

## **Letter to Lord Viscount Palmerston, on medical reform / by James Syme.**

### **Contributors**

Syme, James, 1799-1870.

Palmerston, Henry John Temple, Viscount, 1784-1865.

### **Publication/Creation**

Edinburgh : Sutherland and Knox, 1854.

### **Persistent URL**

<https://wellcomecollection.org/works/vrkt5nb8>

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TO THE

RIGHT HON. VISCOUNT PALMERSTON.

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MY LORD,

The discussion which has lately taken place, both in and out of Parliament, with regard to the bills proposed for Medical Reform, must have satisfied even those who are least acquainted with this subject that it urgently requires legislative interference. Indeed, the fact that it is at present impossible, by any extent of education or examination, in Scotland or Ireland, to obtain the right of practising as a Physician or Apothecary in England without incurring the penalties of a criminal prosecution, appears so inconsistent with reason and justice, as to admit of explanation only by supposing it unknown to those who have the power of affording redress. But now that the attention of the Legislature and the Government has been called to the anomalous and objectionable condition in which the Medical Profession has been permitted to languish, it cannot be doubted that some measure of relief will be adopted; and the only room for question that remains, is how this object may be best accomplished.

Before deciding upon a measure of relief, it is necessary to determine what requires to be accomplished; and this may be done upon the present occasion very easily, if the interests of individuals and corporate bodies are not held



paramount to those of the public and the profession. The object of legislative interferences is not to provide physicians or surgeons for the rich, but to protect the poorer classes of society from mismanagement by imperfectly educated practitioners. For, although it would be no less impracticable than inconsistent with the institutions of a free country to prevent the people of any rank from being doctored according to their own notions, however absurd, it is clearly the duty of Government to provide that the authority of a license to practise should be withheld from all persons who have not completed a sufficient course of preparation; while, on the other hand, this sanction should not, by the extent of requirement, be placed beyond the reach of those who propose to cultivate fields of practice promising only a scanty remuneration, since, in that case, the poor would be left destitute of professional advice.

All, then, really required is the establishment of this minimum, or absolutely essential amount of medical education, and the enforcement of its due observance. Mr Headlam proposed that the license to practise should be given solely by the Corporations. Lord Elcho, in his original Bill, instead of confining this privilege to Corporations, extended it also to the Universities which should be willing to comply with the regulations of a superintending body; while the Bill of the Select Committee not only refused the power of licensing to the Universities, but withdrew it from the Corporations, and placed it in the hands of Examining Boards altogether new. It is this last arrangement which has been so industriously represented as a "Scotch job," because the Universities of Scotland supported it, although manifestly not favourable to them, in the persuasion that Mr Headlam's Bill would be more injurious to the interests of the public. If they had been consulted on the matter, these Universities would certainly not have recommended the



appointment of new examining bodies ; knowing well that the existing Boards were quite sufficient for every useful purpose ; and also knowing that, as, in Scotland at least, the services of the men most competent to examine were thus already engaged, the new Boards would be inferior to the old ones, unless constructed from the same materials. Neither would the Universities have voluntarily consented that their degrees should cease to be regarded as qualifications for practice, which they have long been, in accordance with legal decisions and established usage, in Scotland. In the Northern Counties especially, a large proportion of the Medical Practitioners bear honourable testimony to the superiority of Academic education, being, for the most part, Graduates in Arts as well as Medicine, and although possessing no other qualification, being justly regarded as most eminently respectable. Indeed, when it is recollected that the Examiners of Universities are selected, by public authority, from the whole range of the profession—in Scotland, there are eighteen appointed by Government,—and that they teach the subjects on which they examine, there can be little hesitation in admitting, that their efficiency should be considered as at least equal to that of the nominees of corporate bodies, whose choice is limited to their own members, occupied, as they are for the most part, in the routine duty of general practice.

The Corporations object to University Examiners on two grounds ; and, in the first place, because, being teachers, they may be supposed partial to their own pupils. But, in offering this objection, they seem to forget that it is applicable also to themselves. For instance, the Edinburgh College of Surgeons has in its Board of Examiners several gentlemen who give lectures, which are advertised in a programme signed by the Secretary ; while nearly a half of the London College of Surgeons' Examiners are Teachers.



