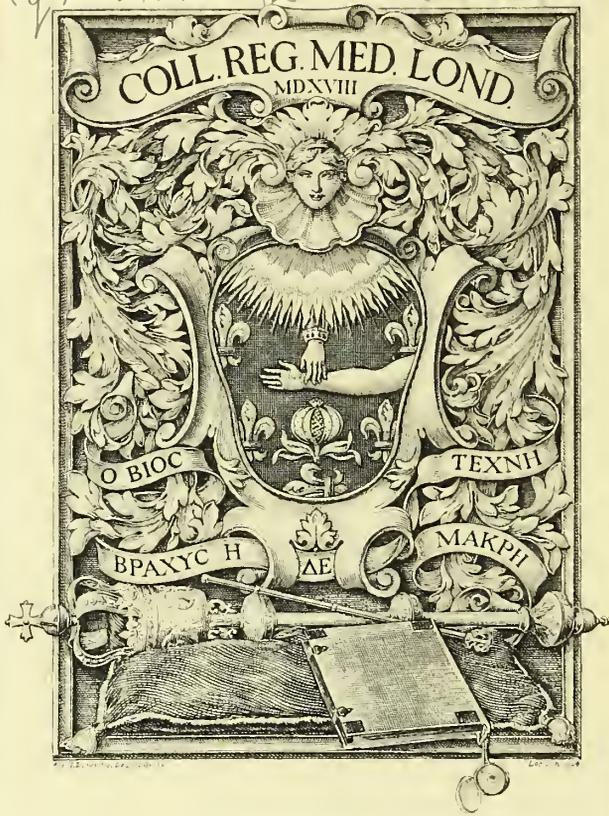




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Parliament House of Commons

R E P O R T

FROM THE

SELECT COMMITTEE

ON

M E D I C A L E D U C A T I O N :

WITH

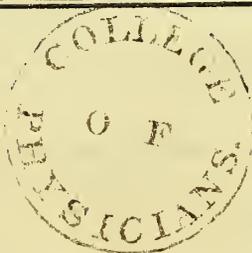
THE MINUTES OF EVIDENCE,

AND APPENDIX.

Part I.

ROYAL COLLEGE OF PHYSICIANS, LONDON.

*Ordered, by The House of Commons, to be Printed,
13 August 1834.*



Martis, 11° die Februarii, 1834.

Ordered, THAT a Select Committee be appointed to inquire into, and consider of the Laws, Regulations and Usages regarding the Education and Practice of the various Branches of the Medical Profession in the United Kingdom.

And the Committee is appointed, of—

Mr. Warburton.	Mr. Hume.
Lord Viscount Howick.	Mr. Clay.
The Lord Advocate.	Mr. Robert Clive.
Mr. Littleton.	Mr. Ewart.
Sir Robert Inglis.	Mr. Peter.
Mr. Goulburn.	Mr. Strutt.
Mr. Shaw.	Mr. Edward Romilly.
Mr. Abercromby.	Mr. Wolryche Whitmore.
Mr. James Oswald.	Mr. George Wood.
Mr. Bannerman.	Mr. Ord.
Mr. Andrew Johnston.	Mr. Gillon.
Mr. Halford.	Mr. Sinclair.
Mr. Frankland Lewis.	Mr. Baldwin.
Mr. Hawes.	Lord Oxmantown.
Mr. O'Connell.	Mr. Serjeant Perrin.
Mr. Spring Rice.	Mr. Jephson.
Sir Robert Peel.	

Ordered, THAT the Committee have power to send for Persons, Papers and Records.
Ordered, THAT Five be the Quorum of the Committee.

Jovis, 20° die Martii, 1834.

Ordered, THAT Mr. O'Connell be discharged from further attendance on the Committee.
Ordered, THAT Mr. Maurice O'Connell be added to the Committee.

Lunæ, 9° die Junii, 1834.

Ordered, THAT Lord John Russell be added to the Committee.

Lunæ, 14° die Julii, 1834.

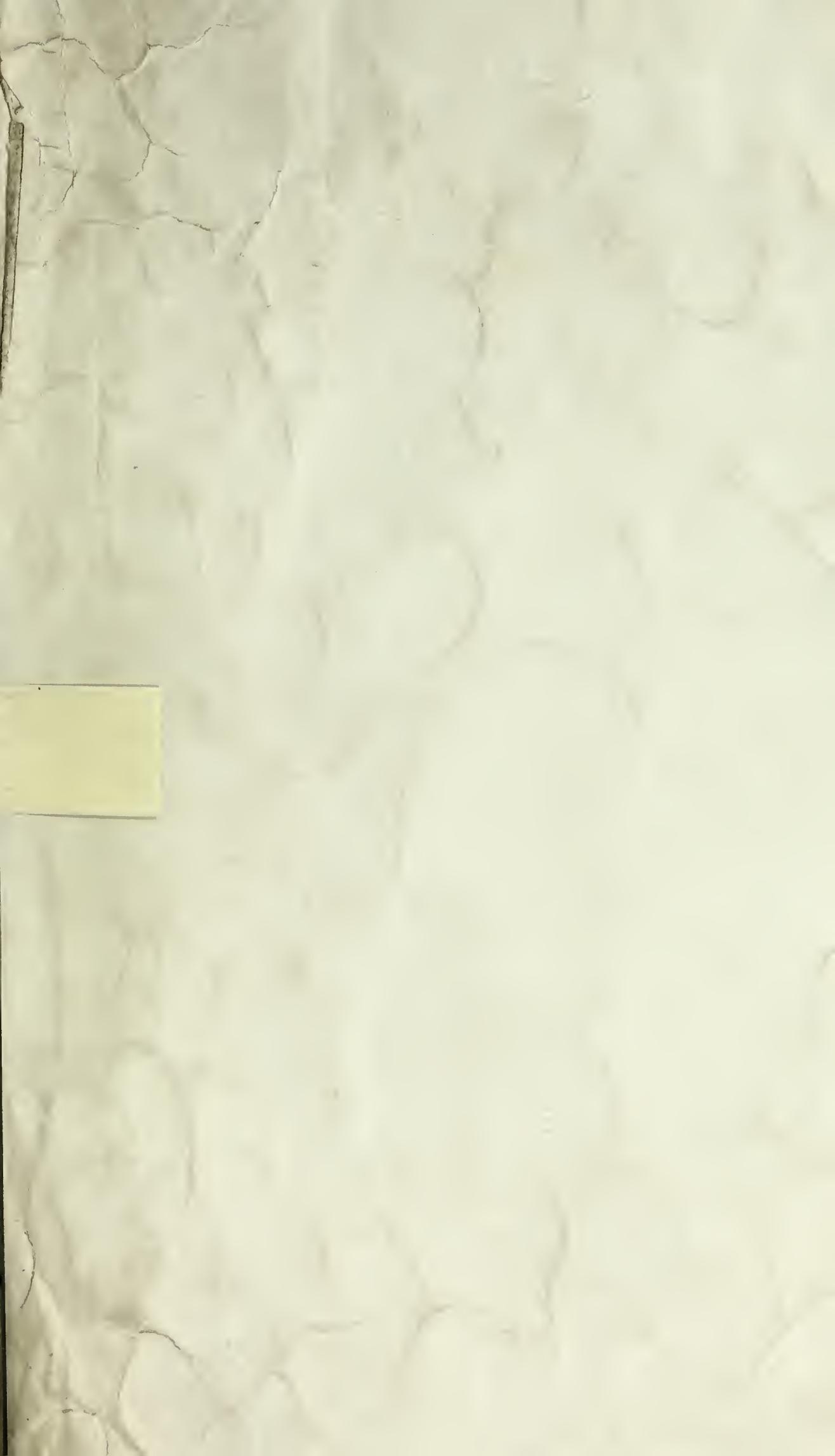
Ordered, THAT Mr. Serjeant Perrin and Dr. Baldwin be discharged from further attendance on the Committee.

Ordered, THAT Lord Viscount Clements, Colonel Percival, Mr. Emerson Tennent and Mr. Abercromby be added to the Committee.

Mercurii, 13° die Augusti, 1834.

Ordered, THAT the Committee have power to report the Minutes of the Evidence taken before them, together with their Observations thereon.

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R E P O R T .

THE SELECT COMMITTEE appointed to inquire into and consider of the Laws, Regulations and Usages regarding the EDUCATION and PRACTICE of the various Branches of the MEDICAL PROFESSION, in the United Kingdom; and who were empowered to report the MINUTES of EVIDENCE taken before them;—HAVE examined into the Matters referred to them, and agreed to the following REPORT:

YOUR Committee beg to report, That, pursuant to the Order of their Appointment, they have inquired into the state of Medical Education, as prescribed by the regulation of the several Universities, Medical and Surgical Colleges or Faculties, and Apothecaries' Companies, and as actually practised at various Schools of Medicine, Surgery and Pharmacy; and also into the state of Medical, Surgical and Pharmaceutical Practice, in the three divisions of the United Kingdom.

The extent of the Evidence necessary to the completion of the Inquiry has obliged Your Committee to continue examining Witnesses until the latest period of the present Session, and has prevented them from giving to the Evidence that consideration which is essential to their drawing any such deliberate conclusion therefrom as they would feel justified in reporting to The House.

They therefore have confined themselves to reporting the Evidence only, and beg to recommend that the Committee may be re-appointed by The House in the next Session, for the purpose of considering such Evidence, and reporting their opinion thereupon to The House.

13 August 1834.

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 MINUTES OF EVIDENCE.

Jovis, 13^o die Martii, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Francis Hawkins, M. D., called in; and Examined.

F. Hawkins, M. D.

13 March 1834.

1. YOU are Registrar of the Royal College of Physicians?—I am.
2. State in what books the authentic proceedings of the College are recorded?—The proceedings of the College are recorded in its Annals, which extend from the year 1555 to the present period. A brief summary of the previous history of the College, from its foundation in 1518, is prefixed to the first part of the Annals.
3. By whom is that summary drawn up?—By Dr. Caius, who commenced the Annals.
4. Is an uninterrupted series of the Annals preserved from 1555 down to the present time?—There is an interruption, in consequence of one volume of the annals having been accidentally lost several years ago.
5. What period does the last volume comprehend?—From the year 1771 to the year 1781.
6. Up to what period are the Annals written in Latin?—Up to 1682.

[*Dr. Hawkins was here examined respecting certain transactions of the College, at various dates; but he having stated that he was not yet prepared with the verification of various returns called for by the Committee, and concerning which they had questioned him, and that a committee of the College intended to meet to select what was required, if time were allowed for that purpose; and that the return of the College, No. 3, was drawn up some years ago from the Book of Annals, and that time had not been allowed for any verification at the present moment; the Committee resolved themselves to examine the Annals of the College, with a view to obtain more complete information on the subject than, from their own want of acquaintance with the history of the past transactions of the College, they would probably obtain by way of question and answer.*]

7. Has the College ever published, for the information of the fellows and licentiates, authentic editions of the bye-laws?—It has not, as far as I am aware, ever published them; but the bye-laws remain open to the inspection of every fellow at the college, and a copy is furnished to every officer of the College.

8. Have they ever printed their bye-laws?—They have printed, within these few years, extracts from those bye-laws: they have printed all the bye-laws which in any way concern the licentiates. As registrar, I furnish every licentiate, or every person wishing to become a licentiate, with a copy.

9. What are the dates at which the College has drawn up authentic copies of the bye-laws at the time in force?—At different periods there have been Committees of the College to revise the bye-laws, and some of those Committees have been furnished with legal assistance. The bye-laws have been revised; and when so revised, a complete copy has been drawn up at different times; then, when a subsequent revision took place, the former copies were destroyed, so far as I know; and every fresh bye-law is confirmed by the college-seal, and the College act on those bye-laws.

10. Then the only mode of knowing what were the bye-laws at any particular date would be, by going through the Annals, to see when each bye-law was made and when it was repealed; and in that manner arriving at the knowledge, one by one, of the whole body of the bye-laws?—Yes.

11. You are not to be understood, that the College caused to be obliterated in the minutes of their proceedings the bye-laws passed at particular dates, but that,

F. Hawkins, M.D.

13 March 1834.

in the editions of the body of the bye-laws, they obliterated the repealed bye-laws?—Exactly so.

12. Therefore the Committee could find, by going through the Minutes of the College from the beginning, what were the bye-laws in force at particular dates?—To a certain extent; but in some portion of the Annals, the bye-laws are referred to as in existence, and known at the time; but the bye-laws themselves are not now in existence. I may mention, perhaps, that a complete copy of the existing bye-laws in 1696 is inserted in the annals of that time.

[*Dr. Hawkins was again interrogated respecting some of the past transactions of the College, as recorded in the Annals; which the Committee determined to investigate, by searching the Annals themselves.*]

13. On the 1st of April 1765, were not the statutes respecting the admission of candidates revised?—At that period the statutes were all revised, the old statutes were repealed, and new statutes enacted that had been framed with the assistance of Mr. York. I find that those statutes were printed for the use of the fellows only: if I can find a copy of it, I shall be happy to produce it.

14. Is that the only edition of the statutes that was ever printed?—As far as I am aware, with the exception of certain extracts I mentioned before; but I believe a copy had also been printed previously, but surreptitiously.

15. Are the minutes of 1771 lost?—The minutes extend to June 1771, and then a volume is lost; the next begin in 1781

16. When was the bye-law passed “that the president might, if he chose, recommend annually two licentiates of ten years standing?”—I believe the date when the dispensing bye-law allowed the president that power is stated in the Return.

