

An address to the members of the Royal College of Surgeons of London: on the injurious conduct and defective state of that corporation; with reference to professional rights, medical science, and the public health / [John Armstrong].

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An Address

TO

THE MEMBERS

OF THE

ROYAL COLLEGE OF SURGEONS

OF LONDON:

ON THE

INJURIOUS CONDUCT AND DEFECTIVE STATE

OF

THAT CORPORATION;

WITH REFERENCE TO

PROFESSIONAL RIGHTS, MEDICAL SCIENCE, AND

THE PUBLIC HEALTH.

BY

JOHN ARMSTRONG, M. D.

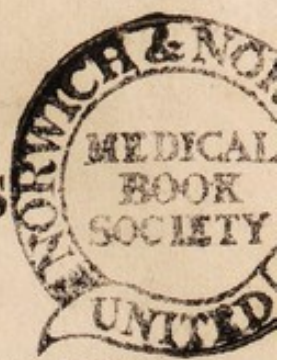
LECTURER ON THE PRINCIPLES AND PRACTICE OF PHYSIC, AND CONSULTING
PHYSICIAN TO THE LONDON FEVER HOSPITAL.

LONDON:

PUBLISHED BY BALDWIN, CRADOCK, AND JOY.

1825.

Price One Shilling.





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PROFESSIONAL RIGHTS MEDICAL SCIENCE AND



JOHN ARMSTRONG, M.D.

LECTURE ON THE HISTORY OF THE COLLEGE OF SURGEONS AND THE HISTORY OF THE MEDICAL PROFESSION

LONDON:

PUBLISHED BY BATHURST, CRADOCK AND JOY

1855

C. Baldwin, Printer,
New Bridge-street, London.

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ADDRESS.

GENTLEMEN,

THERE is a species of corporate oppression which, though destructive to individuals and detrimental to the public, has not yet been made the subject of inquiry, simply because its victims have silently sunk under it, or have at least never complained through the press. It has been long proved by practical men as well as philosophers, that commercial monopoly is adverse to the general welfare, however it may be cherished by a few interested persons; but it still remains to be more distinctly shown, that the attempt to monopolize certain kinds of knowledge is equally injurious to the arts and sciences, by precluding an open, honorable, and ardent competition. It has become a trite observation, that men do in corporate capacities what they would blush to own in the private intercourses of life. Yet probably, after all, the discrepancy is rather apparent than real, the plastic materials of the natural character being merely moulded into another form by the varied occasion. In private concerns, the conduct of calculating men is circumspect, and the source of it often

hid, because it is under the inspection, if not under the influence of public opinion, but that being removed from them in their corporate capacities, they venture to do, collectively, then, what they had not the courage to attempt, individually, in the broad light of day. But if worldly duplicity thus assume different shapes to suit selfish purposes, true simplicity of character remains the same in corporate as in common transactions, consistent in doing what is right, or in daring to oppose what is wrong. When any Corporation, therefore, invades the privileges of others, we may suspect that all the members of it are not quite so pure as the best of the old Romans, though some of them may be courteous in private, and though many of them in public may avow an anxiety for the general good, when they are actually endeavouring to crush individuals best fitted to serve the community. The measures being merely the effects of the men, while we condemn the former, we cannot help inferring the motives of the latter, from the bent of their actions alone; and as injustice and cruelty excite strong emotions, I now feel it necessary to appeal to you, the Members of the London College of Surgeons, respecting some points so vitally important as to require your immediate co-operation.

The object of this Address is, to fix your attention, more decidedly than hitherto has been done, on the conduct and state of the London College of Surgeons, which are calculated, in my view, se-

riously to alarm every man, once awakened to their tendency, who has either the honor or improvement of Medical Science at heart. If I had consulted my own interest or comfort, both would have enjoined me to silence ; for part of the system about to be exposed is favorable to me as a lecturer, by preventing the formation of new schools ; and, independently of the personal opposition, which I must hereby create in powerful quarters, it is at all times most painful to condemn the public proceedings of those, with whom an occasional intercourse, on professional concerns, is necessarily unavoidable. But interest and comfort must give way to duty ; and, as nothing but an example is required to induce the Members of the Profession to come forward, I now take upon myself the whole disapprobation, real or pretended, which may result from this public remonstrance. Fully satisfied of the purity of my motives, and the justice of the cause, I care not what may be the consequences to myself personally, provided this Address be ultimately the means of correcting abuses, which, while they deprive my professional brethren of their common rights, impede medical science, and injure the public. As a prelude to an exposure of some of the most prominent offences and defects of this Corporation, it is necessary to allude to circumstances connected with the origin of an extraordinary by-law, which, from its very great importance, shall be most deliberately considered.

The lecturers on Anatomy and Surgery, in the immediate vicinity of the large metropolitan hospitals, had enjoyed an undivided reputation for many years, when the late Edward Grainger appeared as a competitor. If the concurring report of numerous students be any evidence, the old established lectures on Anatomy were conducted, in some places, with a carelessness which, little interesting to the feelings of youth, were more fitted to enable them to pass the forms of their examinations, than to impress them deeply with the practical value of that most useful part of elementary education. Edward Grainger was not only very well grounded in Physiology, but intimately acquainted with the structure of the Human Body, while he had also made considerable progress in Comparative Anatomy and Pathology, and moreover he was an enthusiast in their pursuit. With such advantages, he began his lectures in the Borough. The distinctness of his demonstrations, the force of his collateral illustrations, the intense interest displayed in the subject, and his indefatigable zeal in whatever related to the welfare of his pupils, bore down all opposition, so that in the short space of five seasons, and in the 27th year of his age, he had the largest anatomical class in London. Some men exercise a magical influence over the mind of others. On the apparently dry subject of Botany, Linnæus, by his discourses on its beauty and utility, inspired his pupils with an enthusiasm which made them

wander cheerfully over all parts of the world, in quest of new or rare plants ; and it was by the communication of the same power, which pervades the human frame as caloric does inanimate things, that Edward Grainger kindled up a new feeling among the pupils in the Borough, which made them as fond of Anatomy as ever the pupils of Linnæus were of Botany. Their personal attachment to him, also, was equally strong and sincere, evinced by constant respect during his life, and by the deepest regret at his premature death. That the surpassing success of this young man excited jealousy, instead of admiration, in more quarters than one, is well known to some connected with the Court of Examiners ; for a report was communicated to me, on good authority, that an attempt was intended to be made to hinder his brother from being his successor, as also to prevent similar competitions for the future. The correctness of this report seemed, in some measure, confirmed by the after circulation of that paper containing the bye-law, which is the more immediate subject of this Address.*

* “ *Royal College of Surgeons in London.*—The Court of Examiners, in pursuance of their duty to promote the cultivation of sound chirurgical knowledge, and to discountenance practices which have a contrary tendency, have resolved :

“ That, from and after the date hereof ;

“ The only Schools of Surgery recognized by the Court be London, Dublin, Edinburgh, Glasgow, and Aberdeen :

“ That, certificates of attendance upon the chirurgical practice of an hospital, be not received by the Court, unless such

If one of the immediate objects of this bye-law were to exclude the brother of the late Edward

hospital be in one of the above recognized schools, and shall contain on an average one hundred patients :

“ And, that certificates of attendance at Lectures on Anatomy, Physiology, the Theory and Practice of Surgery, and of the performance of Dissections, be not received by the Court, except from the appointed Professors of Anatomy and Surgery in the Universities of Dublin, Edinburgh, Glasgow, and Aberdeen ; or from persons teaching in a school acknowledged by the medical establishment of one of the recognized hospitals, or from persons being Physicians or Surgeons to any of those hospitals.