On the other hand, it may be remarked that the University of London possesses an Examining Board, which is not necessarily or entirely composed of teachers; and that that institution, as well as the Universities of Scotland, has expressed willingness to admit assessors from the Corporations, to obviate all pretext for the allegation of unfairness.

Secondly, The Corporations object to University Examiners, that they hold office for life, and consequently, through the infirmity of age, may become unfit for their duties, however competent to discharge them at an earlier period. But it should be recollected that a Professor cannot hold his place after he becomes unable to teach, and that, if able to teach, he may be fairly supposed able to examine; while in the Corporations there is no such check upon senility, or weakness from any other source, as may appear from the printed evidence of the late Mr Guthrie, with regard to the Examiners of his College. He there states, that the fees of Examination are looked upon as the most certain provision for old age, from being still drawn when all other sources of income have failed. It would, therefore, be prudent for the Corporations not to press this objection, especially as it does not apply to all Universities, since the Examiners of that in London are appointed annually. Such being the case, it may not unreasonably be maintained that the Examiners of Universities are nowise less entitled to confidence than those of the Corporations—who, indeed, have very decidedly, though apparently unconsciously, expressed the strongest testimony in their favour, by frankly conceding their right and title to confer the “highest honours of Medicine.” But if this be so, and if it is true that the major comprehends the minor, who can doubt that the same Examiners are competent to ascertain the claims of candidates for a lower qualification. The Corporations, indeed, say that their members are practical men, and, therefore, the



best judges of practical questions. But let me ask, who are the practising Physicians and Surgeons of Scotland? and if, with hardly any exception, they are not University Professors? An Examination in Surgery may surely be expected to be more practical if conducted by a man who is daily performing operations, and treating surgical cases, than by one who knows little of the subject except from reading or hearsay. As a qualification for practice, therefore, the University Examination would seem preferable to that of the Corporations, so as, in accordance with Continental custom, to admit of being advantageously substituted for it. But this has not been proposed, and all that is asked on the part of the Universities is, that degrees and diplomas shall be placed upon equality as titles to practise, provided they imply a sufficient amount of professional study. To this equality the Corporations object that there would be no longer any inducement to take their diplomas, and that the degrees of Universities would be preferred as being more honourable, while they were equally useful. It does not very clearly appear how the public interest would suffer from this result; and, so far as the Corporations are concerned, it should be recollected that their proper source of income is derived from the fees of admission to fellowship, which, if the body be deserving of respect, will be amply sufficient for its maintenance. In Edinburgh, the Colleges of Physicians and Surgeons derive their incomes from two very different sources—that of the former being entirely afforded by the fees of Fellows, and that of the latter chiefly from the issue of licenses. Now, the former body has built an elegant and commodious Hall—possesses an excellent library—has purchased a valuable museum of materia medica—and is accumulating capital. If, therefore, the recognition of degrees as qualifications for practice should happen to lessen the demand for diplomas, there will still be abundant means for



the prosperity of Corporations which manage their affairs with prudence.

In Mr Headlam's Bill it is proposed that all members of the Medical Profession, before obtaining permission to practise, should connect themselves with a College of Physicians or Surgeons, and have their names publicly registered in one or other of these capacities. Now, it is difficult to imagine anything more objectionable than such an arrangement. For, if the fellowship, which ought to be a reward of honourable distinction in practice, were to become obligatory at the outset of professional life, it would cease to operate as a stimulus to exertion, and be merely a tax for the benefit of Corporation coffers. Moreover, the titles of Physician and Surgeon have hitherto been severally understood to denote the cultivation of one department of practice, while it is notorious that the general wants of the community must be supplied by Medical Practitioners of all work; so that Mr Headlam's Register, according to the received meaning of words, would, for the most part, be nothing better than a tissue of misrepresentations, since some men who are living by the administration of pills and potions would be held forth as Physicians, while others, who are maintained by the administration of potions and pills, would appear as Surgeons. Such an attempt to classify Practitioners being no less dishonest than absurd, while it is equally impracticable to determine the grade which they are eventually to assume in practice by any process of education, it will, I trust, appear that the sole object of Medical Legislation should be to regulate the terms of that license without which no one ought to be admitted to the privileges of the Medical Profession—these being made the same throughout every part of Her Majesty's dominions.

