unduly elevated ; and that a wider range of practice has been assumed by that class than the Legislature had contemplated, or would have been prepared to sanction. It has been the duty of the Deputation to satisfy the Minister, that if an error *was* committed by the Legislature in 1815, it was an error which it is too late to repair now ; that if the effect of that error has been to educate the class more highly than is thought expedient by those who were originally invited to take upon *themselves* the duty of superintending its education, but declined to do so,—it is too late for the Legislature to retrace its steps ; that one of the first effects of improved education on an individual is a desire to see that education extended to others, and that experience has shown that, in the case of the General Practitioner, what is true as applied to an individual is no less true as applied to a class : that under such circumstances the only course open to the Legislature is the onward course, and that to abandon the exclusive control of the education of the great majority of the Medical



Practitioners of this country to those who, if not actually opponents of the principle of an improved and improving standard of qualification for the General Practitioner, have been slow and unwilling converts to it, would be to check the extension of medical science, and to inflict a most serious injury on the great mass of the people.

These are the principles upon which the Deputation have taken their stand ; and it has been their anxious endeavour that these principles should lose none of their force from the want of a firm, zealous, and, above all, a temperate advocacy. The extent to which the Deputation had succeeded in inducing the Secretary of State to give a favourable consideration to the representations which they felt it their duty to lay before him, will be collected from a perusal of the following Reports. The Deputation are desirous that such success as has attended their labours should be placed upon record, in order that no onward steps in the road to an improved Medical legislation should be forgotten ; and that when the opportunity for further progress is afforded, be it sooner or later, the General Practitioners may not start from a point less advanced than that which they have already gained.

It is with this object that the Deputation have thought it advisable to publish the Reports of their negotiations with the Government up to the present time, in a form admitting of easy reference, and of such extended circulation as occasion may require.

The General Practitioners must never forget, that the proposal to entrust them with the education of their own class, is an unwelcome proposal in more influential quarters than one ; and that if the full effect of the Act of 1815, in raising the qualification of the General Practitioners in medicine, had been anticipated at the time when that Act was under consideration, it would probably have encountered more strenuous opposition than it did. The claim, however, of the General Practitioners to a real influence and control over the education and examination of the future members of their own class, when dispassionately considered, tends so obviously to the public good, and the grounds on which that claim rests are so incontrovertible, that whenever the opportunity arrives (as arrive it must) for a full and fair discussion of the subject by the Legislature, there need be little apprehension for the result.

*London,*  
*18th March, 1846.*



## THREE REPORTS,

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### FIRST REPORT.

[12th May, 1845.]

THE Deputation who have been appointed with full authority on behalf of the National Association of General Practitioners, to accept such a Charter of Incorporation for the General Practitioners as the Crown might be advised to grant, and on behalf of the Society of Apothecaries, to relinquish their present privileges as soon as the terms of the proposed Charter should be adjusted, under the sanction of Her Majesty's Advisers, to the satisfaction of the Deputation, desire to apprise their professional brethren of the progress which has been made in their negotiations with the Government on this important subject.

Upon placing themselves in communication with the Secretary of State, the Deputation learnt, with the utmost satisfaction, that Sir James Graham was prepared to recommend the grant of a Charter on



the basis of the "Hheads of Charter" which had been submitted to him by the Deputation as having been mutually agreed upon by the Society of Apothecaries and the National Association.

It was at the same time intimated to the Deputation, that the offer of a Charter was to be regarded as part of a general arrangement, and that its acceptance, therefore, must be considered in connexion with the other portions of the scheme.

The terms of the proposed arrangement having been explained to the Deputation, an opportunity was afforded them of submitting to the Secretary of State their views on particular points which appeared to the Deputation to require modification. The Deputation have the pleasure of stating, that their representations on these points met with the most impartial consideration on the part of the Government, and in the result they have had no hesitation in accepting, on behalf of the General Practitioners, the proffered Charter of Incorporation, coupled with the conditions of the general scheme of which it is to form part.

The arrangement, as it more immediately affects the class of General Practitioners in England, is as follows :—

That the General Practitioners shall be incorporated under the title of "THE ROYAL COLLEGE OF GENERAL PRACTITIONERS IN MEDICINE, SURGERY, AND MIDWIFERY."



That the College shall be represented by two of its members in the Council of Health.

That Letters Testimonial from the College shall entitle the holder to registration as a General Practitioner in Medicine, Surgery, and Midwifery.

That the course of education to be pursued by the General Practitioner shall be determined by the College, subject only to the common supervision of the Council of Health.

That the nature and extent of the examination for its Letters Testimonial shall also be determined by the College, subject only to the common supervision of the Council of Health.

That in the appointment of the Members of its Court of Examiners, the College shall not be limited to General Practitioners.

That there shall be a preliminary examination, to which every person proposing to practise the Medical profession, whether as Physician, Surgeon, or General Practitioner, shall be required to submit himself.

That all persons presenting themselves for such preliminary examination, shall be subjected to one and the same examination, without regard to the particular branch of the profession which such persons may afterwards elect to follow.