“ Candidates for the Diploma will be required to produce, prior to Examination, Certificates—

“ 1. Of having been engaged six years, at least, in the acquisition of professional knowledge :

“ 2. Of being twenty-two years of age.—And, according to the above resolutions :

“ 3. Of having regularly attended three winter courses, at least, of Anatomical Lectures ; and, also, one or more winter courses of Chirurgical Lectures :

“ 4. Of having performed Dissections during two or more winter courses :

“ 5. And of having diligently attended during the term of, at least, one year, the Chirurgical Practice of an hospital.

“ Candidates under the following circumstances, and of the required age, are also admissible to Examination :

“ Members of any of the legally constituted Colleges of Surgeons in the united kingdom.

“ Graduates in Medicine of any of the Universities of the united kingdom ; who shall have performed two, or more, courses of Dissection, as above specified ; and who shall have regularly attended, during the term of, at least, one year, the Chirurgical Practice of one of the above described hospitals.

“ The above rules are required to be observed by candidates to be examined for the testimonial of qualification of Principal Surgeon in any service.

Grainger from the field of rivalry, it certainly failed in producing that effect ; for it was discovered, that this gentleman had lectured one complete course, during Edward's protracted illness, before the date of the restrictive regulation. It is but justice to state, that the first appearance of this bye-law in print was followed by the general disapprobation of the profession ; and though but one Journalist warmly protested against it at the time, yet probably nothing but the persuasion, that it would remain a dead letter restrained many of the members of the College from the public expression of their sentiments. But the history of most corporations unfortunately shows, that the spirit of monopoly is not so readily subdued ; and as the Court of Ex-

“ Candidates for the testimonial of qualification of Assistant-Surgeon, in any service, must have attended six months, at least, the Chirurgical Practice of an hospital, as above described ; and two or more Courses of Anatomy ; one course of Surgery ; and one of Dissections ; as specified.

“ By order :

“ EDMUND BELFOUR, Secretary.

“ 19th Day of March, 1824.

“ Candidates are to observe that Tickets of Admission only, will not be received as Certificates or Evidences of attendance.”

College of Surgeons.—The following was the list of the Court of Examiners : William Norris, Sir David Dundas, Thompson Forster, Sir Everard Home, Sir Ludford Harvey, Sir William Blizard, Sir Astley Cooper, John Abernethy, William Lynn, Henry Cline.

At the present time, the Court of Examiners is composed of the same members, except Sir Ludford Harvey, who has been succeeded by Sir Anthony Carlisle.

aminers of the College of Surgeons has recently dared to enforce the regulation in question, I trust, Gentlemen, that you will excuse me for laying a case especially before you, and thereby endeavouring to trace, among other points, the disastrous effects of this bye-law.

Mr. Bennett, whom I now introduce to your notice as suffering from its operation, was educated in the University of Dublin, where he took the degree of Bachelor of Arts in 1817. His mind having been enlarged by liberal studies, he assiduously devoted six years in that city to the study of Anatomy, Physiology, Medicine, and Surgery; and finally was admitted a Member of the Irish College of Surgeons. He subsequently spent upwards of three years in Paris in the same pursuits, during which, it will appear, he became a public teacher. The facilities afforded in Paris, for the cultivation of the above-mentioned subjects, may be judged from the fact, that 30,000 patients are annually received into the hospitals, that minute histories of the cases are recorded, and that four-fifths of the bodies of those who die are made subservient to Anatomical and Pathological purposes. Prosecuting his determination of becoming a teacher, on the first year of his residence in Paris he began to assist the English students resident there in their anatomical pursuits, his previous labours in Dublin having rendered him competent to that office. In 1824, the number of English students having much in-

creased, and Mr. Bennett having become very popular amongst them, he applied to the College of Surgeons in London to have certificates of attendance, on his lectures, recognized by the Court of Examiners; but that Body refused to comply with the request, on the grounds, first, that it would be contrary to their existing laws; and, secondly, that it would tend to discourage the English schools of Anatomy.* Whatever allowance we may be disposed to make for national associations, still this public Body ought to have known, that it deviated from the established precedent of other Colleges, which, in this respect, wisely act as if the Healing Art acknowledged no such partial feeling, no such distinction of countries, but freely extended its influence to all. So marked, however, is the infirmity of human nature, that while Mr. Bennett encountered this repulse, on the one hand, he discovered, on the other, that he might probably meet with some serious annoyance from the French students, unless a separation could be effected between them and his own. Under this impression, he addressed our

* Extract of the then President's [Mr. Norris] reply to Mr. Bennett's application, received through the medium of Mr. Gunning—August 1824—Paris.

“ Their opinion [Court of Examiners], which was unanimous, was, that the wish of Mr. Bennett could not be complied with, not only because it would be in opposition to their existing laws, but also because it would go to discourage *our own schools of Anatomy, which, with our hospitals, most eminently deserve the fostering care of every English-man.*”

Ambassador, Sir Charles Stuart, and begged his interference with the French Authorities, in order that a place for dissection might be assigned to his countrymen. This step indeed was indispensable, as the French police does not permit the existence of private dissecting Theatres. There are two public Amphitheatres in Paris, namely, that of the School of Medicine, and that of La Pitié. The first of these establishments is under the superintendance of the Faculty of Medicine, and being devoted to a certain class of French students, ordinary students, and especially strangers, find great difficulty in being allowed to dissect there. But La Pitié is a public institution, placed under the control of the Conseil General des Hôpitaux. It consists of three great dissecting rooms open to all, and some small cabinets annually let to such as wish to dissect in private. From the annoyances consequent on dissecting in the public apartments, the English students were in the habit of hiring the cabinets from the Prosecteurs, who in consequence provided them with subjects.