When so many opposing interests are concerned, this important matter does not admit of any satisfactory set-



tlement, except by being confided to a body of men possessing the necessary information, and armed with sufficient powers to carry their resolutions into effect. In all the Bills for Medical Reform, the first step proposed has accordingly been the establishment of a regulating Council, the only difference of opinion with regard to it being the mode of constitution. To universal suffrage it has been objected that the result would be perpetual strife, and the return of members more remarkable for activity in canvassing than professional eminence. Nomination by the Crown is regarded with disfavour, as opposed to the right of self-government, which has been claimed for the profession. Mr Headlam's plan of forming a Council by representatives from all the Universities and Corporations, would constitute a body too numerous, and of a nature too heterogeneous, for working satisfactorily. But the following mode of overcoming this difficulty seems to me free from any serious objection:—Let each of the ten Universities, and each of the nine Medical Corporations, together with the Association of Provincial Practitioners in England, elect a representative, and to these twenty, let the Government add ten, so as to form a body of thirty, which might be named the General Council; and then let it elect ten of its members to be the Executive Council, of which the duty would be to determine the qualifications requisite for general practice; to ascertain what University and Corporations were willing to make this the minimum of their curriculum of study; to insure, by visitation and otherwise, that their regulations were duly observed; and to publish a Register of qualified Practitioners.

In conclusion, I beg leave to remark, that, as a measure of Medical Reform can act beneficially towards the profession only by operating upon the entrants to its ranks, it is necessary to exercise great caution in listening to the opinions of



Practitioners who, having passed the barrier, may not be sorry to see it strengthened against the admission of rivals. Thus the Bill of Mr Headlam, which flattered the vanity of industrious Apothecaries, by proposing to register them all as Physicians or Surgeons, while it threw every imaginable obstacle in the way of future aspirants, by complicating their course of study with endless examinations, by forcing them to become connected with Colleges, and by exposing them, no matter at how advanced a time of life, to the annoyance of a further ordeal, in the event of their wishing to pass from general to consulting practice, was vaunted as the "Bill of the Profession."

I have the honour to be,

MY LORD,

Your Lordship's most obedient servant,

JAMES SYME,

Regius Professor of Clinical Surgery in the  
University of Edinburgh.



L E T T E R

TO

LORD VISCOUNT PALMERSTON,

ON

MEDICAL REFORM.

BY JAMES SYME, ESQ.,

PROFESSOR OF CLINICAL SURGERY IN THE UNIVERSITY OF EDINBURGH.

EDINBURGH :

SUTHERLAND AND KNOX, GEORGE STREET.

SIMPKIN, MARSHALL, AND CO., LONDON.

1854.



MURRAY AND GIBB, PRINTERS, EDINBURGH.



TO THE RIGHT HONOURABLE  
LORD VISCOUNT PALMERSTON.

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EDINBURGH, *March 20th*, 1854.

MY LORD,

THE intention which your Lordship has expressed of proposing a measure for Medical Reform, induces me to take the liberty of offering the following remarks on this subject, in the hope that they may tend to explain the evil which really requires remedy, show the injurious effects to be anticipated from certain plans now under discussion, and suggest a mode, no less simple than effectual, of affording the redress required.

The objects of what is called Medical Reform, may be divided into general and particular. The former are the establishment of equality in education, examination, and privilege of practice, with registration of the practitioners thus properly qualified; while the latter are, *in Scotland and Ireland*, opening up the field of general medical practice in England to Scottish and Irish Graduates and Licen-



tiates, and, *in England*, preserving the monopoly of general practice in that country for the Licentiates of the London Corporations. But to understand this part of the matter, it is necessary to go back a little into its history. Forty years ago the Universities of Edinburgh and Glasgow, the College of Surgeons of Edinburgh, and the Faculty of Physicians and Surgeons of Glasgow, conferred Degrees and Licenses upon Candidates who had completed a regular course of education in all departments of Medical Science, and been carefully examined as to their proficiency. The qualifications for practice, thus obtained, were highly esteemed both at home and abroad, as affording evidence of complete instruction by teachers of established character, and the acquisition of elementary as well as practical information. At that period there was no restriction on general medical practice in England; and the only qualifications for such practice bestowed in London, were the Diploma of the College of Surgeons and the License of the Apothecaries' Company. The College required from Candidates merely attendance upon Courses of Anatomy and Surgery, with a certain amount of time spent in walking the hospitals, and limited their testimonial to the Practice of Surgery. In those days the "Worshipful Society of Apothecaries" was a body utterly unheard of in the medical world, and known only to the patients who paid for their drugs, or the physicians and surgeons called by them into consultation. Nevertheless, through the influence thus acquired, this body, in 1815, succeeded in obtaining an Act of Parliament which made