17. It appears by the Return to be in 1772?—Then that is lost.

18. Is there any entry on the minutes relating to the application of Dr. Wells to be examined in 1797 or 1798?—On the 30th of September 1797, “a motion was made and seconded, that Dr. W. C. Wells having been seven years a licentiate, and of 36 years of age, should be proposed for examination by the College, in order to become a fellow, according to a clause in the statute *De Permissis*; but the previous question having been then moved and seconded, ‘that the above motion should be now put,’ the previous question was balloted for and decided in the negative.”

19. Will you refer to September 1789, and see whether there is any notice of the proposal of Dr. Sims?—I find no entry; I can only explain that by supposing that if the motion was not seconded, it fell to the ground, and was not entered.

20. Are you aware that Lord Kenyon, on Dr. Stanger’s application to the Court of King’s Bench, stated that the seconding of such a motion was not necessary?—I am not aware of that.

21. Will you see if there is any entry in 1798 respecting Dr. Wells?—On the 25th of June “Dr. Pitcairn gave notice that he will propose, on the day after next Michaelmas, Dr. William Charles Wells to be examined in order to become a fellow, according to a clause in the statute *De Permissis*.” The question was decided in the negative.

22. In 1772 the dispensing statute was enacted, that a licentiate of seven years standing and 36 years of age may be proposed by any fellow for admission into the college; and in 1798 there was added a clause requiring a fellow proposing a licentiate to give notice of his intention. Has any licentiate, from the first enacting of that statute down to the present time, ever been elected under that statute into the fellowship of the College?—No licentiate has been elected.

23. Are you aware that on an application to the Court of King’s Bench by Dr. Stanger for a mandamus against the College of Physicians, this statute was referred to, as really giving an opportunity to the licentiates of finding admission into the college, from which, as they complained, they were excluded: that Mr. Justice Lawrence, when the case came to be argued, put the question, “Where is the difficulty of a gentleman getting some one gentleman of the college to propose him;” and that the Judges appeared to have contemplated, that under that law admission into the College was really afforded to the licentiates?—I suppose that it is afforded, for within these few years a licentiate was so proposed; and I know an expectation was entertained that he would thus find admission into the fellowship; but he died before the time required was expired.

24. There appears to have been an impression at the time, that under the statute no admission would really be granted; for in reply to the question of Mr. Justice Lawrence, Mr. Law, afterwards Lord Ellenborough, who was counsel for Dr. Stanger,

Stanger, makes this observation: "There has been no person admitted; there have been many trials, but nobody has ever got through that wicket, nor ever will;" and his prophecy appears to have been accomplished?—The fact to which I allude has taken place subsequently to the speech of Lord Ellenborough.

F. Hawkins, M.D.

13 March 1834.

25. Is there not another dispensing statute besides that of 1772 by which licentiates are admitted?—Certainly there is, by which many licentiates have been admitted to the fellowship.

26. By a return of the College, it appears that there was another dispensing statute of 1784, empowering the president to propose to the comitia yearly any two licentiates of 10 years standing; will you state the form in which that statute first passed, and whether it was not subsequently narrowed to one licentiate to be so proposed in each year, and subsequently to one in two years?—I am not prepared to state these forms at the moment, but will refer to the Minutes.

Martis, 18^o die Martii, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Sir *Henry Halford*, Bart., M. D., called in; and Examined.

27. YOU are President of the Royal College of Physicians?—I am.

Sir H. Halford,
Bart., M.D.

28. Besides the bye-laws, is there any book of rules and orders of the College?—No; there are some memorials by which we are enabled to know the form of business.

18 March 1834.

29. In the annals of the College, June 12th, 1812, there is this entry: "That it is the opinion of the College, that no fellow do interfere in promoting a charter solicited by any medical or any surgical society, without having first obtained the leave of the president and fellows of the College at one of the comitia majora, and that the above resolution be inserted in the *Book of Rules and Standing Orders*." That would appear to imply that there are books of rules and standing orders?—I have a book in my possession, as President, by which I am informed of the course of my duties. For instance, that the censors are to be proposed out of a certain ratio; they are directions of such a description as that.

30. You apprehend it is that book which is referred to?—Yes; that for the governance of the president himself.

31. It appears that the resolution read is not only for the governance of the president himself, but for the governance of the president and fellows of the college?—I do not remember to have read that in the book to which I allude, of the directions for the president's conduct.

32. There probably might be, besides the book of statutes, some book of standing orders?—I am not aware of any. I will refer to the book I have, and see whether that is contained there; I have never heard it alluded to at all since I have been president.

33. What are the officers now belonging to the College?—A president, four censors and seven elects; there are eight elects, out of which the president must be one; there is also a registrar and a treasurer.

34. Will you describe the peculiar duties of each of those officers?—The four censors form a board of examiners, with the president; and they examine persons who apply for a license to practise physic.

35. They examine those who apply for a license to practice within the precinct of London?—Yes.

36. Are there any other duties which fall upon the censors?—To visit the apothecaries' shops.

37. Those are duties directed by the Charter and Acts of Parliament?—They are; and they are to summon people whom they understand to be practising without having taken out this license.

38. Are those all the duties of the censors?—Those are their principal duties; I do not recollect any other at this moment.

Sir H. Halford,
Bart., M.D.

18 March 1834.

39. What is the duty of the elects?—The elects choose the president from their number; and the president and three elects examine the extra licentiates.

40. That is also agreeable to the Act of Parliament?—Yes, to the statute and to the charter.

41. By extra licentiates, you mean those who practise without the precinct of London?—Just so.

42. Do any other duties fall upon the president?—I think not.

43. If there are other duties besides those enumerated by you, where will the Committee find the record of them?—In the statutes of the College.

44. Have you ever had occasion to look into the origin of the bye-laws of the College which restrict the admission into the College almost exclusively to the graduates of the English Universities?—Yes; I am acquainted, I think, with the general principles upon which the College is governed under that head.

45. Out of what circumstances do you think the practice referred to, which is not according to the original bye-laws of the College, arose?—From the original connexion between the Universities and the College. The first founder of the College, Linacre, established lectures at Oxford. The successor of Linacre founded a college at Cambridge, Caius College; and there has been a natural connexion between the University and the College of Physicians ever since.

46. Are you not aware that for nearly two centuries after its first institution, admission into the College was given to the graduates of foreign universities, provided they could produce testimonials of admission *ad eundem* at one of the English universities?—I believe there are instances of that; but it has not been the common practice. Certainly Sydenham was not a fellow of the college.

47. That is a very modern period compared with the first institution of the College. Have you examined the early admissions into the College sufficiently to satisfy yourself, that a great number of those admitted were graduates of foreign universities?—I have not made it my business to examine particularly the former arrangements of the College; I am satisfied with the practice of the College for the last 150 years, at least. I know there have been disputes upon that subject, and that the statutes have been altered from time to time. I know, moreover, that they have always been subject to legal revision, within the last 80 or 90 years, before they have been put into force and acted on as to their legality.

48. You are aware that up to a comparatively recent period, a statute was prevalent in the College, restricting the fellows to a certain number?—Yes, there was such a statute.

49. That statute prevailed up to the middle of the last century. Was not that statute declared to be illegal by Lord Mansfield?—I think I recollect his judgment to that purport.

50. Therefore the mere prevalence of a custom would not be a guarantee for its propriety?—That suggests the propriety of submitting every statute to legal authority, before they were put into force; and that has been the constant course for many years past.

51. Has the College any reason to doubt, at present, whether the bye-law restricting the admissions, except under certain circumstances, to the graduates of Oxford and Cambridge, is a lawful restriction or not?—I take it to be an election, and quite at the option of the College. If a person is once licensed, they may take that person into a fellowship whenever they please, after ten years. That is the rule; he is eligible into a fellowship after ten years.

52. You are now referring to a special statute of the College made subsequent to the year 1765, allowing any fellow to propose a licentiate for election into the order of candidates, provided he had been a licentiate ten years?—It is not confined to the proposal of a fellow, but the president has the power.

53. There are two dispensing bye-laws; the first is, that the president may propose a certain number of licentiates within a certain interval; and the other, that any fellow may propose a licentiate of ten years standing, at any time?—Yes; that is the statute at this moment.

54. Has the College any reason to doubt the legality of confining the choice of the electors to the graduates of the two English Universities, there being no mention of any such restriction in the Charter, and the Act of Parliament confirmatory of it?—I apprehend the College is convinced that it does not necessarily confine itself to the members of the universities of Oxford and Cambridge; there is a certain preference of those members in the mind of the fellows of the College; for they are people who have undergone a moral and intellectual trial in the universities
from

from whence they came, to which they are not subject at the foreign universities. They are domiciliated at Oxford and Cambridge, but not at Edinburgh, or Aberdeen, or any other universities from whence they may come: and the reason, I apprehend, for the probation of ten years is, that those people who have not been so domiciled, may have an opportunity of giving a proof of their moral qualifications, as well as their intellectual ones. That is the reason of the preference of the members of the English universities, in the mind of the fellows, for the election of licentiates into their body.

55. How many licentiates have been elected into the College on the proposal of a fellow, from the first passing of that statute down to the present time?—I do not know that any one has been elected; but I do not know why they have not been elected. I know very well, that one was proposed a very short time ago, and that he probably would have been elected, but that he died before the period of election could come on.

56. You are aware that, at the time of the trial in the Court of King's Bench, in the case of Dr. Stanger, this bye-law was referred to by the counsel of the College, as so qualifying the old restrictive bye-laws, as to remove the objection which Lord Mansfield made to them, of being too narrow. The bye-law was represented as one by which the licentiates could gain admittance into the College. Upon this assumption, Mr. Justice Lawrence observes, "Where is the difficulty of a gentleman getting some one fellow of the College to propose him?" Dr. Stanger's counsel observes in reply, "There has been no person admitted: there have been many trials, but nobody has ever got through that wicket, or ever will." The view taken by Mr. Law, that the statute was never intended to be acted upon, seems to have been very correct; for from the time of its first enactment, not a single fellow has ever found admission under it into the College?—I do not know what the reason is which prevents a person from being so proposed. He is to be submitted to an examination, and that might deter persons from wishing to be proposed.

57. Are you aware, that in 1789, after the passing of the statute, Dr. Burges, a fellow of the College, proposed a licentiate, Dr. Sims; and the objection then taken was, that the proposal was not seconded; whereas no mention of the necessity of there being a seconder was to be found in the statute itself; and Lord Kenyon, upon the hearing of Dr. Stanger's case, expressly says, that no seconder is necessary. The words of Lord Kenyon are, "If it had been a *sine quâ non*," (meaning by *it*, the having graduated at Oxford or Cambridge,) "if it had controlled the parties who are to form their judgment, and taken from them all power of decision upon candidates, it would have had that seed of death in it that Lord Mansfield found in the bye-law, which he decided to be bad. But this is not so: here every person has a right to address himself to the honourable feelings of those breasts to which Dr. Stanger must at last have addressed himself, if this mandamus went. If they find him to be (as I am inclined to believe he is, from what I hear of him,) possessed of all the requisites of medical learning and moral character, he will address as powerful arguments to those gentlemen, every individual of whom is called upon to exercise his opinion upon the subject. *He is not to wait to be seconded*; the bye-law does not require that. If any one proposes him, the question is submitted to a majority; it goes then to that tribunal which, I hope and believe, is the sanctuary of honour and good faith; and he may as well address himself to them now, as if this mandamus went." In 1789, previous to this opinion given by Lord Kenyon, Dr. Burges, a fellow, proposed Dr. Sims, a licentiate; and the objection was taken, that as the proposer was not seconded, they could not go to the ballot. Accordingly, in examining your annals, it appears that no entry whatever is made of that proposal, because it was not seconded; and in the Return made by the College last year to Parliament, of the number who have been proposed and rejected in each year, there is no notice of any one having been proposed and rejected in the year 1789. Are you aware that a person under this bye-law was proposed to the College for the first time in 1789, and that they did not even go to the ballot on the proposal, upon the plea that it was not seconded?—I am not aware of it.

58. Are you aware of a second attempt to find admission into the College by a licentiate, Dr. Wells, in 1797 and 1798?—I am.

59. Are you aware of the objection that was taken to Dr. Wells's first application, viz. that no notice had been given to the fellows of an intention to propose him?—It is a standing order amongst us, that no fellow can make a proposal without first of all communicating it to the president. If there was a want of

Sir H. Hallford,
Bart., M.D.

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Bart., M.D.

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form in doing that, the fellow who proposed him was answerable for that omission.

60. Is there any mention, in the statute in question, of notice to the fellows being necessary?—It is a general rule that every thing proposed should, in courtesy, be mentioned to the president first of all.

61. Are you not aware that, subsequent to this application by Dr. Wells, the College passed a statute, that notice in such case should be necessary; admitting, therefore, by passing such a statute, that to give notice was not the rule previous to its passing?—It should seem to imply that; but it is matter of courtesy, acted on, though not expressed, perhaps.

62. Are you aware that Dr. Wells alleges that he actually did give notice?—I am not aware of all the circumstances of that case; no judicial inquiry, I believe, was held upon it.

63. You were probably acquainted with Dr. Wells?—Yes.

64. Probably you considered him a person of the highest honour and character?—I firmly believe so.

65. Therefore what he has himself recorded you would believe to be correct?—A man might take a false view of his own case. I do not impugn his honour or his virtue in any respect.

66. You admit that, after Dr. Wells had been proposed, before the next anniversary of the College, the College thought it necessary to pass a bye-law, expressly providing, that in all cases of proposing licentiates to be admitted as fellows, a quarter of a year's notice should be given?—Yes. The comitia majora ordinaria are held quarterly.

67. Does not that seem to imply that no such notice was required by the previous statutes of the College?—Perhaps it came under the general head of the courtesy that belonged to the transaction of business with regard to the president; but if it were imputed to him as a fault that this courtesy was not paid, then a written bye-law was necessary to make it the practice in future.