This much having been premised, it may be added, that Sir Charles Stuart declined interfering unless authorized to do so by Mr. Canning, the Right Honourable Secretary of State for the Foreign Department. Mr. Bennett accordingly applied to Mr. Canning in September, 1824, and stated how important it was, in a national point of view, that English Medical men should be pro-

tected in their Anatomical pursuits in Paris, where the opportunities of acquiring a knowledge of Anatomy are so vastly superior to those of London, as subjects can be procured there at the trifling expense of a few shillings each. Mr. Canning having referred Mr. Bennett's letter to the London College of Surgeons, certain members of the Court of Examiners expressed their highest disapprobation of Mr. Bennett's conduct on the occasion. The consideration even of Mr. Canning's letter was deferred about a fortnight, and then the Court or Council replied by promising that a deputation would wait upon him at some indefinite time. During the interval, Mr. Bennett wrote to the Members of the Council of the College, entreating that they might not interfere with Mr. Canning's kind disposition to protect the English Students in Paris. He described to them the great advantage of the French Schools of Anatomy, and pointed out to them the little danger that was to be apprehended as to the English Students deserting the London lectures, since in truth the College not admitting the certificates of the Paris professors, and refusing to recognize Mr. Bennett as a teacher there, were ample securities on that head. He further hinted, that they had no right to interfere, inasmuch as they could have no control over the class of English Students who frequented Paris, seven-eighths of them being Doctors in Medicine, and the few Surgical Students there having already diplomas.

Notwithstanding these arguments, together with the actual injustice of the interference as it regarded the interests of the English Students, and the utter disregard manifested for the improvement of English Medical Science, by preventing young men from obtaining that species of knowledge abroad which their own country did not so abundantly afford, notwithstanding, I repeat, all these weighty considerations, the deputation succeeded in persuading Mr. Canning not to comply with Mr. Bennett's request.* It is to be presumed, if ever the distinguished Secretary should again be

* *Foreign Office, October 9th, 1824.*

SIR,

In answer to your letter of the 7th ultimo containing a request for a recommendation to his Majesty's Ambassador at Paris, in favour of the English Medical Students resident there, for the purpose of enabling them to obtain the permission of the French Government for the establishment of an Anatomical School in that capital; I am directed by Mr. Secretary Canning to acquaint you that Mr. Canning has learnt upon reference to the Royal College of Surgeons in London, that it is the opinion of that body that a School of Anatomy and Surgery established in Paris under the sanction, or by the intervention of the British Government, would tend materially to disturb the present system for the promotion of Anatomical and Chirurgical science in this country; and I am therefore further to acquaint you that under these circumstances, Mr. Canning must decline complying with the request contained in your letter.

I am, Sir,

Your most obedient humble servant,

Signed. FRANCIS CONYNGHAM.

J. R. Bennett, Esq.

placed in any similar situation, that, being on his guard, he will act in a different manner; for a little inquiry into the history of most of such Corporations would suffice to convince a man of his sagacity, that they are generally so selfish and prejudiced, as to be the last authorities to which a Minister should refer on any great question of Medical policy or opinion.

At the commencement of the season in October, 1824, the English students in Paris hired the Cabinets at La Pitié, as usual. Three months had scarcely elapsed, when the complaint of want of subjects was renewed among the French students, and attributed to the English. The outcry, at this time, was made use of by some interested persons, who conceived that Mr. Bennett stood in their way by lecturing at the same hospital. At once, therefore, to deprive him of every facility, an order was procured from the French authorities to close the Cabinets, and prevent the English from dissecting in them for the future, on the plea that the letting of the Cabinets, by the Prosecteurs, was illegal, and contrary to the rules of the institution. Mr. Bennett then made an attempt to pursue, with his pupils, his anatomical labours in the public rooms, but the conduct of the French students became so outrageous that they were obliged to withdraw. A memorial was forthwith presented to Lord Granville, the British Ambassador at that time, beseeching his interposition for their protection with the

Minister of the Interior; but though supported by his Lordship's influence, it had no effect. A petition was also presented to the Conseil General des Hôpitaux, praying the restitution of the Cabinets, for at least the remainder of the season. This was supported by a private application of Lord Granville's to the Duc de Doudeauville, one of the Members, but, like the former, was refused. The British Ambassador, no doubt, might have successfully interposed in procuring, at an earlier period, a separate place for the English to study Anatomy in, before the passions of the French students had risen so high; but he could not, consistently with his duty to the Government at home, have opposed Mr. Canning's feelings upon the subject, which were evidently and unfortunately influenced by the representations of the College of Surgeons.

Thus it appears, from the facts already stated, that the Court of Examiners, in the first place, refused to acknowledge Mr. Bennett's certificates while lecturing in Paris; and, in the second, hindered Mr. Canning from exerting his powerful influence in procuring for him a separate establishment, by which the fatal interference of the French students might have been entirely avoided. Mr. Bennett being, therefore, driven by the indirect means of the College of Surgeons from Paris, nothing was left for him but to proceed direct to London, where he expected he might resume his labours, being

already a Lecturer, and a Member of the College. In despite of what had previously passed, he determined to show, that he harboured no harsh feeling towards that Body, and the oath* which its Members take, requiring, that none should be cherished on their part, soon after his arrival in London, he respectfully, solicited that his certificates should now, in his own country, be admitted by the Court of Examiners. In this communication he stated his pretensions, and having shown that he was a teacher prior to the promulgation of the bye-law, con-

* “ And at such court the said master and governors, examiners and assistants, or such of them as shall then be present, shall administer unto each other respectively, and each of them shall take the respective oaths following, that is to say, the said master and governors shall take the following oath:—You do swear that, according to the best of your skill and knowledge, you will discharge the several trusts and powers vested in you as master (or governor, as the case may be) of the Royal College of Surgeons in London; and that you will diligently maintain the honour and welfare of the said college; and in all things, which shall in any sort concern your office, you will act faithfully and honestly, without favour or affection, prejudice or partiality, to any person or persons whomsoever.—So help you God.”

“ And that each of such examiners and assistants shall take the following oath, that is to say:—You do swear, that so long as you shall remain in the office of examiner (or assistant, as the case may be) of the Royal College of Surgeons in London, you will diligently maintain the honor and welfare of the said college; and in all things relating to your office, and with all manner of persons, act equally and impartially, according to the best of your skill and knowledge.—So help you God.”—*The Charter of the College.*

ceived, on that ground, that he had a right to be placed on the same footing with recent lecturers to whom he alluded, and who had been recognized. Finally, he appealed to the Court as the individual Members of a liberal profession, and as a public Body to whom its character, interests, and advancement, were entrusted ; but he again met with a flat refusal ; and this last injury was accompanied by insult, for, while in attendance at the College, expressly at the invitation of the President, that courtesy of reception was grossly violated, which as a gentleman he had a right to expect from men of liberal education.