That the Board by which such preliminary examination shall be conducted, shall consist of Physicians and Surgeons.

That the passing such preliminary examination



shall not confer a title to Registration, or the right to practise any Branch of the Profession.

That all persons proposing to practise the Medical Profession, will, after passing such preliminary examination, have to determine the Branch of the Profession to which they intend to attach themselves.

That persons desiring to register themselves as Physicians, shall after passing such preliminary examination, and conforming in other respects to the regulations applicable to Physicians, be entitled at the age of twenty-six to present themselves for examination before the College of Physicians, and upon obtaining Letters Testimonial from that College shall be entitled to register as Physicians.

That persons desiring to register themselves as Surgeons, shall after passing such preliminary examination and conforming in other respects to the regulations applicable to Surgeons, be entitled at the age of twenty-six to present themselves for examination before the College of Surgeons, and upon obtaining Letters Testimonial from that College, shall be entitled to register as Surgeons.

That persons desiring to register themselves as General Practitioners, shall after passing such preliminary examination, and conforming to the regulations applicable to General Practitioners, be entitled at the age of twenty-two to present themselves for examination before the College of General Practitioners, and upon obtaining Letters Testi-



monial from that College, shall be entitled to register as General Practitioners.

That before any person shall receive Letters Testimonial of his being qualified to practise either as Physician, Surgeon, or General Practitioner, he shall be required to prove to the satisfaction of the Examining College, that he has applied himself to professional studies during at least five years.

That the right of recovering charges for medical and surgical advice and attendance, and for medicines prescribed or administered, shall be secured to the General Practitioners.

That the Council of Health shall not be invested with the power of determining which form of testimonial shall qualify for medical and surgical offices in Public Institutions.

That the Penal Clause of the Apothecaries' Act shall be retained, and the power of enforcing it be transferred to the College of General Practitioners.

That with the view of guarding against the assumption hereafter of the title of "Apothecary" by unqualified persons, the functions of General Practitioners shall be identified in the Charter with those of "Surgeon Apothecaries."

That the Bill shall be so modified as to give full effect to the foregoing arrangements.

The Deputation entertain a confident hope, that a calm and dispassionate consideration of the foregoing scheme will convince the General Practitioners

of this country, that neither their wishes nor their interests have been overlooked in the proposed arrangement, and that the profession may anticipate at no distant period a satisfactory adjustment of the many and great difficulties which have hitherto surrounded the subject of Medical reform.

*Dated 12th May, 1845.*

ROBERT B. UPTON,  
*Solicitor to the Deputation.*

R. R. PENNINGTON,  
JOHN BACOT,  
JOHN RIDOUT,  
JAMES BIRD,  
HENRY ANCELL.



## SECOND REPORT.

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[5th Aug. 1845.]

THE Deputation who have been appointed with full authority on behalf of the National Association of General Practitioners to accept such a Charter of Incorporation for the General Practitioners, as the Crown might be advised to grant, and on behalf of the Society of Apothecaries, to relinquish their present privileges as soon as the terms of the proposed Charter should be adjusted, under the sanction of Her Majesty's Advisers, to the satisfaction of the Deputation, avail themselves of the earliest opportunity which has been afforded them, of reporting to their professional brethren the further progress of the negotiations with the Government in connexion with the subject of Medical Legislation.

In communicating to the Profession Sir James Graham's intention of recommending the grant of a Charter of Incorporation for the General Practitioners, the Deputation explained that it had been intimated to them, that the offer of a Charter was to be regarded as a part of a general arrangement ;



and that its acceptance, therefore, had to be considered in connexion with the other portions of the scheme.

The terms of that arrangement, as more immediately affecting the interests of the class of General Practitioners, were detailed in the former Report of the Deputation ; and the Deputation stated, that they had had no hesitation in accepting, on behalf of the General Practitioners, the proffered Charter of Incorporation, coupled with the conditions of the general scheme which was then contemplated.

It will be remembered, that the particulars of the arrangement were stated by Sir James Graham to the House of Commons on the 7th May ; and the Bill, as amended to give effect to that arrangement, was shortly afterwards printed by order of the House.

The arrangement contemplated by the amended Bill has met with opposition from various quarters, and on various and widely differing grounds ; and the College of Physicians, the College of Surgeons, the Teachers of the London Schools, and the Scotch and Irish Colleges, have, each on their own grounds, urged the most decided objections to particular features of it.

The College of Physicians contended, that, as that College was instituted for the promotion of Medical Science, it was proper that to it should be entrusted the duty of testing the qualifications of all those who were to have the sanction intended to be given



by the Bill, of being qualified to practise *Medicine*, just as to the College of Surgeons was to be entrusted the duty of testing the qualification of persons to practise Surgery.