it penal to practise as an Apothecary, or in other words, to be employed as a General Practitioner, in England, without their license, and consequently rendered it *impossible, by any extent of education or examination in Scotland or Ireland, to obtain the right of general practice in England.* So quietly was this affair managed, that the first intimation of it received by the Edinburgh College of Surgeons was in 1821, when one of their licentiates wrote from England to complain of a prosecution instituted against him by the London Apothecaries for illegal practice. The College having then inquired into the law, and found it unassailable, were advised to wait for redress until the Apothecaries should introduce an amendment of their Act, when a clause exempting Scottish Licentiates from the penalties of unqualified practitioners might be inserted. Accordingly, in 1825, Mr Brougham (Lord Brougham) having, on the part of the Apothecaries' Company, introduced a bill for the amendment of their Act, upon being made acquainted with the Scottish grievance, put in a clause for protecting the Graduates of Edinburgh and Glasgow, and the Licentiates of the Edinburgh College of Surgeons, but afterwards withdrew it, for reasons probably better known to the Society which he represented than to the public. The Edinburgh College of Surgeons then opposed the bill, and it was only passed on condition of being limited in its operation to twelve months, since which time the Apothecaries have preferred going on with their original Act to encountering again the risk of discussion.



It was then that the licensing bodies of Scotland, and more especially those of Edinburgh, saw the necessity of adopting decided measures to obtain redress, by petitioning both Houses of Parliament, and enlisting the sympathies of influential individuals. But before proceeding to relate the consequences of this agitation, it is requisite to explain the position of the London College of Surgeons in regard to the Apothecaries' Company. It may seem at first sight that the former of these bodies was no less aggrieved by the monopoly of the latter than any other licensing board, and such has frequently been supposed the case, while nothing can be more remote from the truth. The Diploma of the London College is a testimonial merely in regard to Anatomy and Surgery, which are not included in the Apothecaries License to practise Medicine and Pharmacy, so that the title of a General Practitioner requires the possession of both these qualifications; and thus the College of Surgeons derive all the advantage of the Apothecaries' exclusive privilege, without sharing in the odium attached to it. It is hence nowise surprising that the most determined opponents of any interference with the existing state of things should have been the London College of Surgeons. When, about thirty years ago, they saw that the licensing bodies of Scotland were about to make a strong appeal for the restitution of their rights, instead of openly opposing this claim, they entered into a negotiation for arranging some grand measure of general Medical Reform, which should establish equality of education, and privilege to practise throughout



her Majesty's dominions, and otherwise elevate the profession to a better condition. Nothing could seem more fair or reasonable than such a mode of settling the question, or would have been so, if the parties concerned had really wished to have it settled. But if, on the other hand, there was in some quarters a determined resolution to resist any change, it must be admitted that no more effectual plan of obstructive policy could have been adopted, since unanimity of the profession being held essential for the approval of any general measure by the Legislature, and the interests of various bodies engaged in the arrangement being of a conflicting kind, it is plain that the discussion thus commenced could never lead to any result except disgust and disappointment. Bill after bill, committee after committee, and blue book after blue book, have accordingly left things as they were, after more than five-and-twenty years of incessant agitation, and the London Corporations still keep possession of the field.

But a new party has lately come forward, the Provincial Association of England, and proposed a bill which, if it passes into law, would, so far from affording the relief desired in Scotland, completely annihilate the licensing bodies of this country, and throw the whole profession into confusion. According to this measure, a new examining Board would be appointed in Scotland for bestowing the License of General Practice, so as to supersede the Edinburgh College of Surgeons, and the Glasgow Faculty of Physicians and Surgeons, in the performance of a duty