68. Dr. Wells says, "When I had perused *that* account," (meaning Mr. Gurney's short-hand report of the proceedings on Dr. Stanger's application,) "I hastened to inquire whether any licentiate who came within the conditions of the bye-law, meant to avail himself of it; but finding there was none, I determined to apply for an examination of my own fitness to be a fellow of the College (whatever reason I might have for being fearful of its issue), rather than allow the grounds of the decision to run any hazard of being forgotten, from want of an early appeal to them. I mentioned my intention to two of my friends among the fellows, Dr. David Pitcairn and Dr. Matthew Baillie, who, by immediately offering to propose me, removed the first, and, in the opinion of the Judges in the Court of King's Bench, the only difficulty in the way of obtaining the object. On the 29th of September 1797, a motion was accordingly made at the College by Dr. Pitcairn, and seconded by Dr. Baillie, not that I should be admitted a fellow, but merely that I should be examined concerning my fitness to become one hereafter." Dr. Wells afterwards goes on to say, "I proceed to assert, that notice was given to the College of Dr. Pitcairn's intended proposal. If the proper person for receiving it was absent from his duty, the fault lay with him. Among the many illiberal circumstances of the bye-law for admitting licentiates to an examination, is this: that no person can be proposed under it, except upon one day in the year, namely, at the general meeting of the College immediately after Michaelmas. I had not been able, before the 20th of September, to ascertain whether or not I could be proposed in 1797. Two days after this, and seven days before the meeting of the College, I went to the president's house in London, to inform him of what was intended; being desirous that, although such a notification was not required, it should not afterwards be said that an attempt had been made to surprise the judgment of the College. I was told there that he was in the country, at a considerable distance from London, but that he was expected to return in a day or two. Upon this I wrote a letter at his house, which I left there, to acquaint him with the object of my visit. Three days after, however, I learned that he was still out of town, and probably would not come to it till the day preceding the meeting of the College. In consequence of this information, I immediately sent a letter to him in the country, to make known what was meant to be done. On the same day I called upon the officer of the College whose business it is to summon the fellows to their meetings, and authorized him to acquaint those whom he should see that I was to be proposed for examination. I gave the same information myself

myself to one fellow, my colleague, Dr. George Fordyce. If I did not give it to more, this was from fear lest the doing so might be regarded as an indirect solicitation of votes. Yet, notwithstanding all this supererogatory care to apprise the president and fellows of the College of what was intended by Dr. Pitcairn, they were bold enough to refuse even to allow his proposal to proceed to a ballot, on this pretence, among others, that it had not been properly notified to them." After reading this, which will bring the circumstances, perhaps, to your recollection, are you still of opinion that no notice was given to the College?—I cannot pretend to contradict that as a fact; but it ought to be recollected that it is the statement of a person who was disappointed in an object, and therefore I think the representation there ought to be received with some little degree of caution.

69. Supposing the facts here alleged to be correctly stated, would you then adhere to the opinion that no notice was given?—That is a matter that everybody can decide as well as myself, if those are the documents from which the inference is to be drawn.

70. Supposing those facts to be correctly stated, would you still maintain that no notice was given?—I could not, if that is all true. I was asked, in the first instance, whether I believed Dr. Wells to be a man of honour and credit; I do so; but I cannot be responsible for every statement made by Dr. Wells in a matter on which he was disappointed.

71. On what ground was it that you stated that no notice was given?—I have no means of speaking to a fact of that kind; I was not an officer of the College.

72. Is there any record in the College to that effect?—I do not know.

73. You are aware, perhaps, that Dr. Wells was not even balloted for, but that one of the fellows moved the previous question, which was carried?—The records of the College will state that to be the fact, if it is so.

74. Is it not the fact, that subsequent to this rejection of Dr. Wells, not a single licentiate has ever been elected into the College under that statute?—One was proposed the other day, and would, if he had not died, I firmly believe, have been elected into the College under that statute. I have no hesitation in saying so, for it was unanimously received.

75. That was the only case in which a licentiate has ever applied since that period?—I do not apprehend that any act of injustice is done to the individual by not giving him the fellowship; he of course has no right to demand it; he has a right to call for admission as a licentiate, and great injustice is done if he does not receive that according to his qualification; but, I apprehend, no licentiate has a right to demand to be admitted a fellow; and that would have governed my judgment, probably, in Dr. Wells's case.

76. They do not claim to be admitted as fellows, but to be examined with a view to being admitted as fellows?—Yes; they have already undergone that examination as licentiates and have been admitted, and the College needs not entertain any further demand from them.

77. Do you call that a demand which is authorized by the existing statutes of the College?—Yes, I do; the College may make what conditions in respect of a compliance with those demands it pleases.

78. Does not this statute of the College say, that any fellows shall be at liberty to propose a licentiate to be examined with a view to the fellowship: "*Liceat porro cuilibet sociorum in comitiis majoribus ordinariis, postridiè divi Michaelis habendis, aliquem qui annos septem integros in numero permissorum fuerit, annum-que ætatis suæ tricesimum sextum clausurit, examinandum proponere.*" If a fellow thinks proper to propose a licentiate to be examined, do you call that a demand upon the part of the licentiate proposed to be examined?—No, not exactly; it is permitted to any fellow to propose a person under such conditions; I do not call that a demand upon the part of the licentiate.

79. With what view did you make use of the word "demand"?—In reference to the whole of the circumstances. I think there is a difference between Dr. Stanger's case and Dr. Wells's case. The impression upon my mind is, that there has been a demand of being admitted into the fellowship. In examination, the College takes care to guard against that, by saying it shall undergo a certain form. Whether the seconding is according to law, was a matter of doubt; that appears to have been overruled by Lord Kenyon; but I speak of the general fact, that a licentiate has nothing to complain of, if he is not admitted a fellow; he has a great cause to complain, if he is qualified for his examination as a licentiate, and is refused an examination in order to his being licensed; that is a hardship, but the other is not.

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80. In reference to the non-entry of the proposal for the admission of Dr. Sims, such non-entry being grounded on the alleged fact, that the proposal had not been seconded; are you aware of any and what injury that could accrue to Dr. Sims, or any other candidate to be proposed for examination for subsequent admission into the College, or any other electoral body, where success is to be obtained by a majority, if the person, so proposed by one, could not obtain the vote of a second person in his favour?—I cannot conceive that he would sustain any injury under those circumstances.

81. How do you account for these two unsuccessful applications, and the third, of Dr. Pearson, which never came to a ballot, being the only applications for admission under that statute that have taken place during the period of 70 years?—It is impossible for me to say what passes in the minds of those people who are to undergo an examination, as the consequence of their application.

82. There is another statute which allows the president, as a matter of favour, to propose licentiates for admission into the body of the College; when was that statute first passed?—I cannot tell the year; it has been acted on largely of late years; but I have never considered it as a matter of favour. I have considered myself only as the proper channel of communication between the licentiate and the College.

83. Do not the words *speciali gratia** occur?—Yes.

84. Does not that imply favour?—The president must be a person of many years standing, and most likely to know the eminence at which these licentiates have arrived; therefore he is made the organ of communication with the College.

85. In what form was that statute first passed?—Some time ago, it was every two years; now it is once every year.

86. Was not the time of its first passing very shortly after the period at which Lord Mansfield had condemned the bye-laws as being too exclusive?—Perhaps it might; I do not know what was the reason of the College for passing it; but that is the law, and it is now acted on.

87. In the form in which it was first proposed, was not it lawful for the president every year to propose two licentiates for admission into the College?—One or two, at his discretion, I think it was; but not more than two.

88. Then he might propose two, if he pleased?—I presume so.

89. In the first form it stood thus, that he might propose one or two every year?—I am not sure of the form.

90. Was not it subsequently altered, that he might propose one or two every two years?—I really cannot tell that.

91. What is the later form?—The later form is, that the president has the power of proposing every year, at his discretion, a person of the number of licentiates to be admitted a fellow. I have been president of the College 14 years, and I think seven or eight have been admitted during that time from the number of licentiates; and persons of all persuasions, of all descriptions, of all religions.

92. When was the present form given to the statute, that the president might propose a licentiate every year?—It was since the building of the new College.

93. Previous to that, the president might propose one candidate every other year?—Yes, every alternate year.

94. Has that been acted on every year since 1823?—No, not every year: it is necessary that they should be proposed in a certain form, and on a certain day. In the year of the late King's illness, I was locked up at Windsor, and was not at the College.

95. It appears that, under this qualifying statute, not an inconsiderable number of licentiates have found admittance into the College?—Yes; there are at least seven or eight, or nine, within my presidency.

96. How do you account for licentiates having been admitted according to this statute, on the proposal of the president, and none having been admitted under the statute, on the proposal of a fellow?—I know not any reason, excepting that on the proposal of a fellow, the licentiate is to undergo an examination; on the proposal of the president, he is not examined.

97. Many have been admitted by the proposal of the president, but none by the proposal of a fellow?—No: one was proposed by the fellows the other day; but he died before the ballot could take place.

98. When

* The examinee and examiner are both in error; words of this import are to be found in a statute of the College, that is repealed, but are not to be found in the present statute referred to.

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98. When was Dr. Pearson proposed?—I think in the year 1829 or 1830.

99. Did you exercise the privilege, as president, of recommending a licentiate for admission last year?—No, I did not, last year. I have done it within this last fortnight, and I will state fairly before the Committee, that if I had seen a person of extraordinary eminence, who was entitled to that distinction, I would have done it last year.

100. Who is the person you have selected for admission into the College this year?—Dr. Wilson Philip.

101. Was not Dr. Wilson Philip as celebrated for his discoveries in physiology last year as he is this year?—Perhaps he was; I believe he was; he must be of ten years standing; he was about eleven years, perhaps.

102. You have stated as a reason for not recommending any licentiate to the College last year, that you could not find one licentiate who was sufficiently distinguished to be entitled to that honour?—I did not mean that there were not many licentiates of great merit, but I did not see one of pre-eminent distinction.

103. You are sure you did not state that?—No; it could not be necessary.

104. Was not it a fact, that Dr. Wilson Philip was as well known last year for his discoveries in physiology as he is this year?—I believe he was; but there was a controversy going on at the time with an eminent person with whom he was engaged, and, perhaps, it was better to let that be determined before he was proposed.

105. You did not exercise the privilege last year?—I did not.

106. What advantages, in your opinion, result from confining admissions into the College almost exclusively to the graduates of Oxford and Cambridge?—I know of no advantage beyond the opinion that the world may have of those persons, from their education, being more likely to be accomplished physicians; I know no reasons upon earth but that; the fellows have no privileges whatever that a licentiate has not.

107. What advantages to the public do you think result from that exclusion?—Men are tempted to seek the best education that the country can afford.

108. You mean the best literary and scientific education, or do you mean the best medical education?—The best preliminary education to the study of physic.

109. Do you think the best medical education is given to the graduates of Oxford and Cambridge?—I believe that the physic that they may acquire at Oxford and Cambridge is undervalued by those who reproach the Universities for not being schools of physic; but that is of very little importance, if they have their preliminary education. They will go and find physic wherever it is to be found, afterwards.

110. Then it is to the superior preliminary education they acquire at Oxford and Cambridge you attribute any advantage which arises from the restriction alluded to?—I believe so; they have no other claim to preference but that; they have no advantage over the licentiates whatever; the licence to practise is necessary to the fellow as well as to the licentiate; they are both licentiates in the first instance; they are elected to the fellowship afterwards, and with some degree of preference, because they are known to have passed through an ordeal, to have been domiciliated in the college at the University, subject and subjected to all the rules of that college, as well as the laws of that university. As to licentiates who come to us, we have no knowledge how they have spent their time before they began the study of physic, or where they studied; for they may have got a degree at a university without having resided there.

111. Is it to the literary or the scientific part of their education, or the moral discipline you refer?—Both one and the other; the moral and intellectual discipline they undergo at the English Universities.

112. Do you mean that those are the only seats of learning in which due preparatory education is given to those who intend to enter into the medical profession?—By no means the only place; I know those places well, and I know there is an opportunity of undergoing moral discipline, of which the great body who come for a licence have no proofs to give, that they have undergone it.

113. Have proofs ever been asked for; have the College ever endeavoured to inform themselves as to the scientific or literary education, and as to the moral habits and discipline of other parties who have not been educated at the two English Universities?—You may learn their scientific and literary acquirements by examination; but not their moral qualities. I am glad that question is asked: it is upon that ground that we insist upon the licentiate remaining a certain number of years a licentiate before he can be admitted into the fellowship. A young man

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man goes to Edinburgh, or St. Andrew's; he used to get degrees without going at all; at Glasgow they get them after two years; at Edinburgh, now, it requires four years, but it used to be three; but the College requires a residence at a university two years; it requires that a person shall have taken a degree after having been resident at a university for two years; then the College expects that they shall remain in the list of licentiates ten years: that makes twelve. We who go to Oxford or Cambridge, are eleven years before we get our degrees, so that that brings it pretty nearly to the same standing. In one case, the head of the college at which the person has resided, bears testimony to the moral character of the individual before he presents him for each of his degrees; we think this is counterbalanced by insisting on a licentiate remaining in the eyes of his brethren to have his conduct observed, before he is eligible into the fellowship. It comes to pretty nearly the same.

114. You will have no objection to giving the same facilities to admitting licentiates, not graduates of the English Universities, into the College of Physicians, provided you could inform yourselves of their moral habits and of their scientific and literary education?—I do not say that it is necessary that they should be admitted, but that they are qualified to be admitted; and if the College approves their qualification, they are eligible.

115. You prefer the restriction of admission into the College to the graduates of Oxford and Cambridge, because you can better inform yourselves of their literary and scientific education, and of their moral habits?—Yes.