The College of Physicians objected to the arrangement, that persons who had undergone a previous examination by Physicians and Surgeons, should be examined subsequently in Medicine and Surgery by General Practitioners. The College further urged, as a great objection to such double examination, that it must operate as a discouragement to Medical education in England, since, in Scotland and Ireland, a single examination would be sufficient to qualify for practice. With respect to the Incorporation of the General Practitioners, by the name of "The Royal College of General Practitioners in *Medicine*, Surgery, and Midwifery, of England," the College of Physicians pressed upon the attention of Sir James Graham, that as the College of Physicians was specially founded for the promotion of Medical Science, and for the regulation of Medical Practice, there were strong objections to the assumption by the new Institution of the title of "The Royal College of Practitioners in *Medicine*." The College of Physicians objected yet even more strongly to the latter part of the 32nd clause of the Bill, which gave to the General Practitioners the right to fill ALL *Medical and Surgical offices*, and thus, as the College insisted, confided the highest duties of the Profession to the members of that class which



was required to pass through the least extended education, and which was admitted to practise at the earliest age.

The College of Surgeons objected that the proposed amendments differed in principle from the Bill, and from the original Bill of which the heads had been submitted to the Council of the College, and were inconsistent with the Charter and Bye-Laws of the College, founded upon those "heads." The College of Surgeons found that one of the principal features of the Amended Bill, was that of providing for the institution of a College of General Practitioners in Medicine, Surgery, and Midwifery, and expressed their surprise at the establishment of a New College, which was intended not only to embrace Medicine, Surgery, and Midwifery, but to be co-ordinate in professional rank and importance, with the existing colleges of Physicians and Surgeons. The College stated their deliberate conviction, that in the framing of the Amended Bill, the interests of the College of Surgeons, and its claims to legislative protection, had been unhappily overlooked. In particular, the College of Surgeons objected to the title of the New College—to the title of Fellow being given to its Members—to any power being given to the New College to examine in *Surgery*; contending that by the Amended Bill the College of Surgeons would be subordinate to the College of General Practitioners, in those functions for which the College of Surgeons was specially



instituted, and that the Surgical Examiners at the Joint Board, might be placed in the degrading position of having a Candidate whom they had declared duly qualified, rejected at the subsequent examination by General Practitioners. The College further objected, that Registered General Practitioners were to be deemed, to all intents and purposes, qualified Practitioners of Surgery, and capable of filling any Surgical Appointment in any local or public institution ; that the Bill was calculated to discourage the attainment of the Fellowship of the College of Surgeons, and that the College of Surgeons was in danger of being sacrificed to the views and wishes of those who hoped to annihilate it by the establishment of a rival College of Surgeons.

The power proposed to be given to the College of General Practitioners, by their Charter, of appointing Examiners who were not members of their own College, was understood to be strongly objected to, both by the College of Physicians and the College of Surgeons.

It was strongly urged by others, that the effect of the double examination in England, would be to tempt students to pass their examination in Scotland and Ireland, where they would have to submit to a single examination only ; and that the English Schools of Medicine would suffer in consequence. This objection was considered to apply with increased force to English Candidates for Medical Appointments in the Army and Navy, and in the



Colonial Service, inasmuch as they would have to pass, in addition to the two examinations contemplated by the Bill, a third examination before the Medical Boards of their respective services.

The Deputation refer to these objections, not for the purpose of exaggerating the points of difference which exist in the views entertained by the various branches of the Profession on the subject of Medical Legislation, but for the purpose of impressing on the minds of their Medical brethren, the opposite views which are, in fact, entertained and advocated, and the consequent difficulties which embarrass the Government and the Legislature, in dealing with the complicated question of Medical Reform ; and especially, of urging upon the great body of Practitioners, whose interests are represented by the Deputation, the absolute necessity of approaching the consideration of the subject in a spirit of conciliation and forbearance ; and prepared, in a matter in which so many apparently conflicting interests have to be reconciled, to concede their own opinion on points where concession does not imply any departure from the great principles, for the maintenance of which the General Practitioners, as a class, are struggling.

It is in this spirit that the Deputation have endeavoured to conduct the negotiations on the part of the General Practitioners of this country. The great object they have kept steadily and constantly in view, has been to uphold the character and quali-



fication, and the status, professional and social, of the General Practitioner; in one word, to render the Medical Attendant of the great masses of the population qualified, in every respect, for the fit discharge of his important functions; and as a principal means to this end, to secure to the General Practitioners the power of determining the course of study and the nature of the examination to which the Candidate for this branch of the Profession shall be subjected, before he is permitted to enter on its practice; and it has been the constant aim of the Deputation that this great principle of legislation should not be put in peril, either by undue concession to opposing views on the one hand, or on the other, by attaching an undue importance to the details of the machinery by which a general arrangement must be carried out.

Without referring to matters which in the result have become of comparatively minor importance, but which nevertheless demanded the anxious consideration of the Deputation, the Deputation were, at a late period of the discussion, called upon to decide with reference to the objections which had been urged,—

1. To the name of the New College.
2. To the power which had been claimed of appointing individuals to the Examining Board of the New College, who were not members of that College.
3. To the provision of the Bill rendering it im-



perative on Candidates for Medical Offices in the Army and Navy, and in the Colonial Service, to submit themselves to an examination by the Colleges.