which both of these bodies have long discharged to the satisfaction of the public. The Edinburgh College, by the authority of successive Royal Charters and Acts of Parliament, has done so for more than three hundred years, and at present receives annually from the fees for diplomas not less than £1500, the whole of which is devoted to the promotion of Medical Science. It may be asked, What has this body done to deserve being thus extinguished? Was it spending the whole of its accumulated capital, amounting to nearly £20,000, on the formation of a Museum, illustrative of Comparative Anatomy and Surgical Pathology? Was it leading the way, as it unquestionably did, to the present extended courses of education required by the British Licensing Boards? Or is it the high esteem in which the Diploma of the College is now so widely held? It is, indeed, proposed by the Provincial Bill, as some compensation to the College, that all Licentiates of the new Board, who propose to practise in Scotland, shall be registered as Physicians or Surgeons, and in the latter case must take the Surgical Diploma in addition to their other qualifications, not as a further evidence of their fitness for practice, the previous examinations having included all departments of professional study, and merely as a source of profit to the old institution, which would otherwise be left destitute. But, to say nothing of the mercenary nature of this proposal, can anything be more absurd than to ask young men to determine before they enter upon practice whether they are to be Physicians or Surgeons? Ninety-nine out of the



hundred will be neither the one nor the other, and merely general practitioners, who in every community must supply the ordinary wants of society for medical assistance, the Physicians and Surgeons, properly so called, being limited in their sphere of practice to combating difficulties, and ministering to the more affluent classes. The plan proposed, therefore, would, in this respect, be a mere deception, a name without a substance, and a confusion of things that ought to be distinguished. Then, as to the equality of privilege, which is the great professed object of Medical Reformers, the Provincial Bill further requires that the aspirant to practice shall obtain a Diploma or Licence from the College of Physicians, or the College of Surgeons in the country where he proposes to be registered ; so that a Scottish student wishing to practise in England would acquire freedom from the Apothecaries' monopoly at the expense of a still more intolerable thralldom to one or both Colleges. Thus, an Edinburgh Doctor of Medicine intending to cross the border, and practise in Northumberland or Cumberland, after passing the various examinations, and performing all the exercises requisite for Graduation, would have to undergo the examinations of the new Board proposed to give the practical License, and then betaking himself to London, again submit to trial by the College of Physicians or the College of Surgeons. How the Profession would be benefited by such a preposterous succession of examinations, with their corresponding accumulation of fees, it is not easy to imagine ; and how such a



system is compatible with the grand principle of equal privilege, founded upon equality of education, seems no less incomprehensible; since, according to it, there would be an impossibility, not only as at present, of qualifying in Scotland for general practice in England, but also of qualifying in England for practice in Scotland.

Having now endeavoured to explain the original grievance which led to the whole maze of Medical Reform, and pointed out some of the evils to be anticipated from the measure which is at present so earnestly pressed upon your Lordship's attention, I beg to suggest a simple mode of relief for all that really requires remedy in the Medical Profession, so far as legal enactment is concerned. This is the appointment by her Majesty, with the advice of her Privy Council, of a Medical Board for regulating education and practice in Great Britain and Ireland, composed of so many Members, and so proportioned as to her Majesty and her advisers may seem proper,—with the following duties:—

1. To determine the minimum of education requisite for obtaining the Licence of general Medical Practice.
2. To ascertain which of the existing Licensing Boards are willing to adopt this standard, and test the qualifications of Candidates by suitable examinations.



3. To ensure, by visitation, the due performance of the obligations thus undertaken.

4. To publish a register of all persons thus qualified to practise their profession in any part of her Majesty's dominions.

5. To enforce penalties for the assumption of false titles.

Should such a general measure not be deemed expedient, a simple amendment of the Apothecaries' Act, protecting from its penalties the Graduates and Licentiates of Scotland and Ireland, would equally accomplish the essential object of Medical Reform.

I have the honour to be,

MY LORD,

Your Lordship's most obedient servant,

JAMES SYME,

Professor of Clinical Surgery in the  
University of Edinburgh.



1870

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the proposed amendment of the Medical Reform Bill.

The enclosed report of the Commission of this Bill.

Should such a general law be passed, it would be a step towards the improvement of the Medical Education of this country from its present state. It is to be hoped that the Commission of this Bill will be able to report upon the subject of Medical Reform.

I have the honor to be, Sir, your obedient servant,

Wm. L. Garrison

Your obedient servant,

Wm. L. Garrison  
No. 25 N. 2nd St.  
New York