116. Provided you could inform yourselves of persons, not graduates of the English Universities, being equally well qualified by good moral conduct, and by literary and scientific acquirements, ought you not, consistently with your own arguments, to give to them the same facilities of admission into the College which you give to the graduates of Oxford and Cambridge?—If I could have the same satisfactory proofs, I would admit them in the same manner.

117. It appears from the Return made by the College to Parliament during the last session, that from 1771 down to the present time, there have been 147 graduates of Oxford and Cambridge admitted; that in the same period there have been 19 licentiates admitted on the recommendation of the president, and four licentiates recommended by the president rejected; thus, in 63 years, it appears that there have been only 19 licentiates admitted, and that of those, seven have been admitted in the last 10 years. Do you think that amongst the licentiates who have practised in London during that time, a much larger proportion than 19 have not been qualified, both by their education and moral habits, to be admitted into the College?—Probably.

118. If there are many more qualified by their education and moral habits to be admitted into the College, how do you account for a greater number not having been admitted?—I account for it by the acrimony of the disputes between the fellows and the licentiates, and the violence with which the latter pursued their claims to the fellowship; the repeated decisions of the Court of King's Bench had determined the question of right.

119. Can you account for their not having been admitted?—No otherwise. We have been more liberal lately in their admissions than formerly.

120. Do you not believe the fact to be, that there always has been a very large proportion of the licentiates practising in London, who from their moral character, from their scientific and literary acquirements, from their medical knowledge, and their extent of practice, have been eminently qualified to do honour to the College, if admitted thereto?—No doubt about it; but no injury has been done to them: they have been able to make their fortunes just as well as the fellows have, and they have always done it. I see no advantage to the fellow, except in the opinion the public may have in favour of a person who has been well educated at one of our own universities, instead of not knowing where he has been educated.

121. Does not the practice of a physician depend upon public opinion?—Certainly, in a degree.

122. Then why should they be placed on a lower scale?—It is not on a lower scale.

123. What proportion do those admitted on the recommendation of the president, bear to those who have been admitted under the ordinary law as candidates, since the period when the recommendation of the president first came into operation?—I think it must be one in four, but I am not quite sure.

124. What is the proportion between the licentiates practising in London, and the

the fellows practising in London? Is it not the fact, that there are in London 60 resident fellows and 136 practising licentiates?—Yes; I believe so.

125. During the last ten years, there have been admitted, under the ordinary law, 39 fellows, and by the president's recommendation seven, which is between a fifth and a sixth: it appears also, by the printed list of the College, that there are 136 licentiates in London and 60 fellows: do you mean that a considerable proportion of those 136 are not persons who, if they were admitted to the College at once, would do honour and credit to it, both from their moral character and their various acquirements, literary and scientific?—I do not think I am called upon to hazard an opinion upon that at all. Why should I? I am sure there are a great number of very honourable and very proper men.

126. Is it the principle of the College to admit into the College as many as possible of the faculty practising in London, who are qualified by their moral character, scientific, literary, and medical acquirements, or is it their object to restrict the admissions as much as possible to graduates of Oxford and Cambridge?—I am sure it is not their object to restrict it to Oxford and Cambridge; but generally they have a prejudice in favour of those people, who they know must have been well educated previously to commencing the study of physic.

127. Do they take any pains to inform themselves of the acquirements of those gentlemen who have not had the good fortune to be educated in the universities of Oxford and Cambridge?—They live with them in habits of the same intercourse as with fellows. When they have formed their reputation, it comes to the knowledge of the fellows under those circumstances.

128. In that case they can only be admitted by the recommendation of the president?—I think too much stress is laid upon the recommendation of the president. The president is a person who must be of a certain standing; he must be of more years standing, probably; than most of the other fellows of the College; and if he is in the active practice of his profession, he must have a better knowledge of the character and qualifications of the practising physicians than any other individual has, and he therefore selects the persons. The College has confidence enough in him to let him so select, and they ballot on his recommendation.

129. Do you not think it would be a better system of election if the recommendation were to come, not from the president, but from a certain number of the fellows? Was not such a bye-law once proposed to the fellows?—I had no objection when that proposal was made, but I do not think it would be a bit the better for it; I do not think it would improve it.

130. Does a fellowship give any power to practise physic?—None at all; it is the licence obtained previously that gives them that.

131. The licentiates and the fellows have it equally in their power to practise?—They stand precisely on one and the same footing; and if you take the circumstances of the standing, the licentiate would have considerable advantage. A person going to Oxford, 20 years of age, and a person going to Edinburgh, one of them is licensed in five or six years afterwards, and the other is not licensed till 12 years from the year he enters; the one is getting his bread from the moment he has his licence, while the other is spending his time in preliminary study.

132. As to the advantages attending the being a fellow of the College, do you agree in this opinion, that "the chief advantages which a physician enjoys from a fellowship of the College are in consequence of his being often placed by it in very conspicuous and honourable situations: soon after receiving it he becomes an examiner of the fitness of other physicians to be fellows or licentiates, a visitor of the shops of apothecaries for the purpose of inspecting the quality of their medicines, and a commissioner under the Act of the Legislature for licensing houses for the reception of lunatics;" the last-mentioned advantage is now indeed done away "by these means; though he may be a very young physician, he nevertheless appears to the world as a man of rank in his profession. Such a circumstance, to the great number of persons, must be highly gratifying, without regard to its consequences; but in medicine, the slightest sign of distinction is frequently a source of profit to the possessor; for as men in general have not sufficient knowledge or discernment to choose their physicians on the ground of merit, they commonly take these to exhibit marks of public approbation and confidence; a fellowship, therefore, by bestowing such marks, is often greatly conducive to the advancement of the interests of a physician." Do you accord in this opinion respecting the advantages which appertain to the fellowship?—No; I have never found it in the course of my whole experience of 40 years.

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A licentiate is just as capable of being a physician of the Royal Family; just as capable of being a physician of public hospitals; just as capable of being a teacher of physic in the metropolis as a fellow is; a fellow has no real advantage therefore over him.

133. Is not admission into the College much in request?—I cannot answer that with any degree of confidence.

134. What proportion of the physicians, graduates of Oxford and Cambridge, who come to practise in London, become fellows of the College; and what proportion remain satisfied with continuing licentiates?—They are all eligible to a fellowship; at the end of a year they are immediately proposed to be candidates or inceptor-candidates, and then they are balloted for, as a matter of course, to be fellows.

135. Of those who came to practise in London, and are graduates at Oxford or Cambridge, what proportion are fellows or candidates, and what proportion are there content to remain licentiates?—They almost universally become licentiates and fellows of the College.

136. Is not that a proof that, wherever a power of admission into the College is given, the admission is thought desirable?—It conveys to the world a notion that such physicians have been well educated.

137. If all to whom access to the College is given, avail themselves of the opportunity, is not that a proof that admission into the College is thought desirable?—Take the contrast, that they do not come to us; they would pass as persons who had not had the advantage of the education they really have had.

138. The fact is, that those to whom access is given, do obtain it?—Because they would do themselves an injury if they did not do it. If there is any advantage in the belief that a person must be of superior attainments who has had superior advantages, they would forego the advantage of that, if they did not put them forward.

139. In admitting licentiates into the College, is it a rule to admit none but such as have previously, while in that capacity, obtained distinction in their profession?—They are all persons who have obtained distinction. That is the motive, I believe, in general, of being proposed to the College.

140. The admission of a person into the College is, therefore, a proof that the person selected has obtained eminence in his profession?—Undoubtedly.

141. Consequently, the opinion the College have expressed must be of advantage to him in his profession?—Undoubtedly.

142. Suppose that the rule were inverted, and that you opened the College without limit, and admitted any person, being a licentiate, who asked to be admitted, abandoning altogether the rule that eminence and previous distinction should be the ground of admission; would it not follow, as a matter of course, that as that admission would not prove previous distinction, any advantage in the profession would necessarily cease to be obtained by that admission?—Certainly; the only distinction is, that admission into the fellowship implies preliminary education, or acquired eminence afterwards.

143. Is any pains taken by the College to inform itself strictly of the course of medical education which the graduates of Oxford and Cambridge, soliciting admission into the College, have passed through; or is there simply an examination into the three departments of physiology, pathology, and therapeutics?—They are examined in two dead languages; in anatomy, physiology, pathology, and the practice of physic.

144. Is it required that they shall have gone through any regular curriculum of study? Are they obliged to produce testimonials from professors of the courses of lectures they have attended?—No.

145. Is there any course of hospital practice which they are required to have attended, as a qualification for admission?—No; they are not required to produce proofs of it; but, in their examination, of their knowledge.

146. There are three examinations?—There are.

147. On each of the different branches of physiology, pathology, and therapeutics?—Yes.

148. How long does each of these examinations last?—I think it depends upon the readiness with which a person seems to answer: you can find out very easily whether he is informed or not. A short examination will detect ignorance; a long one would not disclose all a man knew.

149. Ordinarily speaking?—It takes about two hours in the examination: there may be three or four people during that time.

150. All the fellows have a right to attend the examinations?—If they please.

151. It is not the practice for them to attend?—No.

152. The examination is left to the president and censors?—It is.

153. May not the person examined have a very complete knowledge of the theory, and yet not have had the advantages of practice?—The second examination is upon the theory of physic. If he is well acquainted with the theory of physic, which is found out by his second examination, it will afford a good presumption that he will acquire practical knowledge, if he be not already perfect, in time; there is a liberal construction of that kind.

154. Have any of the candidates, coming from the universities of Oxford and Cambridge, ever been rejected?—Yes.

155. Within your own knowledge?—Yes, within my own knowledge.

156. How long ago is it since any candidate from the universities of Oxford and Cambridge have been rejected?—Within the last few years; very few years; I would not wish to be too particular, lest it should lead to particular names; but I speak to the fact with confidence.

157. If a return were called for of the proportion that have been rejected since the year 1771, such a return could be furnished?—I suppose it could.

158. Is the examination of those who wish to be licentiates, of the same character as the examination of those who come from Oxford or Cambridge?—Precisely, except the examination in the Greek medical classics.

159. Are the graduates of Oxford and Cambridge examined as well in the Latin as in the Greek medical classics?—It is in the breast of every censor to put them on, if they think proper to do so; but they construe the Greek into the Latin, therefore we have an opportunity of knowing their acquisition in Latin.

160. Are they occupied long in that?—No, they are not.

161. Do they examine the candidates for a licence in the Latin medical classes?—Yes, Celsus and Sydenham; and since I have been president, we have introduced some other books, Sir George Baker and Huxham, and Akenside and Gregory.

162. What is the object of examining the candidates for the fellowship, and not the candidates for the licence, in Greek?—They generally decline being examined in Greek; they may not have studied the language.

163. Are the candidates for a licence ever asked to be examined in Greek?—Sometimes; I asked a gentleman two months ago, "Do you choose to be examined in both the dead languages, or in only one of them?" He immediately replied, "In both of them." An examination was then made, and he passed an extraordinarily good examination. The fact was then recorded by a private memorandum, which will distinguish that person, probably, hereafter.

164. In the medical part, the examination of the licentiates is the same as that of a person soliciting to become a candidate?—Yes.

165. No curriculum of medical study is enjoined?—No; a scheme has passed the college, but has not yet been publicly divulged.

166. Is a particular attendance on the hospitals now enjoined?—Yes, particularly.

167. On the licentiate?—Yes; those who become candidates will be expected to have been hospital attendants.

168. The question refers, not to the new scheme, but to what is the existing qualification required?—We do not ask the person where he has got his knowledge of the practice of physic, but are content if he has got it.

169. Then, in fact, hospital practice is not a requisite qualification for becoming a candidate?—Yes; a person is often asked respecting his own experience, whether he has ever administered the medicines: "Have you ever given those by your own prescription?" It will be said sometimes, that a larger dose of medicine has been given. "Have you known it given in your own practice, or is it in the practice of any body else?" Which goes to the hospital practice.

170. Is he rejected, if he has not gone through a certain portion of hospital practice?—No; but it is actually necessary to his knowledge of the practice of physic.

171. The hospital practice is not required as a necessary qualification for the practice of physic?—Not under that name.

172. If a person, examined for the licence, has not undergone hospital practice, he will not be competent in all probability to answer the questions?—Probably not; but if he answers the question on the practice of physic, I would not ask him where he obtained his knowledge.

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173. He is not required to produce a certificate of his attendance on the hospital?—No; he is required to produce his knowledge.

174. Is it the practice to examine them on their knowledge of pharmacy?—Yes, particularly.

175. Is that examination practical? Are any drugs, for instance, produced, and is he required off-hand to state the nature of them?—The nature of them is required, and particularly chemical preparations.

176. Are the drugs produced, and is he required to state off-hand what they are?—No.

177. In which of the three examinations is the candidate examined in pharmacy?—The third; in the practice of physic.

178. What is the interval between the three several examinations?—The censors' board is held the first Friday in every month, therefore there are three consecutive months; but it may not suit the convenience of the licentiate to take the next month; he will take the following one, perhaps.

179. Is it a question that is always put, in what hospital they have acquired their medical knowledge?—No.

180. Is not more attention paid to medical education at the Scotch Universities than at Oxford and Cambridge; are not the students required to attend more courses of lectures, and are not those courses of longer duration?—I have been at both of them, and I really do not see that there was a less good opportunity of acquiring information at the English University than at the others: there are clinical lectures, and anatomical, and exceedingly good lectures.

181. It has been stated, that the duration of the courses at Oxford and Cambridge is by no means equal to that of the same courses at the Scotch Universities; that consequently many subjects treated in detail at the latter, cannot be so fully investigated as the former?—Let the superior merit as a place of teaching at the Scotch Universities be what it will, the English graduates go there; so that I contend for it, that the fellows of the College (those who come to be candidates in order to be fellows hereafter,) have all the advantages that the people educated at the Scotch Universities have, besides that of the preliminary education.