In communicating with the Government on these points, the Deputation reminded the Secretary of State that they had claimed for the General Practitioners a Charter of Incorporation, which should recognise the individuals incorporated as Practitioners in Medicine, Surgery, and Midwifery, and should authorize them to subject the Candidate for their Letters Testimonial, to an examination in each of those branches of Medical Science, and in such other branches of Science as they might deem necessary, with the view of testing fully and efficiently the qualifications of the Candidate to practise as a General Practitioner in Medicine, Surgery, and Midwifery, and that the Government had acceded to the claim thus made by the Deputation.

The Deputation, after premising that they distinctly understood that they were not asked to relinquish such claim or to modify it in any respect, stated, that if the functions of the General Practitioners were clearly defined by the Charter, and if authority was distinctly and unequivocally given to the New College on the face of their Charter, to examine the Candidates for their Letters Testimonial, in all such branches of knowledge, professional and general, as the Council might think necessary as a test of qualification for general practice, the object of the Deputation would be attained.



The Deputation assured the Government of their anxiety to assist in removing every obstacle to the settlement of the question of Medical Reform in the present session, and that they were prepared to make any reasonable concession, for that purpose, which did not involve an abandonment or compromise of the principles on which the Deputation had solicited, and the Government had assented to, an Incorporation of the General Practitioners; that in the hope, therefore, of removing all reasonable grounds of objection, and of facilitating the passing of the Bill in the present session, the Deputation were prepared to assent to the following modifications, on the understanding that the power was reserved to them of withdrawing such assent, if the modifications were not agreed to, as a whole, by other parties.

The Deputation stated that they would accept a Charter of Incorporation of the General Practitioners, by the title of "THE ROYAL COLLEGE OF GENERAL PRACTITIONERS OF ENGLAND," the General Practitioners being identified in the Charter with the individual at present combining the legal qualifications of a Surgeon and an Apothecary; and that they would assent to the New College being restricted in the choice of their Examiners to the Fellows of their own College.

That they would assent to Candidates for Medical Appointments in the Army and Navy, and in the service of the East India Company, being qualified



for such appointments by passing an examination before the respective Medical Boards of those services, preceded (if deemed necessary) by an examination before a joint Board of Physicians and Surgeons.

That they would also assent to Medical Officers who had been actually employed in those services for a period of not less than five years, being entitled at the expiration of such period to register as General Practitioners without further examination, on enrolling themselves as fellows of the New College.

The Deputation, anxious to preserve for the future General Practitioner the right of using the title of Surgeon, and the privilege of admission to the Hunterian Museum and the Library of the College of Surgeons, in making the foregoing concessions expressly stipulated, that individuals who should thereafter obtain Letters Testimonial as General Practitioners, should be at liberty, on payment of a small enrolment fee, and without further examination, to enrol themselves as members of the Royal College of Surgeons, and upon such enrolment should be entitled to use the title of Surgeon, although registered as General Practitioners.

The Deputation desire to observe, that at the time when the foregoing communication was made to the Government, they were not aware of the existence of the objections which were subsequently expressed by the Colleges of Physicians and Surgeons, to the



examination by the College of General Practitioners succeeding the examination by the joint Medical and Surgical Board.

The objections entertained to this part of the arrangement by the existing Colleges, appeared to be of so grave a character, as to preclude all hope of carrying any measure of Medical Reform with the assent of those bodies, which contemplated an examination by the College of General Practitioners following an examination before a joint Board of Physicians and Surgeons ; and Sir James Graham had already stated to the Deputation, that he was not prepared to advocate a measure of Medical Reform which met with the decided hostility of any of the parties with whom the Government were then in communication on the subject.

At this stage of the negotiations, it was intimated to the Deputation that the objection might be overcome by reversing the order of the examinations, and providing that the examination by the College of General Practitioners should precede the examination of the joint Medical and Surgical Board, —an arrangement, which, while it met the objection entertained by the Colleges of Physicians and Surgeons to any Candidate who had passed the examination before the joint Medical and Surgical Board, being exposed to the risk of rejection by the College of General Practitioners, would at the same time enable the College of General Practitioners to prevent any person presenting himself for examina-



tion before the joint Medical and Surgical Board, who had not succeeded in satisfying them of his competency in every respect to practise as a General Practitioner.

The great question for the consideration of the Deputation was, whether this arrangement would effectually secure to the General Practitioner the means of maintaining and elevating the standard of qualification of the Members of his own class.

In the first place, the arrangement contemplates, that the College of General Practitioners shall have the unrestricted power of determining the curriculum of study of the General Practitioner, provision being expressly made that the power of the Council of Health to change the curriculum, shall be exercised for the purpose of extending, but not of limiting, the scheme of education determined by the New College. In the next place, the arrangement contemplates that the College of General Practitioners shall have the unrestricted power of examining in Medicine, Surgery, Midwifery, Pharmacy, and such other branches of Science, professional or general, as the College in the unfettered exercise of their judgment shall think essential, with a view to a satisfactory test of the Candidate's qualification to practise as a General Practitioner; the controlling power of the Council of Health being exercisable for the purpose of elevating, but not of depressing the character of the examination.

It appeared, therefore, to the Deputation, that this



arrangement did secure to the General Practitioners the efficient control which they claim to possess over the education and examination of their own class.