But waving such points, has it come to this, that an individual, who has passed days and nights and years in the acquisition of useful knowledge, shall be denied the privilege of communicating it to others ? Is it to be borne, that a bye-law shall be passed and perpetuated, by which the medical students who come to London *must* be taught only by certain professors appointed or approved by an interested Body ? If a rule were attempted to be established that no barrister should be allowed to plead in public unless he were instructed under a particular master or masters, would not the whole Bar rise as one man to resist the invasion of their rights ? And shall the members of the Medical profession submit to a measure which would deprive the majority of the privilege of effectively addressing, as lecturers, the rising and future

generation of students in England? It has been observed by an author, well versed in the subject, that hardly any man has risen to eminence at the Bar, who possessed an independent fortune of 500*l.* a year; and a similar remark might be made in reference to Physic and Surgery, for the obvious reason that men's exertions are generally proportionate to their wants. The history of both professions would show, that the most distinguished members in each have generally been those who forced their way, by their own power, through opposing circumstances. But if a bye-law like this had formerly existed, the medical world would have been deprived of some of its brightest ornaments. The Hunters, for example, could never have emerged from obscurity into fame, and Anatomy and Surgery might have been half a century behind their present state, at least in this country. The influence of men of genius is not extinguished in their graves, but surviving it descends through other minds, to the remotest ages. If this bye-law be allowed to remain in operation, many of the ablest and best men, such as Mr. Bennett, will sink unnoticed and unknown, because it will deprive them of the fair occasion for revealing their attainments; while being founded on a system of favoritism, it will necessarily lead not only to the exclusion of proper individuals, but to the appointment of others, not from public, but from private considerations. If the appointments in most of

the London hospitals should be prospectively made on the principles which have hitherto prevailed—if they should be effected directly through the treasurer, indirectly through some professional officer or corporate power, the door would be widely opened to every species of abuse, and we should live to see Lectureships transmitted from one relative to another, as if ability were hereditary. The ruinous consequences of such a system are already well known in the Medical Schools of some of our Universities. Nay, in some instances, where no such kindred ties existed, the lectureships would be sold to the highest private bidder, and their value would not be the less, to the retiring teacher, because his successor had no rival in the vicinity. According to the new view of the Court of Examiners, the fitness of a lecturer on Anatomy and Surgery does not at all depend upon individual merit, but solely on the accidental circumstance of his being attached to this or that hospital, where he is not even required to give clinical instructions either in Medicine or Surgery to his pupils; so that any powerful person, by creating a faction, by canvassing or by other measures, might raise his favorites to the rank of hospital surgeons and lecturers, to the exclusion of men of far superior acquirements.

It would seem, that before the existence of this bye-law the Court of Examiners thought, that a sufficient number of Anatomical schools already

existed, otherwise it could not, with any show of reason, have endeavoured to prevent the foundation of more; yet, since then, one of the noted schools has been divided, and a new school erected, which has received the sanction of the Court of Examiners. Without for a moment disputing the fitness of the new professors, is it right, that any of the Members of this Court of Examiners, the oath of which demands, that each and all *shall act without favour or affection, prejudice, or partiality to any person or persons whomsoever*—is it right, I ask, that any of the Members of this Body should first create, and then tacitly sanction one lecturer, while forming a part of that very assembly, which refused, at the same time, to admit the certificates of another? It really staggers an ordinary mind to credit, that an affair like this could take place at this period, and in this country. But nevertheless such is the fact. The partiality exhibited, in the one case just alluded to, and the injustice, in the other, would be quite enough of themselves to show, that the Court of Examiners is a Body morally unfitted to discharge the duties of so important an office, since such conduct must inevitably degrade and deeply injure the profession.

Mr. Bennett conceiving that his case did not come under the bye-law, claimed the privilege of lecturing, on the plain fact that he had done so to his countrymen long before its existence. But if in the spirit of a gentleman he solicited this right, it did not imply any disposition on his part to admit the justice or policy of the bye-law. The

exclusion of this gentleman is a great public loss. He is not only admirably adapted for a teacher of Anatomy, but his mind being stored with all that is valuable in modern pathology, his lectures on Surgery would have been highly desirable, as he could have associated them with the principles of Physic, too little understood by some long established lecturers on the former subject.

Since the preceding remarks were made, another instance of the oppressive conduct of this court has come to my knowledge. Mr. Kiernan, of whom I have heard a high character, had pursued his studies for eight years in England, France, and Italy, with the express intention of becoming a teacher of Anatomy. He was requested to give demonstrations, by some students of Saint Bartholomew's Hospital, a few weeks previously to the appearance of the bye-law; and having made all the necessary preparations, commenced as a teacher. This gentleman claimed the right of having his certificates received, but he met with an unqualified denial. He was, however, subsequently informed by the President, that his certificates would be admitted if he could procure a recommendation of competency from the Medical officers of a recognized hospital. He did obtain a strong written recommendation from two of the surgeons * and one

* My excellent and able friend, Mr. Earle, was not, *at that time*, sufficiently acquainted with Mr. Kiernan to authorise him to join in the recommendation; but having subsequently had opportunities of appreciating the character and acquirements of this gentleman, would *now* most willingly add his name to any similar document, in favour of Mr. Kiernan.

of the assistant surgeons of such an institution, who were thoroughly acquainted with his high attainments, another of the Assistant-Surgeons, a teacher of Anatomy, having *previously* recommended him as a competent Demonstrator to Dr. Macartney, Professor of Anatomy in the University of Dublin. But on renewing his request, supported by this document,* the Court of Examiners rejoined that it was not by such a communication they could be induced to alter their former determination; so that if any of the Medical officers of such an establishment refuse to give their names from interest, want of sufficient acquaintance, or any similar cause, the recommendation of the rest, even though a majority, amounts to nothing in the estimation of a Body determined to be guided by the very letter of their most despotic bye-law.

* The undersigned Surgeons and Assistant-Surgeon of St. Bartholomew's Hospital, who have been acquainted with Mr. Francis Kiernan during his studies at that school, have had great pleasure in witnessing the very industrious application of his talents, and his distinguished success in the acquirement of Anatomical and Surgical knowledge. They have also observed with much satisfaction the advantages he has derived from having devoted himself to the cultivation of Anatomy and Surgery in the most celebrated schools of France and Italy. They consider him in all respects well qualified to act as a teacher, and therefore earnestly recommend him to the favourable attention of the College of Surgeons.

J. P. VINCENT.

W. LAWRENCE.

E. A. LLOYD.

How many other instances of injustice and cruelty may have occurred I know not ; but if the liberty of scientific men is thus to be outraged, we have lived to see the fable of Swift respecting Gulliver realized at last, when the subjects of a great Empire are bound hand and foot by the deputies of a small Corporation.

Yet personal restraint, however galling, is the least mischief resulting from this measure, which is pernicious to science and society at large, as I shall now endeavour to prove more particularly by a little detail.

Anatomy is the true and natural basis of Medicine. It forms the only solid foundation upon which the accessory sciences of Physiology and Pathology can be raised. Rightly to comprehend the movements or nature of a machine, we should of course know its structure. Besides, we can thereby more readily ascertain the causes of its occasional derangement, and remedy its defects when out of order. The knowledge of the structure of the human body constitutes the only medium through which our limited intelligence of the functions of life can be attained, and by which their deviations from the state of health can be appreciated. The practitioner, enlightened and guided by the acquisition of these sciences, treats disease upon sure and rational principles. It is true, that he may be unsuccessful, in many cases, where the human mind is as yet unable to penetrate or control the myste

rious operations of nature ; but his patient will never become a victim to the doubt and indecision which characterise ignorance, or the dishonesty which is inseparable from empiricism. To the Physician a knowledge of General Anatomy may, in many instances, be sufficient to enable him to be a Physiologist and Pathologist ; but to a Surgeon, an intimate acquaintance with Particular Anatomy is absolutely necessary, as ignorance of it utterly incapacitates him for the practice of his art, and renders him a dangerous character in society. A foreign writer has observed, that a surgeon's knowledge of Anatomy should be so minute as to enable him to operate upon the human body with the same confidence as if it were a transparent object. The surgeon, therefore, who uses a knife without knowing the structure of the parts concerned in the operation, is guilty of a heinous offence against his fellow creature.