182. That cannot comprehend all who are educated at Oxford and Cambridge, but a certain number?—I believe they universally go elsewhere: Paris some of them will go to; but there is an interval between the two degrees at Cambridge and that at Oxford, in which they may be absent. I went to Edinburgh for two years, between the Bachelor's degree and the Master's degree.

183. Are not the examinations at Edinburgh, previous to graduating, conducted with great strictness?—I never was present at an examination of that kind; but some of the persons who have passed there, have been rejected at the College. I should guess they were not carried on with great strictness.

184. Are the persons who present themselves to the College for a licence, examined as to their knowledge of midwifery?—Not as to the practice of midwifery, perhaps; but they are expected to know the diseases of women and children: the very act of delivery is not considered as falling within the province of the physician, therefore they are not questioned upon that; but the diseases of women and children they are competent to speak to.

185. Are they invariably examined as to their knowledge of the diseases of women and children?—Most undoubtedly, they are liable to be examined generally; every censor puts such questions as will satisfy his own mind best, as well as the president.

186. Is it understood that a candidate will be rejected, who comes to his examination uninformed upon the subject of midwifery?—I consider that he would be liable to be rejected for the want of knowledge upon that subject, as well as any other connected with the healing art.

187. Are the candidates for a licence examined as to their knowledge of the principles of surgery?—The principles of surgery come under the head of anatomy and pathology, and therefore they are examined upon those points; upon the practice of surgery they are not examined.

188. You have stated that those who solicit of the College a licence as extra licentiates, are not examined by the censors, but by the president and elects?—Yes, the president and three elects.

189. Upon what subjects are they examined?—They are examined in the same manner, in anatomy, physiology, pathology, and the practice of physic.

190. Do you mean that the examination of those who are candidates for being extra

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extra licentiates, is as strict as that of the candidates for a licence to practise within the precinct of London?—It is finished at one examination instead of three.

191. The whole examination is finished in one day?—Yes.

192. What time does it usually occupy?—It takes longer, of course.

193. What is the usual time?—There is no fixed period; it takes an hour generally.

194. Is an hour sufficient time for the examination of a person's qualification to practise physic?—If an hour is not sufficient, they may take an hour and a half, or two hours; there is no reason why they should not.

195. If three hours are thought sufficient to examine one claiming to practise in the precinct of London, how is it that only one hour is given to those who claim to practise in other parts of the kingdom?—They are generally persons who have been in practice some time who are examined; they are not generally young men.

196. Is any record kept in the books of the age of the parties who come to be examined?—No; they must have attained a certain age before they can receive a licence; they must be 26. The registrar inquires into the age, and place of graduation, of the person soliciting examination.

197. Is there any restriction as to the age of the extra licentiate?—I think not; but nine times out of ten they are persons in an advanced period of life, persons who have attained to eminence and still are practitioners, upon which a degree is not absolutely requisite.

198. If persons claiming to practise in the precinct of London came to be examined, after they had been for some time engaged in the practice of physic, are they subjected to a less strict examination than younger candidates?—I do not know that there is any difference; we satisfy ourselves of the competency of the person to practise; whether by a longer or a shorter examination, will depend very much upon the readiness with which the person answers.

199. Is there a rule at present as to the admission of king's physicians into the College?—No; there are as many physicians to the king who are licentiates, as there are fellows.

200. The former statute as to the admission of king's physicians into the College is repealed?—I believe there was formerly a rule, that they took their seats at the right hand of the president the moment they were made king's physicians; but that is done away now. Many are now only licentiates: there is as full an opportunity for their being selected for king's physicians as for the fellows.

201. Have the bye-laws ever been suspended for the purpose of admitting a king's physician to be a fellow of the College?—No; there was an instance, some ten years ago, of the King desiring to make a licentiate his physician, and he spoke privately to me, and said, "You had better make him a fellow of the College." He was proposed by me, as president, and was elected.

202. It was not necessary at that period, that *virtute officii*, as king's physician, he should be elected a fellow of the College?—No, not necessary.

203. The preamble of the statute for the admission of fellows into the College by the president is this: "Quandoquidem fieri potest ut inter permissos numerentur viri quidam egregii, et de re medicâ præclarè meriti, quos statutum nostrum de sociis in ordinem sociorum cooptari vetat." Was the principal point in which the candidate was one of the egregii et de re medicâ præclare meriti, that he was physician to the King?—No; I beg pardon; I do not know that we have a more intelligent or able fellow of the College than this gentleman is. It might be so far a recommendation, that he was a physician of the King: he was physician of a considerable hospital at the time, and he had acquired a certain degree of eminence in the country before he came to London, and was living in the good esteem of the whole medical profession.

204. How did it happen that his qualifications had not already recommended him to attention, and occasioned his being admitted a fellow of the College, by exercise of the president's privilege?—There might have been others who appeared to the president, perhaps shortsightedly, even more talented than that individual; elder men.

205. Are there not many cases in which it is desirable that physicians should be acquainted with the minor operations of surgery?—Yes; and I think they acquire those at the public hospitals, and wherever they acquire their education.

206. Are those who claim the licence, examined at the College respecting their knowledge of those minor operations?—No; if they are examined upon other subjects and their examination is satisfactory, it is very fair for the examiners to give them credit for these, which they do not practise themselves.

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207. What do you think are the principal uses to the public of the College of Physicians, as now constituted?—I think the public seems to appreciate it very properly, by looking at it as a tribunal by which persons properly educated are admitted into the profession.

208. There were in former times long contests on the part of the College to exclude apothecaries and surgeons from the practice of physic?—Yes, from practising as physicians. I apprehend that physic has been practised universally from long before the charter was granted to the College of Physicians.

209. You are no doubt aware of the early endeavours on the part of the College of Physicians, both by fine and imprisonment and by actions at law, to restrict both surgeons and apothecaries from practising physic?—Yes.

210. Is not a very large class of persons besides physicians now in the habit of practising physic?—Yes; you cannot exclude a surgeon from giving a dose of physic to a man who has broken his leg; it is impossible to do so.

211. All surgeons and all apothecaries practise physic; a large portion of their practice consists of that?—Yes.

212. Druggists also practise physic?—I do not know that; it does not come to my knowledge that druggists practise physic at all.

213. Do not a great many of them prescribe across the counter on the application of patients?—I have no knowledge of that fact; I have heard it imputed to them from time to time, but I do not know it; I dare say if a person went into a druggist's shop, and said that he wanted a dose of physic for such a complaint, they would sell it him.

214. Is there not a great tendency at present on the part of the public to employ the general practitioner?—Not greater than it has been in my experience of 40 years. There have always been one or more persons who have acquired credit with the public as general practitioners, without being physicians.

215. According to the law at present, the apothecaries are allowed both to prescribe and to dispense medicines; and the surgeons, according to legal decisions, are allowed to practise, and to send medicines to their own patients in surgical cases?—Yes, and the College have been under difficulties in embarking in prosecutions, in consequence of the Legislature having given to apothecaries the power of practising; they cannot call them to account; and if they prosecute a person as a surgeon, which we have done within the last few years, we are met by the defence, as we were in that case, that he was practising as a surgeon.

216. You are aware, perhaps, that in a late case a surgeon was allowed to recover at law his bill for medicines dispensed in the course of his surgical practice, which puts the surgeon on the same footing, as to recovering the amount of his bill, as the apothecary?—I do not know the particulars of that case.

217. The state of the law, therefore, induces the College of Physicians no longer to embark in a series of prosecutions for the purpose of restricting medical practice to the members of their own profession?—They are deterred by the great expense, and doing it with a great improbability of success, by its being pleaded that they are practising as apothecaries, or that they have administered those medicines as surgeons, which the case obviously required.

218. Did the College of Physicians oppose, in the first instance, the Apothecaries' Bill?—It was a matter of serious deliberation; but their counsel advised them not to oppose it, and they acquiesced in that advice.

219. They began by petitioning Parliament against it?—Yes; I was one of those that was sorry that the power was ever given out of the hands of the physicians to license practitioners of that description; but since they have had it, I must do the apothecaries the justice to say, that they have executed that act extremely well; and that the character of that branch of the profession has been amazingly raised since they have had that authority; I only do them justice when I state that, though I was very much against it in the first instance.

220. Did any correspondence take place between the College of Physicians and the Society of Accoucheurs on the subject of the College examining in midwifery all persons claiming to become licentiates?—Yes.

221. The correspondence on that subject went through the Secretary of State's Office, which was communicated to the College of Physicians?—Yes.

222. Did not the College of Physicians decline complying with the request of the society?—Yes; they do not know where to limit it. Half the women in London are delivered by women; and we do not know whether we should not have

have half the women to examine, if we undertook it; it is impossible to undertake it.

223. Was it not submitted that they should examine in midwifery all the male claimants for the licence to practise physic?—They do, as far as they think it necessary.

224. What reasons did the College of Physicians assign for not paying any attention to that representation?—I have not the reasons by me. I remember they were very well considered, and were thought to be satisfactory.

225. Does the statute of the College still exist, that none engaged in the practice of midwifery shall be admitted as fellows of the College?—Certainly.

226. Therefore none of the censors of the College, whose business it is to examine those who claim a licence, can have practical knowledge on the subject of midwifery?—That does not follow: they have attended, in their studies through the hospitals, as well as others. It does not follow that they are ignorant of that; they have every knowledge of the difference between the *homine nato et non nato*. The reasons the College gave, I presume, were satisfactory in the eyes of the Secretary of State, who referred it to the College.

227. Are those who claim a licence to practise physic required to renounce the practice of midwifery?—By no means.

228. Is the College now in the habit of giving limited licences to practise midwifery only?—No, not now.

229. Nor to practise as oculists or aurists?—No.

230. All those who are licentiates of the College, and who are engaged in the practice of midwifery, have a general licence to practise as physicians, and are not confined to that particular practice?—No; there are many amongst the licentiates who do practise midwifery, who are amongst the most estimable members of the profession, many of them.

231. Since, according to your own statement, midwifery forms one of the subjects of the examination of the College, would it not be desirable to repeal that bye-law which excludes from admission into the college any person engaged in the practice of midwifery?—No, I do not think it is expedient.

232. Will you state your reasons?—I think it is considered rather as a manual operation, and that we should be very sorry to throw any thing like a discredit upon the men who had been educated at the Universities, who had taken time to acquire their improvement of their minds in literary and scientific acquirements, by mixing it up with this manual labour. I think it would rather disparage the highest grade of the profession, to let them engage in that particular branch, which is a manual operation very much. As to all the knowledge of the diseases of women and children, it is expected of us; and we hope that we are thoroughly informed upon them.

233. If a gentleman engaged in that branch of the profession should happen to be a man of good moral character and good education, do you think it would tend to lower the College of Physicians, by bestowing on him the distinction of a fellowship?—I do not say the admission of a single individual would, but if it were generally done, I think it would.

234. If the admission to the fellowship were restricted to those of good moral character and of good education, would it in that case tend to lower the character of the College?—I think it would be better not; it has never been done; it has always been objected to; there is a mixture of manual operation, a sort of surgical operation, with the practice of physic, which we think does not quite accord, and we are sure it is not necessary.

235. In one of the Acts of Parliament granted in favour of the College, there is a special clause in which there is reserved to the college, as a part of medical practice, the practice of surgery; have they ever been in the habit of granting licences to practice surgery?—No.

236. Is it a ground of exclusion from the fellowship of the College that the candidate is in the practice of surgery?—We expect of him that he disfranchises himself from any community that is not strictly medical.

237. Is that necessary before he shall obtain a licence to practise as a licentiate?—Yes; that he should not be of the Apothecaries' Company or the Surgeons' College.

238. Of any surgeons' college, is it not?—I forget the very word; but it is, that he must have disfranchised himself, if he was a member of either of those bodies.

239. For what purpose is it that you require them to disfranchise themselves

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from being members of any college of surgeons, or company of apothecaries?—Because we think it would diminish somewhat the high respectability of men of education, who stand on the same ground as members of the English Universities.

240. Is it not desirable for the promotion of science, that the three branches of the healing art should be kept distinct?—Certainly.

241. Are you not aware, that with regard to some of these colleges, the members have a pecuniary interest in remaining members; for instance, those who are members of the College of Surgeons of Edinburgh, have a pecuniary interest in the Widows' Fund of that college, and that therefore injustice would be done by requiring them to disfranchise themselves?—I know nothing about that.

242. Are you aware of any correspondence between the College of Physicians and the College of Surgeons of Edinburgh, upon the subject of disfranchising a member of the College of Surgeons of Edinburgh, before he could be admitted as a licentiate of the College of Physicians?—I am not aware of any correspondence; but it is always asked of the person, "Are you a member of the Apothecaries' Company or the College of Surgeons? if you are, every due time will be allowed you to disfranchise yourself, but that must be done before you can be allowed to be a licentiate here." We wish to keep the practice as respectable as possible, and as distinct.

243. The object is to keep the practice respectable?—Yes.

244. At all events to keep it distinct?—Yes.

245. With a view to keep it respectable?—I believe that is the motive, that a physician should be properly a physician.

246. With a view also to the advantage resulting from the division of labour?—Yes; a man may take in more than he can manage always.

247. Is there not that intimate connexion between the different branches of medical science, that up to a certain point it is necessary both for the physician and the surgeon to have undergone a common course of education?—Yes, it would, to a certain point. It is necessary for a physician to have a certain degree of knowledge of surgery; and he must also be acquainted with the composition of drugs and the mode of putting together prescriptions; and it makes a part of his study in the progress of his education as a physician.

248. What advantages arise from preventing a person who is fellow of a college of surgeons, from being a licentiate of the College of Physicians, unless he has first resigned his fellowship in that college of surgeons?—I believe the habit of this country has always been to expect that division of the branches of the profession.