The arrangement further contemplates, that on passing the examination before the joint Medical and Surgical Board, the Candidate shall become a Member of the College of Surgeons, and acquire, in virtue of his Membership, the right of access to the Library of that College, and to the Hunterian Museum ; together with the right of using the title of Surgeon, and of being appointed to Surgical Offices, in public Institutions, as heretofore.

It appeared, therefore, to the Deputation, that the important object was attained, that every future General Practitioner should possess both a Medical and Surgical qualification, while at the same time the connexion of the General Practitioners with the College of Surgeons was also provided for.

Believing that it is essential for the maintenance of a high standard of qualification for the General Practitioners, that their control over the education and examination of their own class should be exercised as independently as possible of any interference on the part of the other branches of the Profession, the Deputation are of opinion, after much reflection on the subject, that if, in addition to the examination of the General Practitioner by his own College, an examination by a joint Board of Physicians and Surgeons is insisted upon by the Government, and



if such examination is to be interposed, at some period between the completion of his education and his acquiring the title to Registration, it will be desirable that such examination should follow, rather than precede the examination of his own College. If this order of examination be observed, the General Practitioner will be educated under the direction of his own College—upon the completion of his education, he will present himself for examination before his own College, and will not be admissible to the examination by the joint Medical and Surgical Board, until he has succeeded in satisfying his own College of his competency to practise every branch of his profession. The College of General Practitioners will thus be enabled to ascertain whether the standard of qualification, which it has itself fixed, has been attained, and will be left to exercise its functions as an examining body, freely and independently, and without the risk of having its judgment influenced, if not virtually anticipated, by the decision of a previous examining Board.

On these grounds, therefore, the Deputation were willing to assent to the proposed modification of the arrangement as regards the order of the examinations, in the full hope that their assent to this modification would have enabled the Secretary of State to have perfected his measure during the present Session of Parliament,—a result which all who are acquainted with the evils consequent upon the protracted discussion of a question like the



present would unite in desiring ; and it is, therefore, not without regret that the Deputation have seen the postponement of the measure to another Session.

The interval, however, before the next meeting of Parliament will afford an opportunity of more maturely considering the question in all its bearings, and of profiting by any suggestions which may be made for rendering the arrangement, as a whole, as perfect as possible as regards the public, and as satisfactory to the great body of General Practitioners, as with a due regard to the claims of the existing Medical Institutions of the Country it can be made.

In concluding their Report, the Deputation beg to state, that by the arrangement, as now modified, the station and attainments of the future General Practitioner, will, in the opinion of the Deputation, be fully and effectually secured. He will go forth to the public with his professional competency attested by all classes of his profession, by Physicians, Surgeons, and General Practitioners, and thus accredited he will possess the most complete and satisfactory evidence of qualification which could be required from him by others, and the strongest claims on the confidence of the public which he could desire for himself.

*Dated the 5th August, 1845.*

ROBERT B. UPTON,

*Solicitor to the Deputation.*

R. R. PENNINGTON,

JOHN BACOT,

JOHN RIDOUT,

JAMES BIRD,

HENRY ANCELL.



## THIRD REPORT.

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[25th Feb. 1846.]

THE Deputation appointed with full authority on behalf of the National Association of General Practitioners, to accept such a Charter of Incorporation for the General Practitioners as the Crown might be advised to grant, and on behalf of the Society of Apothecaries, to relinquish their present privileges as soon as the terms of the proposed Charter should be adjusted, under the sanction of Her Majesty's Advisers, to the satisfaction of the Deputation, invite attention to the following Report.

On the 12th of May, 1845, the Deputation announced to the Profession that Sir James Graham was prepared to recommend the grant of a Charter of Incorporation, on the basis of certain "Heads of Charter," which had been submitted to him, as having been mutually agreed upon by the Society of Apothecaries and the National Association; but that it had been intimated to the Deputation, that the offer of a Charter was to be regarded as part of a general arrangement, and that its acceptance, therefore, must be considered in connexion with the other portions of the scheme.

The main features of this arrangement, as far as the General Practitioners were concerned, were these :—

The Incorporation of the General Practitioners by the title of “The Royal College of General Practitioners in Medicine, Surgery, and Midwifery.”

The representation of the College in the Council of Health.

The Registration as a General Practitioner in Medicine, Surgery, and Midwifery, of the individual obtaining the Letters Testimonial of the College.

The power of the College to determine the course of study, and the nature and extent of the examination of the future General Practitioner, subject only (in common with the other Colleges) to the supervision of the Council of Health.

The right of the College to an unrestricted selection of the Members of its examining Board.

A preliminary examination by a joint Board of Physicians and Surgeons, to which every person proposing to practise the Medical Profession, whether as Physician, Surgeon, or General Practitioner, should be subjected—the passing such preliminary examination conferring no title to registration or right to practise.



The transfer to the College of the power of enforcing the penal Clause of the Act of 1815.

It will be remembered that the Medical Bill then before Parliament was amended in Committee, so as to give effect to the general arrangement of which the foregoing provisions formed part.