Surgery depends for its existence upon Anatomy, and its cultivation and diffusion are in proportion to the facilities afforded to Anatomical pursuits. In England, popular prejudice, aided unfortunately by penal enactments, oppose the cultivation of Anatomy, so that the public, suffer much more than they can possibly appreciate, from the mere insufficiency of the number which at present exists of operating Surgeons, to say nothing of Physicians here. In France and in Ireland, where the knowledge of Anatomy is more easily

attained, Surgeons are generally capable of performing operations, while in England only a few profess to operate, and hence the anomalous distinction, found in no other European country, of operating Surgeons as a separate class in the profession. The want of this class is so sensibly felt throughout Great Britain, that an operating Surgeon is often sent for from many miles distant ; but as his services can only be procured by the rich man, who can afford to purchase them, the poor must too often fall a sacrifice for want of such assistance.

Though the College of Surgeons in London is vicious in its institution, from being governed by a self-elected Body, amenable to no controlling authority, and excluding the Members at large as well from the participation and knowledge of its transactions as from the disposal of its funds, yet it has certain duties to perform, for which it is answerable to the public. These consist in granting Diplomas to such students as are found, by examination, to be competent to practise Surgery ; and in advancing Anatomical and Chirurgical knowledge throughout the kingdom. Indeed this latter duty is implied in the first, for unless these Sciences are promoted, it is impossible that Students can possess the requisite knowledge. If it be inquired whether the Court of Examiners of the London College of Surgeons acquit itself faithfully of these trusts reposed in it by the public, for

this is a question in which the whole community is interested, probably the most satisfactory reply will be found, in the contrast of their examinations for diplomas, with those of the College of Surgeons in Ireland and the School of Medicine in Paris.

The examinations at the College of Surgeons in London are private, so that even one pupil cannot judge how another acquits himself. In the Dublin and Paris Colleges they are public, particularly in the latter, where even those unconnected with the profession are permitted to attend. An examination at the London College is conducted by two examiners only; it occupies occasionally 10 minutes, generally from 20 to 30, and very rarely 40 minutes. At the College of Surgeons in Ireland the candidate is examined on two separate days, during the space of an hour and a half or two hours each day. One candidate only is examined at a time, and he has Six Examiners with the President. Moreover, the office of Examiner in the Irish College is merely honorary, being filled by members annually chosen at a general meeting, no emolument being attached to their office. Whereas the members of the Court of Examiners of the London College are self-elected for life, and each of them receives a certain sum for every candidate who passes; so that each Examiner has annually a very considerable interest in the number admitted. As a Licence to

practise communicates no information in itself, but is, or ought to be, a test of competency, attained by previous and expensive studies, it ought clearly to cost the successful candidate as little as possible; and when exorbitantly high, it can only be considered in the light of a tax, levied upon the profession, principally for the benefit of the Examiners. Some of the members of this Court, it should be mentioned, are themselves Lecturers, while others have relatives in similar situations, so that they have often to examine not only the Students of their own or kindred's rival, but those whom they or their connections have instructed. Are such collisions of interest and feeling consistent with the strict impartiality required of an Examiner?

In the School of Medicine of Paris the candidates for the degrees of Doctor in Medicine and Doctor in Surgery, pursue the same studies, and are both subjected to the same examinations. Each is obliged, first, to show his capability to dissect, next to submit to five public examinations on different days, and finally to defend a Thesis. During this severe trial, he undergoes the ordeal of no less than twenty examiners. At the examination in the London College, the candidate is questioned respecting his acquaintance with Anatomy, Physiology, and Surgery; the anatomy of the tissues, as revealed by the industry of the French being but little, if at all regarded, though it would be easy to

demonstrate its great utility in the science and practice of Surgery. In the Dublin College the candidate is minutely examined during the first day on Anatomy, Physiology, and Pathology, and at this time he may be rejected, which precludes his offering himself for another year. On the second day he is examined on the Theory and Practice of Surgery, and Medicine, and Pharmacy, including Therapeutics. In the Paris School, the candidate is examined the first day on Anatomy and Physiology, the second on Pathology, the third on Materia Medica, Chemistry and Pharmacy; the fourth on Hygiène and Medical jurisprudence; and the fifth on the Practice of Medicine or Surgery, according as the degree is required in the one or the other. Such are the means pursued by these respective Colleges in order to ascertain the proficiency of the students before they are sanctioned by a Diploma to take upon themselves the awful responsibility of practising.

The examination at the London College, when contrasted with those of the other Colleges, is fearfully inefficient, and offers no adequate test or security for the competency of the candidates who pass. The Court of Examiners therefore is guilty of a dereliction of duty, and when, as must too often occur, it grants diplomas to incompetent persons, it is surely answerable to the country for the dreadful consequences. One of the most particular instances of the neglect manifested in its examinations, con-

sists in the disregard of Medicine, as if its views were so narrowed and dimmed that it could not perceive the extent and connexions of a vast science.

Every good Surgeon should be a physician, at least in acquirements ; how otherwise can he ascertain the state of his patient's health prior to an operation, or remedy those disorders which oblige him to defer it occasionally, or recognize those internal diseases, which oftentimes render it inadmissible? The treatment of a patient, too, after an operation usually requires, on the part of the Surgeon, no ordinary knowledge of Physic to meet those symptoms which arise from the consequent shock and irritation ; and as this disturbance in its progress may affect various vital organs, the sufferer has often but a slender chance of recovery, if his attending Surgeon be not well acquainted with the pathological principles and the treatment of internal disease. The Empiric, indeed, who vends his nostrums round the country is less injurious to Society, than an operating Surgeon ignorant of the principles and practice of Physic.

The Court of Examiners, in addition to the defective mode of conducting examinations, which is culpable in the highest degree, inasmuch as it compromises the dearest interests of society, aggravates that offence by interposing its authority to check the students in the pursuit of Anatomical knowledge, which before was surely quite enough impeded in England by other adverse causes. Of this the

Court of Examiners is guilty when it refuses to admit the certificates of the Professors of the French school of Medicine which is perhaps the first in Europe, and when, with an unaccountable inconsistency, it recognizes the University of Aberdeen as a school of Anatomy and Surgery! As the Court of Examiners has chosen to recognize the University of Aberdeen, why has it not paid a similar compliment to the Universities of Oxford and Cambridge, which though certainly very defective as schools of Anatomy and Surgery, are, to say the least, equal to that of Aberdeen. Neither is the Irish College of Surgeons, where an admirable Course of Anatomy and Surgery is delivered yearly, to be found in the published list of the favoured schools. We cannot but be struck with the extreme narrow-mindedness of this Court when we compare it with the liberality of the French and other foreign schools, which admit the certificates of the London lecturers, and likewise with that of the University of Edinburgh, which admits the certificates of all foreign Universities.