249. What advantage results to the public from that?—I think there is an advantage results from it; a man paying his attention exclusively to his particular branch; and he will know it better, in consequence, on the ground of the division of labour.

250. Has there not been of late years a desire rather to increase than diminish this division of labour?—Yes; persons have been more eminent in consequence of their attention to those particular branches, exclusively.

251. Preliminary education being in all cases general?—Yes.

252. Have the laws of the College been ever suspended in favour of any individuals practising midwifery, to admit them as licentiates into the College?—No, I think not: we do not object to their practising; we are glad if a licentiate will practise midwifery.

253. One of the laws is, that a candidate for a licence must have resided two years at an university?—Yes, that is the law.

254. Do you recollect whether that law has ever been suspended in favour of individuals?—It has; I remember two instances.

255. Do you recollect an instance where the degree of Doctor of Physic has been obtained from the Archbishop of Canterbury, and the law respecting the residence at universities has been suspended?—The knowledge I have of the two last Archbishops has been this; that they have said, I will not give you a licence unless you will go and show your competency to the College of Physicians; unless you will assure me that you will go forthwith and show your competency to the College of Physicians.

256. The question refers to a suspension of the statute of the College respecting residence at the Universities in favour of an individual?—I do remember two instances. It is a privilege of the president to nominate an eminent person to become a licentiate. Sir Charles Clarke and Dr. Mason Goode were so nominated by me.

257. Should

257. Should you think it a proper thing to suspend the statutes in favour of particular individuals?—No, not frequently; the claim must be a very extraordinary one to attention if they did.

258. The College of Physicians opposed the granting of a charter to the Medico-Chirurgical Society; and for the purpose of arresting the support which certain individuals of the College were giving to the charter, they passed the following order: "That it is the opinion of the College that no fellow do interfere in promoting the charter solicited by any medical or chirurgical society, without having first obtained the leave of the President and Fellows of the College." You were one of the parties who were members of the Medico-Chirurgical Society; were you a party to soliciting the charter?—I do not recollect that; I was president of the Medico-Chirurgical Society.

259. Your name appears to a petition in favour of the charter?—I have forgotten it; a most respectable society it is.

260. Do you recollect the circumstances attending that opposition?—Not particularly.

261. Are there any grounds why a mere charter of incorporation, such as that solicited by that society, should not be granted?—It depends upon the terms upon which it goes. To the mere incorporation I think there can be no objection.

262. Do you approve of passing laws or orders like that which has been read, expressly to meet particular occasions?—Perhaps not; I dare say I should not.

263. As a practice, you would not approve of such restrictive proceedings?—No, certainly not; it is another thing to grant degrees as the petition of the London University desired; I object to that strongly. It is not necessary I should state my reasons for it, I suppose, or I am prepared to do so.

264. Do you approve of the practice of paying apothecaries by the amount of their bills for medicines, and not for their attendance?—No; I set my face very much against that; I had rather they were paid for their trouble, for every apothecary who enters a house, enters it with that mark upon his forehead. You are to take as much medicine as I can get you to take, and that procured by me at as cheap a rate as I can procure it. It is a bad system only to be paid according to the proportion of physic they can get a person to take.

265. Do not apothecaries now make a charge according to their visits?—In some instances, I believe, but not universally.

266. Is not the practice increasing?—Perhaps it is; I wish it were universal.

267. By a Return laid on the table of this Committee from the College of Physicians, it appears that the income of the College for the year ending July 1831, was 1,099 *l.* 17 *s.* 9 *d.*; for the year ending July 1832, 1,203 *l.* 18 *s.* 11 *d.*; and for the year ending July 1833, 1,072 *l.* 14 *s.* 1 *d.*; in the three instances, including all the sums receivable by the College on every different account. The same Return states the expenditure of the College for the three consecutive years. Will you state to the Committee what is the pecuniary interest which the individual fellows of the College have, or can have, in the funds of the institution to which they belong?—They can have none whatever. It is rather a matter of expense than otherwise to the fellows.

268. What is the highest salary receivable by any fellow of the College from the funds of the institution?—The highest that is received is on a particular lecture; I think that is 32 *l.* a year; the Lumlian lecturer gets 32 *l.* a year. That was a benefaction and a stipulation, certain conditions stipulated by the person who left it for that purpose, to have a lecture given.

269. From the Return which has been transmitted from the College, it appears that, in the two first years, the larger part of the stated income of the College has arisen from the rents of lands and houses; and in the third year, the proportion of 437 *l.* out of 1,072 *l.* From what sources is the permanent income derived, to be described as rents of lands and houses?—There are two small estates, one left by Dr. Harvey, the discoverer of the circulation of the blood, and one by Dr. Hamey, and a house, inhabited by Linacre. In the general deterioration in the value of land, the rent has fallen very considerably.

270. Both of those are benefactions from former fellows of the College?—Yes.

271. Of the funds so left to the College by former fellows, increased as they may be by the addition of fellows each year, you have stated that the largest sum received by any fellow is the sum of 32 *l.* Can you state to the Committee what

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is the number of fellows who receive any pecuniary benefit from the College, and what is the average of the sums which such fellows receive from the College?—The utmost number of those who receive any thing from the College at all, is eleven; and the average of their receipt is 22 *l.*

272. The funds of the College, of which a statement has been submitted to the Committee, contain sundry items for the admission of fellows: the sums by which the College is supported are partly derived from the contributions of the existing members?—Exactly so.

273. No object, therefore, of a pecuniary nature can be supposed to weigh with the members of the College?—Probably not, as it is a fact that the members of the College have contributed 8,000 *l.* towards the building their present college.

274. You have stated that the funds of the body are derived from the benefactions of former fellows, or contributions of living fellows in a great measure?—Precisely so.

275. With the exception in the first year of 180 *l.* 10 *s.*, in the second year of 252 *l.* 14 *s.*, and in the third year of 324 *l.* 14 *s.* for the admission of licentiates. Are the Committee to understand that the fees for admission of licentiates include the fees paid by those who were educated at the two English Universities, as well as by those who were educated elsewhere, and who are equally eligible to practise physic on the payment of such fee and the obtaining of such licence?—Exactly; there is a difference between what a fellow pays and what a licentiate pays.

276. What do the censors receive for the discharge of their duty?—20 *l.* a year a-piece.

277. In the Return made by the College as to the patronage which the College exercises, there is no notice taken of their power, in case of a vacancy, to recommend a physician to St. Bartholomew's Hospital, on Dr. Hamey's foundation; is that power still exercised by the College?—It is still exercised.

278. That is an accidental omission?—It is.

279. You have stated that the College is not able to exclude irregular practitioners from practice, and that the College have abandoned their attempts to put down such practitioners by legal proceedings?—Not altogether; for it is within three years a prosecution was instituted which cost the College 200 *l.*

280. It failed?—Yes; for the defendant pleaded, at last, that he had been only practising as a surgeon.

281. You state that it is not the wish of the College to confine the practice of the physicians to the fellows of the College, and to exclude from it the licentiates of the College?—Certainly not; far from it.

282. Of what public use is the College, if it is not able to restrict the practice of irregular practitioners, or to confine the practice of medicine to that particular class which is distinguished by superior education?—It still has the power of examining those who are candidates; it is the tribunal to which they must appeal, before they can be permitted to practise physic at all; and we are deterred only by the power the Legislature has given to the apothecaries and surgeons.

283. If the three inferior grades of surgeons, apothecaries, and even druggists, are enabled to practise medicine, of what particular use is the restriction which the College, as licenser, exercises over the practice of physic?—I do not think its use is confined merely to prosecutions. We did interfere with those who have exercised it improperly, as long as it would answer any good purpose; but we are thwarted to a certain degree by the privileges Parliament has thought proper to give to the society of Apothecaries, and who conduct themselves well; but we do not abandon it; if a gross case occurred it would be prosecuted.

284. What is the use of their prosecuting such an individual, in the superior grade of the profession, while a druggist, across the counter, is able to prescribe and to dispense medicine?—I do not know the fact of a druggist prescribing: it is not a notorious thing; let the apothecaries call them to account, if they have the power of doing it.

285. Are you not aware, that in the Apothecaries' Bill there is a clause reserving to the druggists all the powers hitherto enjoyed by them; and that they contend, that so long as they do not visit patients, but confine themselves to prescriptions across the counter, they are doing nothing illegal?—I am not aware of it. I have never observed great abuses, on the part of the druggists, in prescribing; you cannot prevent a patient from sending a prescription to be made up at the chemist's or druggist's instead of the apothecary's, if he prefer it. If a man

went in, and said that he had a complaint in his bowels, and wanted a dose of physic, I have no doubt they would sell it him.

286. Are you not aware that it is a matter of great complaint on the part of the general practitioners, that the druggists interfere with them?—We cannot help this. I take it for granted the apothecaries will look to that.

287. But supposing they do not look to it, and that the practice of medicine extends from the surgeon to the druggist, where is the utility of the physicians singling out particular individuals for prosecution?—They must be gross cases; for no funds we have from our resources could meet general prosecutions. Those prosecutions would throw a burthen on the College; it is not to be expected we should call upon our brethren to pay the expenses of such prosecutions.

288. Is it not difficult for individuals to know who are competent to practise as physicians?—Certainly.

289. Do not they require the sanction of some public body, who, from their previous experience upon matters of practice, are competent to decide who are so educated as to be likely to practise medicine with security and good effect?—Certainly.

290. Does not the College of Physicians give to the public, through their sanction, that knowledge which enables them to judge who are the persons they may safely employ, and save them the painful necessity of asking an ignorant individual across the counter?—Certainly.

291. Do you think the public require the same sanction as to general practitioners?—The general practitioners must come under the head of Surgeon or Apothecary, and there is a tribunal for them to appeal to.

292. Are the public likely to respect the decision of the College of Physicians, when they see persons eminent in their practice, as physicians, excluded from the highest honours, viz. the admission to the fellowship, which it is in the power of the College to bestow?—They are not excluded. I do not know the class of persons who are excluded, who come enabled to pass an examination. We elect into the fellowship or examining body such as we think most likely to do that duty properly.

293. Dr. Fothergill, as probably you know, was excluded. Dr. Wells was excluded, although some years afterwards thought deserving admission, when invited by Dr. Baillie, to allow himself to be proposed to the College. When eminent physicians like these are excluded from the College, is the public likely to respect the decisions of the College?—I believe they do respect the College of Physicians, notwithstanding those instances; I believe the College is very much respected. Witness the large attendance at the evening meetings.

294. The persons who practise as licentiates have received the sanction of the College, by being admitted to the rank of licentiates?—Certainly, just as much as they do for a fellowship. The fellowship is the examining body, and that must be taken from the body of licentiates; for every one who comes here does not practise physic afterwards as a fellow of the College, but as a licentiate.

295. You do not think that the restricting the fellowship to the graduates of particular universities leads the public to place less confidence in the judgment shown by the College in determining who shall practise?—No, I am quite sure it does not; the fellows and licentiates meet exactly on equal footing.

296. Is the qualification required for the licence to practice, viz. that of having resided two years in some university, obtained by residence at any university, foreign as well as British?—Yes, and it is not possible to give a greater latitude than that. It is impossible for the Board to sit down to examine every person who may think himself competent; we claim that he shall have resided at some university, *animo studendi*.

297. What is the mode of appointing committees of the College, is it on the recommendation of the president?—Not precisely so; the president and the elects, the college-officers, form the committees generally, with the addition of two or three persons who have any thing to bring before them.

298. It is very uncommon to extend the committees to the general body of fellows?—Not very uncommon.

299. Is not the appointment confined to particular individuals?—No, by no restriction; a committee may be too large for doing business.

300. Are the committees generally composed of the college-officers?—Generally, not always, with some additions.

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301. Who recommends the individuals who are to form those additions?—The president nominates them.

302. It is very uncommon for the recommendation of the president not to be attended to?—He proposes them to the College. I do not know an instance in 14 years being president, where any fellow has desired to be a member of the committee, that he has not been appointed. There is no undue authority or prejudice exercised in respect of any set of persons.

303. There have been plans under the consideration of the College for regulating the period and course of study to be pursued in future by persons applying for the licence of the College?—There have.

304. Are there no doubts whether the College possesses the power or not to exact this course of study?—No; there is no doubt about that, I believe.

305. You think it expedient to enjoin a period and a course of study from all who come to solicit the licence?—I think it is necessary now, particularly from the improved knowledge of the day, that we should increase the claims of information.

306. You say, “now, particularly from the improved knowledge of the day;” do you mean that medical men now are better informed than they were?—I think so.

307. Are you of opinion that the improvement is not confined to physicians, but extends to the humbler grades of the profession?—Yes.

308. You think it therefore necessary that physicians should keep pace with this great improvement?—Yes; I think we should enlarge our claims for knowledge.

309. In what state of progress are those new propositions; have they been submitted to the College for consideration?—Yes; and have passed three times.

310. Then, in fact, they are regulations which are enacted?—They require to be put into statutable Latin, which has been done now, so that they are very nearly enacted.

311. Is there not an old recommendation of the law officers of the college, that the statutes should not be in Latin, but in English?—I do not recollect any opinion of that kind having been given; it is designed that they should be promulgated in English, undoubtedly; but we have always preserved our statutes in Latin.

312. This the Committee are to consider as a statute respecting the period and course of study, which the College is about to promulgate?—Exactly so.

313. Are you of opinion that there should be in London, as being the first medical school in the Country, from its large hospitals, in which every form of disease is sure to occur, some authority empowered to grant medical degrees?—I am firmly of opinion that is necessary at this time of day.