On the 5th of August, 1845, the Deputation reported the further progress of their negotiations with the Government in connexion with Medical legislation; and, after adverting to the determined opposition which the contemplated arrangement had encountered from various quarters, the Deputation explained certain modifications in the scheme to which (as involving no compromise of principle) they had assented,—not because the modifications were desirable in themselves, or were likely to prove acceptable to the General Practitioners, but with the hope of assisting in reconciling the conflicting views which prevailed on the subject of Medical legislation, and upon the clear understanding that the concessions made by the Deputation would be met by concessions in other quarters, and that the effect of such mutual concessions would be, to smooth the way for a general measure of Medical Reform receiving the sanction of the Legislature, in the then Session of Parliament.

The Deputation are under the necessity of referring to their second Report for a detailed explanation of the modifications to which they assented,



but those modifications may be stated to have been in substance as follows :—

A change in the title of the College, to that of “The Royal College of General Practitioners of England,” the General Practitioner being identified in the Charter with the individual at present combining the legal qualifications of a Surgeon and Apothecary.

A restriction in the choice of the Members of the Examining Board to Fellows of the College.

A reversed order of the Examinations before the College and the joint Medical and Surgical Board; the Examination by the College preceding the Examination by the Medical and Surgical Board. The Candidate, on passing the latter Examination, becoming a Member of the College of Surgeons, and acquiring, by virtue of the Diploma of the College of General Practitioners and the Diploma of the College of Surgeons together, the title to registration as a General Practitioner.

Although the Medical Bill was again amended in Committee, with the avowed intention of embodying these and other alterations in the scheme, no further attempt was made to proceed with the Bill in the last Session.

Upon the appearance of the re-amended Bill, it



was found that the alterations which had been introduced, failed to carry out the terms of arrangement to which the Deputation had assented. The Deputation, however, ascertained that the discrepancies between the Bill as amended and the terms of the arrangement, as announced by the Deputation, were unintentional, and that they would be corrected on the re-introduction of the Bill in the following Session.

The position, therefore, in which the Deputation found themselves at the close of the last Session, as regards the issue of their negotiations with the Government, was this: that having assented to certain terms of arrangement as the basis of a general measure of Medical Reform, such terms receive the sanction of the Home Secretary, and are by him announced to the House of Commons. The Medical Bill is amended in Committee, and ordered to be printed. The Bill as actually amended, is found to differ from the terms assented to by the Deputation; but the Deputation are enabled to satisfy themselves that the variance is undesigned.

Thus situated, the Deputation, on the approach of the present Session, addressed the following Letter to Sir James Graham:—

“ 44, Parliament Street,

“ January 8th, 1846.

“ Sir,

“ As the Deputation appointed with authority on behalf of the National Association of General Practitioners to accept such a Charter



of Incorporation for the General Practitioners of England and Wales, as Her Majesty might be advised to grant; and on behalf of the Society of Apothecaries to relinquish their present privileges as soon as the terms of the proposed Charter should be adjusted, under the sanction of Her Majesty's Advisers, to the satisfaction of the Deputation,—we beg most respectfully to recall your recollection to the modified arrangement which received your sanction shortly previous to the close of the last session of Parliament, and to inquire on behalf of the very numerous body of Medical Practitioners who are represented by the Deputation, whether you have it in contemplation to introduce a Bill at an early period of the ensuing Session in accordance with the terms of that arrangement.

“The Amended Bill ordered by the House of Commons to be printed on the 28th of July, being found on its appearance to differ in several very essential particulars from the arrangement to which you had assented, and the terms of which had been communicated by the Deputation to their Medical brethren, gave rise to feelings of disappointment and alarm on the part of the large class of General Practitioners. The Deputation exerted themselves to the utmost to allay these feelings by the assurance which they were enabled to give, that the discrepancies which existed between the Bill and the terms of the arrangement as announced by the Deputation, were not intentional, but that the Bill



on its re-introduction would be so modified as to give full effect to the terms of the arrangement which had received your sanction.

“The General Practitioners, although relying on this assurance, have, nevertheless, been anxiously awaiting the meeting of Parliament for the fulfilment of the promise thus made to them, and the Deputation, deeply impressed with the responsibility devolving upon them from the important interests at stake, are naturally very solicitous, on the near approach of another Session, to learn whether your intentions in reference to legislation on the subject of Medical Reform have undergone any change.

“The Deputation request permission to avail themselves of this opportunity of expressing to you their conviction of the very serious evils of which the protracted discussions on the subject of an alteration in the laws affecting the Medical Profession are the source, and of the importance which they attach to a settlement of the question at the earliest practicable period.

“The present disturbed state of the Medical Profession generally, and the heart-burnings and jealousies existing among its various branches, cannot fail to be the subject of unfeigned regret to all who have had an opportunity of watching the progress of those discussions. Nor is this all. The feeling of uncertainty which prevails as to the effect of legislation upon the prospects of the Profession is found to unsettle and distract the minds of the



Students; and the result of this is unhappily exhibited in a marked decline of the average attainments of the Students who present themselves for examination: while a readily received impression that an approaching change in the law may possibly remove all restraint on the practice of Medicine, is tempting numerous individuals to engage in practice,—some before they have completed their period of study, and others without any previous preparation whatever. And on the other hand, the discussions consequent on the proposal to re-organize the Medical Institutions of the country, have a direct tendency to weaken the hands of those whose duty it is to secure to the Public the benefit of the protection which is afforded by the existing Laws against unqualified practice.