The effect of the late bye-law will not only tend to diminish the number of competent Surgeons required by the necessities of the public, but will be ultimately ruinous to the advancement of Anatomical knowledge, by stifling competition in the metropolis, and by paralysing the efforts, as teachers, of numerous practitioners in the country. The want of operating Surgeons, as before observed, is

already sensibly felt in many parts of the empire. Recently there have been only few of these who were teachers of Anatomy, because the Court of Examiners not receiving their certificates, the Students consequently are compelled to come to London. In truth, by refusing to recognize the certificates of Anatomical teachers in the great towns of England, where, as many excellent Hospitals exist, many good Schools might be formed, the Court has not merely impeded the diffusion of knowledge in the country among numerous students, who cannot well afford a metropolitan education, but has also inflicted a serious injury upon those teachers who are operating Surgeons; since it deprives them of the best means of preserving and improving their Anatomical knowledge, namely, the communication of it to others. It is of little consequence *where* a student is educated, provided he be placed under competent teachers, and possess, in the end, the necessary information. But it is of the last importance, not only to the public, but even to the student, that his information be attested by a strict and honest examination, and that competent teachers should always exist in sufficient numbers. Now this last object can only be secured by opening to the *whole* profession a fair and unfettered competition, by which industry and attainments would always attract Students to the best sources of instruction, and unqualified pretenders would be discouraged. The Court of Examiners, however, while

on the one side its examinations are obviously deficient, on the other, by its bye-law, destroys competition, and erects a monopoly as injurious to the public as it is degrading to the profession; and in addition to all this, it provides no test to satisfy the profession and the public, that the teachers it favours are qualified for the task assigned to them.

Three classes of persons are admitted by the bye-law to teach Anatomy and Surgery. First, the Surgeons of certain favored hospitals, secondly, the Physicians of the same, and, thirdly, such persons as shall be deputed or deemed fit to teach by the Medical officers of the above institutions.

As to the capabilities of the first class, namely, the Surgeons of hospitals, it will readily be believed, even by persons unconnected with the profession, and must be admitted by the Court of Examiners itself, that a Surgeon is not always indebted to attainments in Surgery, much less in Anatomy, for his appointment to an hospital. Indeed an individual may be distinguished for Surgical knowledge, and yet he may be inadequate to the task of teaching Anatomy, for want of opportunity of upholding all his knowledge, by repeated dissections. Consequently a Surgeoncy to an hospital implies nothing like certainty, that the person holding it is competent to lecture on Anatomy. The appointment brings with it notoriety and practice; and how few are the men who, like John

Hunter, will forget private interest in the pursuit of science.

The Physicians of certain hospitals form the second class of persons authorized to teach Anatomy in London. In regard to them, the Court of Examiners has enacted bye-laws, which are utterly irreconcilable, and which evince a total incapacity to legislate. In the qualifications required of students before being admitted to an examination at the College, it is provided, amongst other things, that Physicians who present themselves shall have attended a Course of Anatomical lectures and dissections, with the practice of a Surgical hospital for one year, in addition to the courses attended by them for the attainment of their medical degree. But in the bye-law delegating Physicians to teach, the Court requires no other qualification than the mere fact of their hospital appointment. It follows therefore, that as a member of the College this body requires, on the part of the physician, extraordinary qualifications, but as a teacher none whatever. It is hardly needful to add, that the appointment of a physician to an hospital does not necessarily imply a knowledge of Anatomy sufficient to teach that science.

The third class of privileged persons are those whom the Physicians and Surgeons of certain hospitals certify as being competent, and depute to teach. Since interested or other motives, as in the recent case of Mr. Kiernan, may prevent

some of the Medical officers of an Hospital from signing such certificate where lectures are already delivered, so where none exist, personal attachment, or some other bias, may determine the appointment. The reasons urged against the preceding classes must be equally valid against this, no sufficient pledge being offered as to qualifications. Why has not the College instituted public examinations for all those selected classes? Nothing short of that can be satisfactory in the instance of an untried professor. In France, where political considerations have lately led to the limitation of private teachers, the authorities have still secured to society competency on the part of those admitted, and have left a field open to the industry of young men, by the establishment of public examinations to ascertain the pretensions of those disposed to become lecturers.

This bye-law, then, while it limits the number of teachers, does not contain a single provision to insure the capability of those who may succeed as lecturers in London. Were it designed as a temporary expedient only, to allay the fears of some monopolists, by excluding a powerful rival or two for the time, we might be the less alarmed at its tendency, on account of the probable shortness of its duration; but when there is every reason to believe, that the framers of it contemplated its perpetuity, it assumes a far more formidable character, threatening to affect the vital interests of the com-

munity, future as well as present. One gentleman possessed of a property in a school, amounting to some thousand pounds sterling, wished to have that school sanctioned by the Court, that its value to him might not be diminished hereafter; but his equitable demand was treated in such a manner as to leave no doubt, that the object of this Body is to ruin all existing schools, unconnected with the favoured hospitals, by refusing to acknowledge the successors of the present lecturers. Thus while the Court of Examiners invades individual privileges, and disregards personal property, it cuts off competition, which is the heart and soul of the arts and sciences.

The only pretence, in the shape of an argument, which has ever been advanced in favour of this bye-law is, that it was necessary to secure a sufficient number of subjects. But this is perfectly absurd. If the number of Lecturers was increased by an unrestrained Competition, the exertion of each Lecturer would be in proportion to his interest; so that the number of subjects, so far from being diminished, would be greatly increased.

The remarkably different state of some hospitals and lectures before the appearance and after the death of the late Edward Grainger, at once would be sufficient to show how injurious to medical science is the apathy engendered by monopoly—how beneficial the energy which results from a fair and direct emulation. Extending such a view of the subject to other places in London, and to other

times, every man anxious for the improvement of his profession must be most desirous to annul this bye-law, and to favor, to the fullest extent, the freedom of competition.

The question of the legality or illegality of this bye-law lies within very narrow bounds, embracing merely two points. In the first place, the letter of the Charter requires, that every bye-law or rule shall *originate* from, at least, ten of the *Court of Assistants*, besides the Master, or one of the Governors; whereas this *originated* from an inferior number of *Examiners merely*—an irregularity fatal to its validity as a legal instrument.* But this bye-law must be viewed in another and much more important light. It cannot be doubted, that the present power was given to the College to pro-

* “And it shall and may be lawful for the Master and Governors of the said College, or for one of them, *together with ten or more of the said Court of Assistants*, for the time being, when, and as often as to any one of the Master, or Governors shall seem meet, to hold Courts and Assemblies, in order to treat and consult about and concerning the rule, order, state, and government of the said College. And also that it shall and may be lawful, *for the said Master, and Governors, and Court of Assistants, so assembled*, or the major part of them, to make, ordain, confirm, annul, or revoke, from time to time, such bye-laws, ordinances, rules, and constitutions, as to them shall seem requisite and convenient, for the regulation, government, and advantage of the said College; *so as such bye-laws, ordinances, rules, and constitutions be not contrary to law; and in all such cases as shall be necessary, be examined, approved of, and, altered, as by the laws and statutes of this realm is provided and required.*”—The Charter of the College.

mote professional skill and the public welfare. But has not this great, this sacred trust been disregarded, nay most palpably abused? The authority which granted this Charter never could have conjectured, that it would be perverted from the purposes of general good to those of private gain and personal oppression. This enactment is so opposed to common sense, right feeling, and the spirit of our laws, that once brought into a Court of justice it surely cannot stand a moment's investigation; for as the Legislature could not have designed that this College should lay a tax upon a species of scientific industry which is needful at times to the health or life of every member of the community, so it will not, cannot tolerate its continual imposition.