314. What is the constitution that you are disposed to recommend for such a board or body, empowered to grant degrees?—It appears to me that the best and most effectual of the plans proposed would be, to give the College of Physicians the power of granting that medical distinction; for from whatever part of the world persons come, they have no right to practise without the sanction of the College. When the College has granted its licence, let it have the power of granting also the title. With regard to any private schools, it would be wrong to lodge it there; there would be a competition for the maximum of acquirement in the minimum of time. Any one of the schools should be considered as a particular college. If you were to grant that particular college the university honours, or to all the colleges the power of granting degrees, they would have the cognizance only over their own pupils, and would hold out as an inducement to get pupils, “We will grant you a degree at the end of two years, we will grant you a degree at the end of one year.” It would create such an abuse, as to endanger the respectability of the profession. Our business is, not to teach physic, but to find out the qualifications of those who have been taught.

315. What induces you to think such a power would be best lodged in the College of Physicians?—Because we are disinterested in the medical schools; the other would, I think, be liable to abuse. By giving their own pupils the degrees, they would get a large acquisition of pupils; but it would be in their power to say, “We will be content with less qualification.”

316. Do you not think, as a general principle, it is desirable to separate the duties of examiner from the duties of teacher?—Yes; and our duty is, not to teach, but to examine into the qualifications of those who have been taught.

317. Granting, as a principle, that the examining body ought not to be composed of the body of teachers, do you think that the College of Physicians is the

fit body in which to lodge that power of examining and conferring degrees ; and why do you think so?—The College of Physicians at present take cognizance of all persons desirous of a licence to practise ; they cannot practise without the cognizance of the College, who, under such circumstances, are disinterested in the inquiry into the information that such persons have attained.

318. May not the circumstance of the College of Physicians having, for the last century and a half, been disposed to show favour to graduates of the two English Universities, without regard being had to the period and course of study which other medical students have undergone, lead to very great suspicion on the part of the public, that if the College of Physicians in future is to grant medical degrees, it will be partial in the same direction in which it hitherto has been ; viz. in favour of students coming from the English Universities?—I do not think they can possibly deviate from their present plan, of giving some sort of preference ; making those examiners in future who have brought proofs of this preliminary education.

319. You are not in favour of a Board, consisting of physicians, surgeons, and apothecaries, to examine in their several departments of medicine?—I should not object to there being a Board of that description to license general practitioners, but not physicians. The College asks for no extension of power. Under those circumstances, if they choose to say, “ We will not expect a degree, but only certificates of attendance on certain lectures ; we will then examine you ; we will not ask for a degree ; ” which will be absolutely necessary, if the College of Physicians had not the power of granting the degrees : we ask for no extension of any authority, nor of the power we have at present : we have determined that a person shall come here, and present his certificates of five years’ attendance at the various hospitals, a course of anatomy and botany, and so on. What are we to call him when we have examined him ? We cannot call him doctor ; though he is from thenceforth M. D. to all intents and purposes. We have nothing to do but to annul the statute which requires two years to have been spent at a university, and then we can examine on the certificates. The College of Physicians ask, therefore, no extension of authority in asking that power ; and, I have reason to believe, the Universities have no objection to that.

320. At this moment they possess the power of conferring on the person holding their licence the title to practise?—Yes.

321. The distinction you make now, is between the power of granting a licence, which with a degree may or may not enable a person to practise, and the power of granting the preliminary degree?—Yes.

322. In no case can a degree, if granted by the College, be held to supersede the necessity of a licence?—No.

323. So that if a degree be granted by the University of Oxford or Cambridge, or any other, that would be followed by a distinct licence to practise?—Yes.

324. Is it intended that the new statute respecting the period and course of study shall extend to the candidates for a fellowship also?—Undoubtedly, it is for the licentiates in the first instance ; therefore it must be for the fellow, as being amongst the licentiates ; that is the preliminary step to a fellowship.

325. Is it proposed that the graduates of Oxford and Cambridge, coming before the College, shall in future produce testimonials to the same effect as the candidates coming from other colleges?—Precisely so.

326. Would not some advantage attend the appointing a general Board, composed of the three classes of practitioners, to examine all parties who come for a degree ; inasmuch as apothecaries may be supposed to know much more of pharmacy, and surgeons much more of surgery, than physicians ordinarily do?—Not for the doctorate ; perhaps it would be desirable to make a Board to examine general practitioners ; but for the degree of Doctor of Physic, I think the thing should remain as it is, and that those who wish to be surgeons should be examined by the College of Surgeons ; but let the general practitioner make himself amenable to a general Board, if you please.

327. You propose that the Board to be appointed to examine general practitioners should be more competent, as being composed of members of each of the three branches of the profession, than the Board by which you propose to examine physicians?—I consider this as applicable to the cases of persons who want to practise more particularly in the country, in the general practice of physic, administering to diseases, and performing operations in surgery, and serving out medicines. I think a Board of that kind might be of use ; but still, for the

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physicians and surgeons, I would have their particular tribunals, by which they should be licensed.

328. Have not at present the licentiates of the two universities authority to practise without the precincts of London?—Yes.

329. They are licensed to practise, without receiving any authority from the College of Physicians?—Our licence extends only over London, and seven miles round London.

330. Any person receiving a licence from one of the universities is enabled to practise in any part of England, beyond the precincts of London, without your licence?—Yes.

331. Do you think it advisable that this Board should have the power, not only of granting licences to practise, but also of conferring medical degrees?—I think that a Board, which should consist of physicians, surgeons, and apothecaries, should have authority only to give licences to general practitioners, not degrees.

332. What do you consider to be the purport of a degree?—A title; something that would imply to the world at large that this was a physician.

333. You have stated that you thought medicine was an art of that nature, that the public are not likely to understand what are the qualifications of those who tender themselves to practise in that art, and therefore that certificates should be given by some competent authority, certifying whether those who tender themselves are well qualified to practise or not?—Yes.

334. Is not the import of a degree to give the public an assurance that the graduate is fit to practise?—Yes.

335. Then why would not you give to this Board the means of certifying, by a degree, that the party applying had been examined and found qualified?—Because none but physicians are judges of a physician's qualifications.

336. If the apothecaries were to examine into the party's knowledge of pharmacy, and the surgeons were to examine into the party's knowledge of anatomy, and such parts of surgery as it is necessary for a physician to know, do you not apprehend that the examination would be much more complete than if the examination were conducted by physicians alone—No; for the generality of the practitioners of the kingdom, I should have no objection to a Board of that kind; but not for physicians.

337. Do you not think that a Board, constituted of the most eminent persons in the College of Physicians, the College of Surgeons, and the Company of Apothecaries, would form a more complete Board of Examiners than the present Examiners of the College of Physicians?—I do not; surely not.

338. You think the anatomists in the present body of censors of the college are as complete anatomists and physiologists as can be selected from the body of surgeons?—I have not a doubt that the physicians who are teachers of anatomy, are as competent to teach it as any surgeons in London.

339. Would you recommend this Board of the College to be established for the examination, not only of physicians, but of general practitioners?—I do not think it necessary; for I think the physicians, surgeons, and apothecaries will do their duty in their several halls; but I would not object to this, if it were desired, for general practitioners.

340. The effect of the plan proposed would be merely this: that the College should attach the title of *Doctor* to the licentiate whom they examined and approved?—Precisely.

341. Do you not think it better that the examination should be completed at the time of conferring the degree, than subsequently, when the application is made for a licence to practise?—I do not know that there is any great advantage in that; but in case the College of Physicians had the power of conferring the degree, a successful examination and the degree would go together.

342. Do you not think that a physician who had been many years engaged in practice, would look upon it in some measure as a degradation to be examined respecting his fitness to be or not to be a physician?—When the president of the college proposes one to the college to be a fellow, there is no examination.

343. Do you think that licentiates who have been engaged for a long period in practice in London, will not object to submit to an examination of their fitness to practise; and that this may have been one of the reasons why so few have applied to be admitted under the seven years statute?—I should think that it very likely might have some influence on some minds, and that the idea of examining again is painful. Those proposed by the president are not examined; they are recommended to his notice by their eminence.

344. Does

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344. Does not that show that it is better to have the examination on the completion of the period of study than subsequently?—I do not see why it should.

345. It does not at present; but is it not better to have an examination at the close of the period of study, than to defer it to a subsequent period, when the party is engaged in practice?—It is generally applied for on the close of the period of study.

346. What do you consider a fit curriculum of medical study for the claimants of a degree in physic or a licence to practise, to have undergone?—I think the resolutions the College have come to, not only prescribe that, but comprehend every thing.—[See *Appendix*, No. 12.]

347. This the Committee are to understand to be the curriculum of lectures, manual operations and hospital practice which you recommend, as sufficient for those to undergo that would be physicians?—Yes; particularly the medical education. I speak with distinction with regard to the preliminary education.

348. To what extent ought preliminary education in science and literature ought to be required?—It is difficult to say; but the more there is of it the better, most undoubtedly; what is the minimum of it I cannot undertake to say.

349. As the avowed object of the College of Physicians, in confining the fellowship in a great measure to the graduates of Oxford and Cambridge, is to insure a good literary and scientific education, probably you are prepared to state what you consider to be the minimum of such preliminary education which should authorize admission into the College?—That I would state on consideration. I might omit something that might be essential. I think a knowledge of both languages, a knowledge of metaphysics, a knowledge of mathematics, are absolutely necessary as a preliminary education to physic. I have stated in the paper to the College of Physicians what was my opinion upon that subject; and that paper I have since published, and shall be happy to lay before the Committee.

350. Would you extend this as well to surgeons and general practitioners as to physicians?—I say it is absolutely necessary with regard to physicians; with regard to the others, the more the better.

351. Why is it absolutely necessary with regard to physicians?—It is necessary with reference to the dignity and the respectability of the profession.

352. Do you not think, that considering the numbers of those for whom the general practitioner practises, it is of more consequence that he should be well educated than the physician?—No.

353. You must be aware that the number of patients for whom the general practitioner prescribes, is much larger than those for whom the physician prescribes?—Yes; but there are persons who will not appreciate those advantages; the multitude will not.

354. It is an object to secure the attendance of well-qualified men on the public in general?—Undoubtedly.

355. The object being the public good, is it not highly desirable that this preliminary knowledge shall be extended also to the lower grade of practitioners?—As much as possible, and I should be very glad if that could be done; but there must be many persons who, from particular circumstances, cannot be expected to have bent their minds to those abstruse inquiries that would enter the mind of a physician, and it is not absolutely necessary.

356. Why should it be necessary to a physician, who is principally called upon to prescribe for the rich, and not extended to those who prescribe for the poor?—It is impracticable to obtain it; there is a number of practitioners wanted, and there are men who cannot afford funds to procure this kind of information. Physicians will not be prevailed upon to expend pounds upon their education, when they are to expect to receive only pence in return. If this information is required of this class of persons, the town would be ill provided with medical assistance. It would be impossible that they should get them.

357. What disadvantages do you think would arise from the following measures, viz. confining the interference of the State to the granting of certificates or degrees to such persons as are found to be qualified, according to the various requisite standards of qualification; and removing altogether from the statute-book every statute whatever that imposes fine or imprisonment on the unqualified for practising physic?—I think that would only shift the power into different hands.

358. Are the present laws efficacious in confining the practice of physic to those whose attainments in literature and in general or medical science qualify them for the practice of their profession?—It is impossible to enforce any regulations which

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will do that ; there are people who will die in their own way ; they will have what assistance they think proper ; you can only say what is the best.

359. When was the last edition of the Pharmacopeia published by the College?—
I think in the year 1824 or 1825.

360. Do you recollect how many editions have been published?—No, I do not.

361. Was not the first edition about 1750?—Probably it was ; then there have been editions in later periods, in 1812 and 1825. There is another very nearly ready for publication ; it has been delayed by circumstances not under our control.

362. Is not the present Pharmacopeia very much in arrear of the improved *Materia Medica* of the present time ? Are there not many medicines and preparations included in the small edition of the Pharmacopeia, published by St. Bartholomew's Hospital, as quinine, iodine, prussic acid, and other articles, which are not to be found in the College edition of the Pharmacopeia?—Those will be all included ; and in the mean time there is no difficulty in getting at those substances ; but it requires a good deal of care and experience to say what is to be recommended by public authority, and what not.

363. Did not the period of 40 years elapse between the publication of the Pharmacopeia about 1750, and the subsequent edition?—I do not recollect whether there was any intermediate one.

364. Considering the very rapid improvements that the *Materia Medica* is constantly undergoing, do you not think it expedient that editions of the Pharmacopeia should be published at very short intervals?—It appears prudent that they should be so ; it is desirable that there should be a general pharmacopeia for the United Kingdom. Application was made to the Colleges of Dublin and Edinburgh to assent to this ; the College of Dublin could not do it, for they had just published a new edition, and sold it to the bookseller, and it would have been unjust to have deprived him of the sale. The College of Edinburgh assented instantly. We then said, " Will you put down any formula you may think proper ; we will consider it, with every prejudice in its favour, to insert it as the formula of the whole kingdom ?" They proceeded to suggest certain formulas ; they were considered, and the thing was almost ready for publication, when the physician of Edinburgh, who had charge of it, died. There was an interval before the appointment of his successor ; but all these matters will be included, after that consideration which the importance of such matter deserves.

365. Would not the Company of Apothecaries, whose business it is to attend to subjects of pharmacy, be better qualified for editing a Pharmacopeia than the College of Physicians?—No ; for it is the application of medicines to disease that is to be considered.

366. Their business is to state the due proportion of certain compounds?—But we ought to have the first chemists in the country to prepare those medicines, and we believe we have such in the College of Physicians.

367. Were there not great mistakes in the edition of 1812?—I believe not.

368. Were there not great mistakes in the chemistry?—I believe not. Dr. Wollaston assisted in its formation.

369. Are you not aware of the criticisms on that edition, published by Mr. Phillips?—I believe no work has ever come out that was not the subject of criticism ; but I cannot speak to my knowledge of Mr. Phillips's criticisms. There might have been something that might have been improved.