“Under all these circumstances, the Deputation trust your reply to the inquiry which they have felt it their duty to make, will be such as to enable them to satisfy their Medical brethren that it is your intention—as the Deputation are gratefully sensible it is your desire—to bring the question of Medical Reform to a speedy settlement.

“We have the honour to be, Sir,

“Your most obedient humble Servants,

“To the RT. HON. SIR JAMES  
GRAHAM, BART., Her Majesty's  
Principal Secretary of State  
for the Home Department.”

“R. R. PENNINGTON,

“JOHN BACOT,

“JOHN RIDOUT,

“JAMES BIRD,

“HENRY ANCELL.”



To this Letter the Députation received the following reply :—

“ Whitehall,  
“ 16th January, 1846.

“ Sir,

“ I am directed by Secretary Sir James Graham to acknowledge the receipt of the Letter dated the 8th instant, which was addressed to him by certain gentlemen appointed on behalf of the National Association of General Practitioners, and of the Society of Apothecaries ; and I am to acquaint you for their information, that Sir James Graham does not at present contemplate the introduction of a Bill for Medical Reform, such as he laid upon the table of the House of Commons before the close of last Session.

“ It appears to Sir James Graham inexpedient that a measure of this importance should again be introduced, unless with a reasonable probability of its giving satisfaction to the Profession generally : the communications which he has received on the subject during the recess do not justify him in entertaining any such expectation.

“ I am Sir,

“ Your obedient Servant,

“ H. MANNERS SUTTON.”

“ To R. R. PENNINGTON, Esq., 44, Parliament Street.”



The Deputation had already witnessed the persevering efforts of the Secretary of State, throughout the whole of the last Session, to bring the parties representing the various branches of the Profession, to such a general understanding on the subject of Medical Legislation, as might lead to the introduction of a measure with the acquiescence, if not with the cordial approval, of all branches of the Profession; and the Deputation had experienced the almost hopeless difficulties which opposed themselves to the success of those efforts. They could not, therefore, but consider the intimation conveyed to them by Sir James Graham's reply, as tantamount to an indefinite postponement of any *general* measure of Medical Reform.

Adverting, however, to the fact, that the application of the General Practitioners for a Charter of incorporation had been made irrespectively of the general question of Medical Reform, and had had its origin in circumstances affecting, almost exclusively, the position of the General Practitioners of England, the Deputation felt that a postponement of a general measure of Medical Reform, by no means necessarily implied a postponement of the incorporation of the Members of that branch of the Profession: and it appeared to the Deputation to be a duty which they clearly owed to their Professional brethren, to learn from the Secretary of State whether he was prepared to entertain the question of the incorporation of the General Practitioners,



apart from the general question of Medical Legislation. They therefore addressed the following letter to Sir James Graham :—

“ 44, Parliament Street,  
“ 13th February, 1846.

“ Sir,

“ We beg to acknowledge the letter of the 16th ult. which we had the honour of receiving in reply to the inquiry contained in our application of the 8th ult., whether you had it in contemplation to introduce a measure of Medical Reform in accordance with the arrangement which had received your sanction shortly previous to the close of the last Session.

“ We are led to infer from the communication you have directed to be made to us, that it is not your intention at present to introduce any general measure on the subject of Medical Reform. But we do not feel ourselves warranted in assuming from that communication that you have decided upon postponing the grant of a Charter of incorporation to the General Practitioners of England, until the whole subject of Medical Reform is again brought under the consideration of Parliament; and we, therefore, deem it our duty, as representing a very numerous body of individuals belonging to that branch of the Profession who are anxiously awaiting an intimation of your intentions in this respect, very respectfully to ask whether you would be prepared, on the Petition of the Members of the joint Deputa-



tion, acting as well on behalf of the Society of Apothecaries as of the National Association, to advise the incorporation of a Royal College of General Practitioners in Medicine, Surgery, and Midwifery, invested with adequate powers for superintending the education of the candidates for their Diploma in Medicine, Surgery, and Midwifery, and of subjecting such candidates to an examination in each of those branches of professional knowledge; and whether you would, in that case, sanction the introduction of a Bill limited to the single object of giving effect to the provisions of such a Charter.

“ We have the honour to be, Sir,

“ Your most obedient humble Servants,

“ To the RT. HON. SIR JAMES  
GRAHAM, BART., Her Majesty's  
Principal Secretary of State for  
the Home Department.”

“ R. R. PENNINGTON,

“ JOHN BACOT,

“ JOHN RIDOUT,

“ JAMES BIRD,

“ HENRY ANCELL.”

On the 16th February, the Deputation received the following reply:—

“ Whitehall,

“ 16th February, 1846.