About three years ago, none of the teachers attached to the large Hospitals gave a Summer Course of Lectures on Anatomy; though several other lecturers did so, and some of them were remarkably well attended. To the great injury, however, of the latter, this Court agreed and announced, that it would not, in future, receive the Certificates of attendance upon any Summer Course; and now, not content with half measures, it aims at the total destruction of all such rival teachers. When the first act of oppression is not opposed, it is generally soon followed by a greater invasion of rights.

The annals of almost every Corporation reveal, that the power of making bye-laws ought not to

be invested in any such Body: because though the Charter be obtained for some avowed and fundamental principle, the privilege of making bye-laws, which is seemingly introduced for collateral and minor purposes, enables the Corporation to subvert the principle upon which it was originally founded, unless its proceedings be narrowly overlooked. If my design were to give a general view of the present state of the Medical education and legislation of the empire, which I probably may take up at a future period, it would be easy to illustrate the above remark by striking examples; but as this attempt of the Court of Examiners to create a monopoly in favor of certain establishments and individuals is quite recent, no time can be so favorable as the present for frustrating it by prompt and powerful exertions. The annulment of this bye-law would be unspeakably beneficial, if nothing else were effected. But other grievous defects having been noticed, an endeavour should be made to correct them also, that the College may become an useful institution. The interests of excluded and injured individuals, such for instance as Mr. Bennett and Mr. Kiernan, require the immediate adoption of some temporary expedients of redress. But the greater interests of general professional rights, of medical science, and of the public health, demand, that the whole system of abuse should be abolished by some ulterior means. If, Gentlemen, I might for once take the liberty to advise, it ap-

pears to me, that both ends might be attained by directing your efforts principally to four points.

In the first place, you should unite and publicly express your disapprobation of the bye-law, the pernicious effects of which, I hope, have been unanswerably demonstrated.

In the second place you should determine to try its legality in a Court of justice, through Mr. Bennett or Mr. Kiernan, whose cause you ought to countenance, and indeed to make your own.

In the third place, you should resolve the utter incompetency of the Court of Examiners and Council as now constituted, for they are notoriously a self-elected Body—a Body over which no wholesome control having yet existed, it has betrayed its trust to your detriment, and that of the public.

But above all, you must, in the fourth and last place, petition the Legislature for a new Charter, in which the whole power should rest in you, the members, as one Body in name and in fact, having the power to elect the officers, and to preside over all the concerns of the College.

You are aware that as this is the established form of constitution in the Dublin College of Surgeons, you would introduce no innovation of Medical legislation, in accomplishing so necessary an alteration in the London College. The exclusive method of electing the Court of Examiners and Council in the latter, the rejection of Certificates for Summer Courses, the last monopolizing bye-law, the

shamefully deficient mode of examining candidates, the exorbitant fees exacted from them, the private distribution of the immense funds thus annually collected, the mismanagement of the Library and Museum, with other matters, will afford you a broad, deep, and solid basis, upon which you may securely rest your claim for the necessity of a new Charter.

Though you will have opposition to encounter, it is less formidable than you might at first sight imagine, and will yield to united firmness of purpose, with uniform moderation of manner; this Corporation being upheld neither by the associations of ancient privileges, nor by the alliances of modern greatness. It is only a few years since, that Mr. Peel strongly opposed a Bill* one of the clauses of which went to render the diploma of the London College necessary to all who should hereafter practise Surgery in England, on the pretence that ignorant and incapable persons not being restrained by law from practising, the health and lives of great numbers were thereby injured and destroyed, as if its superficial examinations were a security against such evils. In opposing the manœuvre of the Court of Examiners to increase its wealth and extend its power, Mr. Peel showed his penetration as a politician, since it has ruinously misapplied the authority which it already possesses; though certainly, if

* See Appendix containing the Debates upon the subject in the House of Commons in 1818, which the reader will find extremely interesting, especially the speech of Mr. Peel.

the College were put upon a right footing, it would be of great benefit, that no one should be allowed to practise Surgery, unless he previously passed before competent professors, a proper and approved examination—not the mockery which has hitherto gone by that name. Besides, Gentlemen, as the salutary changes which you are now called upon to effect, relate to the whole profession and people of England, you will be seconded by all denominations of the Faculty, and by many of the most powerful men in the Community. This is not a theoretical question at which you ought to pause, as if you were attempting speculative improvements, in an established and good institution, which might lead to the opposite extreme of producing positive evil; for the practical results of this Corporation are so manifestly mischievous in all their bearings, as to leave no doubt on the minds of all honourable men of the imperative necessity of your interference. Whatever mode of proceeding, therefore, you may judge it right to adopt, I do here most earnestly implore you, as you value the advancement and dignity of your calling, the rights of your brethren, your own esteem, and the common weal of the country, to lose no time in preparing to correct the pressing abuses of this College.

I remain, Gentlemen,

Your sincere servant,

JOHN ARMSTRONG.

September 22d, 1825,

Russell-Square.

APPENDIX.

EXTRACTED

FROM THE

PARLIAMENTARY REPORTS.

HOUSE OF COMMONS, FEBRUARY 12, 1818.

Mr. Courtenay moved for leave to bring in a Bill for the better Regulation of Surgery throughout the United Kingdom. The objects of the Bill were, first, to provide that no one should practise Surgery without a testimonial from some of the regular Colleges of the United Kingdom.

Secondly.—That no more pecuniary fee should be demanded for such testimonial than had hitherto been usually paid; and thirdly, that the law should be repealed which precluded any surgeon from officiating in the Hospitals and Dispensaries of Ireland who had not obtained a testimonial from the College of Surgeons in that country. Such being the provisions of a measure, the necessity for which, with a view to save the people from the danger of unskilful practitioners was indisputable, he trusted that no opposition would be made to the motion.

Mr. Lockart expressed an opinion, that if this Bill originated with the Surgeons it must have a monopoly in view; the effect of it would be to injure a profession which ought to have too much pride to entertain any apprehensions of the competition of pretenders.

The motion was agreed to.

APRIL 10, 1818.

Mr. Courtenay moved the second reading of the Surgery Regulation Bill.—He should refrain from entering into the minute examination of the clauses of the Bill for the present, although some of them he admitted contained matter which had excited considerable apprehension on the part of the College in Ireland. It had been asserted by petitioners to that House, that the object of the Bill was, to create a monopoly on the part of the College of Surgeons in London. Nothing could be more unfounded, except it was contended that they produced that effect by exercising a controlling power over the affairs of the profession, so far as prohibiting men from endangering the lives of his Majesty's subjects; through incompetency in the profession they presumed to tamper with. The Bill proposed to subject the candidates to examination before the College, and, on exhibiting a competent knowledge, to admit them to practice. The experience and superior improvements of later days had rendered this mode of examination indispensably necessary; of the merits of the Bill the House at present could hardly be aware. He would suggest that the best way would be, to allow the Bill to be read a second time, and afterwards discuss its merits in a Committee of the House.

Sir C. Monck spoke against the principles and details of the measure; he said he could not see any necessity for its adoption, and he protested against the doctrine, that no Surgeon should be allowed to practise who did not submit to an examination by, had not a testimonial from, and did not pay a fee to, some corporation of Surgeons. The adoption of such a measure would, in his view, be peculiarly inconsistent with justice and sound judgment, as well as with the conduct of that House, which had recently abolished the restrictions imposed by the laws of Queen Elizabeth upon the subject of trade. He was not amongst those who deprecated

the policy of the laws which subjected to a pecuniary penalty such as set up particular trades without serving an apprenticeship to those trades, for such laws were, in his opinion, necessary to secure to society persons of competent skill in the mechanical professions. But it had become the fashion to deprecate those laws, and therefore they were repealed about two years ago. Would it then become Parliament, after acceding to that repeal upon the ground of removing undue restrictions, to adopt a measure which proposed to invest certain corporations with the power of deciding who should or who should not practise Surgery. Such restrictions could not be tolerated, upon the ground that it was necessary to provide against unskilful practitioners; but no such necessity was shown to exist; and if it existed, how did this Bill propose to remedy the evil? Why, merely by making it obligatory upon persons to submit to an examination before certain Colleges; but what guarantee did such examination afford to the public for competent practitioners. *The usual examination before the College of Surgeons was, he was assured, conducted in a very loose and slovenly manner.* Then as to the College of Surgeons in Edinburgh, the fee for a testimonial or diploma there was in the first stage about 30*l.*, but in a subsequent stage the fees required were no less than 250*l.*, and these fees were exacted by the mere bye-law or *internal authority* of the College. Was the House, under all these circumstances, prepared to compel every candidate for the practice of Surgery to appeal to those Colleges, *and to depend upon their will for the right to pursue his profession: he had no objection to a law to regulate the practice of Surgery, and to prevent the evil of improper practitioners, but he thought the Honourable Mover had begun at the wrong end, for instead of proposing a measure at the instance of the public, for whose benefit such a measure ought to be adopted, he brought it forward at the instance of the College of Surgeons of London, whose*

benefit it was calculated to promote. The Honourable Baronet moved that the Bill be read that day six months.

Mr. Wm. Dundas said the fee required by the College of Surgeons of Edinbrough, from a person desiring to practise as a Licentiate, was only 5*l.*; but any one requiring to be admitted a Member (and that was voluntary) of the Corporation, which admission would entitle him to certain advantages for himself, his widow, and his children, was called upon to pay 250*l.* for the benefit of the General Fund.

Captain Waldegrave stated a case which came to his knowledge, and which served, in his opinion, to show the necessity of making some provision that the people should not be exposed to the danger of incompetent practitioners. A case occurred in his neighbourhood in consequence of the regular surgeons preferring vaccination, and refusing to inoculate for the small-pox; some people, through prejudice, employed Chemists and other unqualified persons to inoculate for the small-pox, in consequence the contagion spread, and 800 people in one parish were infected by it.

Mr. Peel reprobated the idea of legislating upon a single fact, however respectable the authority by whom authenticated. The bill professed to be one merely to regulate the practice of Surgery, yet a line or two after it stated, without even its having been attempted to be proved, that “whereas ignorant and incapable persons are not restrained by law from practising Surgery, whereby the health of great numbers of persons is much injured, and the lives of many destroyed.” Was this then merely a bill of regulation, or was it not rather of imputation, and that of the most alarming and prejudicial nature? The College of Dublin, as well as other bodies, was inimical to the Bill, though not to its principle. *He was inimical to the principle of the Bill itself, for if it were sufficient for a party merely to appear before a certain board, not that he supposed such a board*

would be directly influenced by interested motives, in order to procure a licence or diploma, on payment of a sum of money, it was to be feared that the practice would ultimately degenerate into one of considerable abuse. It was natural to suppose a competition would soon be entered into between the several bodies who had a power to grant licences, for the purpose of procuring the greatest quantity of fees. *The more testimonials they granted, the greater would be their profit. It would evidently be to their advantage to grant as many as possible, and therefore it appeared to him that unless they had some other test of ability beyond a mere diploma, a great abuse would be generated.* On this account he should oppose the Bill being carried into a law. *With respect to Ireland, where he believed the profession was most respectably carried on, he would not attempt to regulate it there without farther evidence of the necessity of legislative interference.* In 1784, alterations of a beneficial character were made in the College of Surgeons of Dublin, without which, their new charter would not have been granted them. By those regulations, an apprenticeship was rendered necessary before an individual entered upon the profession, instead of a mere appearance before the board, and receiving a Diploma. In the Bill now before the house, there was a clause which set forth that Surgical assistance was often necessary in practising Midwifery, and therefore, that every person practising that branch of the profession should also have a licence for acting as a Surgeon. By this means, a double imposition would be levied from persons acting as Accoucheurs, which appeared to be unjust and unnecessary. *He was altogether an enemy to the principle of subjecting the Surgical profession to any such restriction as this Bill proposed; for if such a Bill were adopted, he very much feared that the fees required for the Diploma would alone be looked to, and that the examination would be-*

come a mere formality. After animadverting upon the fees required for a Diploma by the College of Surgeons of Edinbrough, which in 1717, amounted to only about 3*l.* while they were now equal to 250*l.* the Right Honorable Gentleman concluded by observing, that the present Bill was the child of the late Attorney General, who transferred it to the Honorable and Learned Mover, by whom, with all his paternal care for the bantling, it had not, he was sorry to say, been much amended or improved.

Sir John Newport opposed the Bill on the ground of its destroying the only check that now existed against an improper system of professional practice, *it would destroy all competition. The examination would be a mere formality. The only object would be the fee.*

Mr. Courtenay said he was not disposed to press its adoption against the sense of the house.

Mr. D. Gilbert, though he considered the present measure objectionable, thought some plan should be devised to guard against those abuses which were admitted to be too general.

General Hart declared it the most exceptionable measure ever submitted to Parliament. *Its framers might with equal propriety have demanded, that the Surgeons of the United Kingdom should all pass through a certain turn-pike and pay toll, in order to qualify them for the exercise of their functions, as to regulate their efficiency BY SUCH A TEST as was now proposed.*

The Amendment was then carried, and the Bill was ordered to be read a second time that day six months.

THE END.