“ Gentlemen,

“ I am directed by Secretary Sir James Graham to acknowledge the receipt of your letter of the 13th instant, and to inform you that he is not prepared, in present circumstances, to advise the



Crown to grant a Charter of Incorporation to the Practitioners in Medicine and Midwifery.

" R. R. PENNINGTON, Esq.	" I am, Gentlemen,
" JOHN BACOT, Esq.	" Your obedient Servant,
" JOHN RIDOUT, Esq.	
" JAMES BIRD, Esq.	" S. M. PHILLIPPS."
" HENRY ANCELL, Esq."	

In communicating to the Profession the above intimation from the Secretary of State, that he is not prepared, in present circumstances, to advise the grant of a Charter of Incorporation to the Practitioners *in Medicine and Midwifery*, the Deputation desire to have it distinctly understood that they had no authority to seek, and have never sought, the grant of a Charter of Incorporation to the General Practitioners in their capacity of Practitioners in Medicine and Midwifery only. The Deputation were appointed to petition the Crown for the Incorporation of the General Practitioners in Medicine, Surgery, and Midwifery. They succeeded in obtaining Sir James Graham's promise to advise their Incorporation (as part of a general arrangement), under the title of "The Royal College of General Practitioners in Medicine, Surgery, and Midwifery;" and it will be remembered that the Medical Bill, as amended on the 7th of May, refers to the intended Incorporation of the General Practitioners by that title. In afterwards assenting (under the circumstances already referred to, and more fully detailed



in the Second Report of the Deputation) to the change of the title to "The Royal College of General Practitioners of England," it was upon the distinct assurance that the General Practitioner should be identified in the Charter with the individual combining the legal qualifications of the Surgeon and the Apothecary; and that the College should have "the unrestricted power of determining the curriculum of study of the General Practitioners," and also, "the unrestricted power of examining in Medicine, Surgery, Midwifery, Pharmacy, and such other branches of science, professional or general, as the College, in the unfettered exercise of their judgment, should think essential, with a view to a satisfactory test of the candidate's qualification to practise as a General Practitioner."

In connexion with the subject of the examination of the future General Practitioner, the Deputation desire to observe, that in conceding the right it had been proposed to confer upon the College, of selecting its examiners from whatever quarter it might think proper, they felt a confident assurance, which they still entertain, that among the Fellows of the New College would have been found men eminently qualified to discharge the duties of Examiners, and men whose professional position and scientific attainments would have secured the entire confidence of the Profession and the Public: and in forming this opinion, the Deputation did not overlook the fact, that there is probably not an



University or College conferring Medical degrees or diplomas, in either of the three kingdoms, whose graduates or members are not to be found engaged, at the present time, in general practice.

The Deputation repeat, that the great object they have had in view throughout their negotiations with the Government, has been to uphold the character and qualification, and the status, professional and social, of the present and future General Practitioner. The Secretary of State, in proposing to legislate on Medical Affairs generally, has publicly professed his desire to effect the same object, and the Deputation have been prepared to make any concessions not inconsistent with that object, to assist in the arrangement of a comprehensive scheme of Reform. Such a scheme had received the sanction of the Secretary of State shortly before the close of the last Session, and had met with the acquiescence of the Deputation, and, as the Deputation understood, of the other parties with whom the Secretary of State was then in communication.

The Deputation learn from the reply which they had the honour of receiving from the Secretary of State, to their letter of the 8th of January, that the communications he had received during the recess, have induced him to relinquish his intention of introducing a Bill in accordance with the terms of the arrangement to which he had given his sanction.

As the Deputation did not feel it their duty to withdraw their assent to the arrangement in question,



and were prepared to give their support to any legislative measure which fully and fairly carried out its terms ; upon others must devolve the responsibility of having induced the Secretary of State to postpone indefinitely, if not to abandon as hopeless, any further attempt to settle a question which has been so long agitating the Medical Profession, and the prolonged discussion of which is rendering its settlement every day more difficult, by increasing irritation, and widening the breaches which unhappily exist between the various branches of the Profession.

At the same time, the Deputation wish to draw attention to the fact, that failing the specific arrangement to which the Deputation were induced to give their assent, the Deputation have fallen back upon the original claims of the General Practitioners of this country, to be intrusted, upon public grounds, and for the public good, with the control of the education and examination of the future Members of their own class ; and as a means of effectually securing that object, and at the same time of maintaining the professional and social status of the great bulk of the Medical Profession, have sought an Incorporation of the General Practitioners in Medicine, Surgery, and Midwifery, in a representative Institution of a Collegiate character. And it is with deep regret that the Deputation have learnt, that the Secretary of State is not as yet prepared to advise the Crown to accede to claims which the Deputation conscientiously believe to be just and



reasonable in themselves, and a compliance with which would, in the opinion of the Deputation, greatly tend to facilitate the final settlement of the whole question of Medical Reform.

*Dated, February 25th, 1846.*

ROBERT B. UPTON,

*Solicitor to the Deputation.*

R. R. PENNINGTON,

JOHN BACOT,

JOHN RIDOUT,

JAMES BIRD,

HENRY ANCELL.