370. Do the College consult with the apothecaries on the subject of the Pharmacopeia?—They not only consult with them, but they get the processes performed in their laboratory.

371. Since when have the processes, as followed in their laboratory, been followed?—The last editions, at least. I speak from my own personal knowledge.

372. The College of Physicians have obtained considerable information from the Society of Apothecaries?—They visit the shops in combination with them, and see the specimens of the best drugs that can be produced, and avail themselves of all the information they can derive from that. They always begin with the Apothecaries' Hall, that they may see the best specimens which can be produced ; but there is a very good understanding between the apothecaries and physicians, and there is a very liberal communication with them upon the mode of preparing medicines ; they have done every thing which the College of Physicians could wish, and the College of Physicians has felt grateful to them for their assistance.

373. Are there any statutes excluding the holder of any particular religious creed from the fellowship of the College?—No ; we have no oaths among us ; and we have

have Dissenters among us, as well as members of the Church of England. We have no oaths by which they can be excluded, and therefore they are aware it is no objection to us that a person is a Dissenter.

374. Catholics are not excluded?—Not at all; we ask nothing of their creed whatever.

375. By the operation of the law respecting graduates at the Universities, it so happens that great preference is given, of course, to members of the Established Church?—The Universities do not admit persons under those circumstances; and, therefore, those who come in through the medium of the Universities may be concluded to be members of the Church of England; but there is no question asked of the licentiates who come in.

376. It is a *sine qua non* for admission, that the candidate shall have been educated at one of the English Universities?—No, I protest against that being so held; there is no rule of the kind; they are all licensed, and they all come under the head of licentiates. The moment a person comes from Oxford or Cambridge, if he passes his examination, he is a licentiate.

377. In consequence of the almost entire restriction of admissions into the fellowship of the College to the graduates of Oxford or Cambridge, is not the fellowship nearly confined to members of the Church of England?—It is very much so, and that arises very much from this circumstance, that we have no opportunity of knowing any thing about the education or moral character of persons who have not been educated there, but have had their degrees at St. Andrew's, Aberdeen and Edinburgh, or Paris; and in Aberdeen it was not necessary, till of late, for persons to go down for their degree; but on two persons signing the certificate, and on the payment of fees, he was made a doctor. Is not this a reason that we should give a preference to persons who have been domiciled in a college, and subject to the laws of that university, as being a proper person to have, I will not call it the governance of the College, but the examination of those who are to be members of the College hereafter.

378. Have you ever heard of a legal opinion like the following, on the bye-law restricting the admission to graduates of Oxford and Cambridge; that as the original Act of Incorporation gave the fellows an unrestricted right of electing any person of the same faculty, whom they might think proper, a bye-law restraining them to the exercise of that right in favour of particular persons, and to the exclusion of others, and thus narrowing the number of the eligible, is a violation of the Charter and the Act of Incorporation, contrary to the constitution of the society, and therefore invalid?—That is not true; there has not been any bye-law passed wherein a limitation of the fellowship is imposed; but there is a preference to those whom they know to have been well educated.

379. But is not the effect of it to restrict the number of the eligible?—I do not think it is.

380. Do you not think that it fetters the judgment of the fellows?—There is a prejudice in favour of those persons, for the reasons which I have given; and therefore they are elected as being proper to be the governing body of the College afterwards.

381. Is not the bye-law, in consequence of its defining who shall be eligible and who shall not, such a restriction, as not being contained in the Charter, is invalid?—Perhaps the College of Physicians, like every other body, may have made bad laws, contrary to the statutes of the kingdom; but I doubt it, for it has always been usual to consult the law officers of the Crown before they enacted their statutes. We have not done any thing without such sanction. Mr. Yorke, when Attorney-general, was the person consulted in the time of the greatest dissensions between the fellows and licentiates.

382. What, if any, are the offices the President of the College holds *ex officio*?—At present he is President of the Vaccine Board, and Trustee of the British Museum.

383. Has he any thing to do with the Charter House?—No.

384. Was he not consulted in recommending a professor at the King's College?—I was a subscriber to the original institution, and a member of the Council, and as such my opinion was asked; but not as the president of the College of Physicians.

385. Is he a Trustee of the Hunterian Museum?—Yes, and so are the four censors as long as they are in office; and he is an elector of the Tancred Charity. There are scholarships of law, physic, and divinity; there are seven electors of those; the seven are, the President of Chelsea College, the President of Greenwich

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Hospital, the President of the College of Physicians, the Master of the Charter House, the Master of Caius College, Cambridge, the Master of Christ's, and the Treasurer of Lincoln's Inn for the time being.

386. Are not any medical matters which come before the King in Council, ordinarily referred to the President of the College of Physicians; as in the instance of the Bulam fever, the cholera, or questions of that kind?—Yes, and a thankless office it is; for I have been called to the Penitentiary, and made three or four visits, of three or four hours at a time. I never got any remuneration; I do not complain of that; the public are very welcome to my services; but that is not to be held as a peculiar privilege of the College of Physicians, or the President.

387. Has he been consulted about the appointment of a Regius Professor in the Scotch Universities?—No.

388. Is there any officer of the College of Physicians who, before taking any office, is obliged to take the sacrament?—He was obliged to take the sacrament, with regard to the censors' Board; but since the Act for the removal of all the disabilities of the Dissenters, he does not now take it.

389. Up to that period, all Dissenters were of necessity excluded from that office?—That would exclude him, if he could not conscientiously take it; that was by the law of the land, not an order of the College.

390. Can you account for its not having been the practice of the College to publish the bye-laws of the College? Dr. Stanger, in the course of his publication, states that, on an application to the College to know what were the statutes which were passed subsequently to the year 1765, empowering any fellow to propose a licentiate for admission into the order of candidates, he was refused all information upon the subject?—I can only answer that question by stating, that there are five copies of the bye-laws, one in the hands of the president, and one in the hands of each of the censors; and as the censors are changed every year, it is abundantly understood; for every fellow, in his turn, has them in his hand for a year.

391. Can any licentiate, on application, have a copy of the statutes?—No.

392. Are not those the statutes he is bound to obey?—If he requires any information, he has an opportunity of obtaining it, as far as he is concerned; they are printed, all that relates to that class.

393. As regards the licentiate, would not the best mode of giving the information be, to furnish him with a copy of the statutes?—He is furnished with a copy of all the bye-laws which concern him.

394. Do you mean that each fellow is furnished with a copy?—No, but they are furnished to the president and to the censors, who are changed every year.

395. Are the fellows furnished with copies?—In turn, every fellow may get them.

396. The censors are the office-bearers of the College?—Yes.

397. Those are generally persons of some experience; the time when it is desirable they should be informed of the bye-laws is when they are first elected?—Such a one as that as to education, will be promulgated as widely as possible.

398. What is the objection to publishing, for the information of the fellows, the bye-laws of the College?—Every fellow has access to them, and therefore it is not necessary. A great many complaints have been made, I think, without foundation. It has been imputed to us, that there is an illiberal principle in not opening the library to the licentiates. The real fact is, that we have expended so much money in improving the college, 8,000 *l.*, we cannot afford to increase the establishment; but no licentiate is ever refused a book, if he will only ask a fellow.

399. The fellows alone have access to the library as a matter of right?—Yes.

400. Do not the licentiates contribute equally with the fellows to the support of the College?—No; they pay nothing but the fees on their examination to become licentiates.

401. Is there practically any difficulty in a licentiate having access to a book?—Not the least in the world; but that we cannot keep up fires, and librarians, and so on.

402. Only, that it is a matter of favour?—Every licentiate knows some one fellow.

403. Is personal attendance necessary on the part of the fellow introducing the licentiate to the library; or will a licentiate going to the library, taking with him the order of a fellow, be allowed access?—The fellow puts down his name as having taken this book out of the library; he is answerable for its return; he lends it to the licentiate. A licentiate has only to mention the circumstance that he wishes to see a preparation, or a book, or any thing, and he is never denied access.

404. If

404. If he goes alone, unaccompanied by a fellow, and desires he may be admitted to the library, and consult a book, will that be allowed at any reasonable hour?—He never would fail to find admission at any time, in the form required.

405. If a licentiate goes to the College of Physicians, and asks permission to walk up stairs and consult the library, will he be allowed to do so, going unattended by a fellow?—No; but he may get at any book he wants, by condescending to ask a fellow, and he becomes responsible. Those books we have received from the legacies of former fellows who have left them for the use of their successors. If we allow indiscriminate access to the library, how should we keep those books together?

406. Supposing that a licentiate wished the loan of a book, is it sufficient he should take a note from a fellow to the librarian, in order to obtain the book?—Yes.

407. Is that the ordinary mode of doing it?—Yes; he can take a note and ask the beadle to let him have that book, the fellow having made himself responsible for it; and it is the best mode perhaps of doing it. But it is the regular question at the ordinary meetings, “Are all the books in the library?” The librarian answers, “They are, except such and such books which such a one has taken out.” He is fined five shillings for every book not brought back again.

408. Are the regulations for the library the same now as they were formerly?—Precisely; it has always been conducted in the same way.

409. The usual course with regard to lectureships in the College, is to give them to some of the younger fellows, is it not?—The original founders have appointed that it shall be some of the junior fellows who shall give the lectures; and there is a sort of reason in it. It may be some question of anatomy, and he has lately come from his course upon those subjects.

410. In the course of the examination of Dr. Hawkins, it appeared that there was one volume of your annals lost, from 1771 to 1781; can you ascertain how that came to be lost?—We can only conjecture; much pains were taken to find it out, unsuccessfully.

411. Is there an entry of its loss made in the annals?—I am not sure; but it is a fact very well known.

412. Are there any oaths taken not to divulge the proceedings of the College?—A person, when he is admitted, gives his faith that he will not do it.

413. Are there any secret statutes of the College?—None, but what are open to the whole body of fellows.

414. Whatever orders there are in the order-book are accessible?—Yes.

415. Ought those who wish to become licentiates to undergo distinct examinations upon the subjects of pharmacy, midwifery, and surgery?—No, not distinct examinations; they are included in the general examination.

416. Are you not aware that it is the ordinary course, in the examination of Edinburgh, to go seriatim through the several branches of medical science, and to inform the students of the day on which they will be examined in each branch?—I am not aware of the practice there, but that is our practice; the president and each of the censors is at liberty to put every question he pleases.

417. Is it not a more secure way of insuring proficiency in those branches of science, not to leave it to chance, but to make it certain that they will be examined in each branch?—Our business is rather to find out what they do not know, perhaps, than to confine ourselves to what they do know.

418. If they were examined on every branch of general science, would it not make their examination so extensive that they could not examine sufficiently upon any branch of medical science?—It is quite with the censors to examine on any subject they please; and if the examined be found deficient, they will run the risk of being rejected.

419. Does not a boy at school often risk the chance of being detected in his want of preparation on the subjects of his lesson?—Perhaps it may be so; that is human nature.

420. Are the regulations respecting the museum the same as those with regard to the library?—The museum and library are all in the same room, and subject to the same regulations.

421. You state, as a ground for the non-admission of licentiates generally, the great expense the fellows have been at in building the college?—Yes; that they cannot afford to have an additional establishment of librarians; it has been discussed again and again, and we cannot, on the ground of not being able to afford it.

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422. Before the building of the college, how was that regulated?—It was, I believe, under the same regulations.

423. On what ground did you exclude the licentiates from admission to the library?—They were never excluded; if they are desirous to view any particular book or preparation, they may have access to it in the museum; it is solely to save expense, that that is not done which we shall be able to do by and by; there is every disposition to do it, but the College has laid out an enormous sum of money.

Mercurii, 19^o die Martii, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

William Macmichael, Esq. called in; and Examined.

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424. WHAT office do you now hold in the College of Physicians?—None.

425. What offices have you filled in succession?—I have been Censor, and I have been Registrar.

426. Have you been a Commissioner of Lunacy?—I have.

427. Were you ever a member of the Vaccine Board?—As censor, I was.

428. Were you a member of the first Cholera Board?—I was a member of the Board of Health.

429. That is now dissolved?—Yes.

430. You are one of the Physicians to the King?—I am.

431. Have you examined the Annals of the College with reference to the case of Dr. Wells, who was disappointed of being admitted to examination for a fellowship?—Yes, I examined them occasionally.

432. Can you explain the circumstances of that case?—The substance of the entry in the annals is thus: Dr. Pitcairn, in June 1798, gave notice that he would propose at Michaelmas next, Dr. Wells to be examined as a fellow.

433. Are you aware that there are two periods at which he was proposed, one in 1797, the other in 1798; and that he was rejected at the two periods on different grounds?—I have examined only one, I do not know of the other: the fact was, that Dr. Pitcairn gave notice that he would propose Dr. Wells at Michaelmas next to be examined as a fellow, but Dr. Pitcairn was absent on that day; on which the College decided by ballot, that, according to the existing bye-laws, the proposal could not be made by another fellow, as his deputy: therefore Dr. Wells was never proposed.

434. Therefore you do find in 1798, Dr. Wells was never proposed?—No.

[The Annals of the College for 1797 were produced.]

435. Will you turn to the minutes of the 30th of September 1797?—A motion was made and seconded, that Dr. W. C. Wells having been seven years a licentiate, and of 36 years of age, should be proposed for examination by the College, in order to become a fellow, according to a clause in the statute *De Permissis*; but the previous question having been then moved and seconded, that the above motion should be now put, the previous question was balloted for, and decided in the negative.

436. Will you look between the period of the 30th of September 1797 and the 30th of September 1798, and ascertain whether a bye-law was not passed by the College, making it requisite that previous notice of intention to propose a licentiate for examination by the College should be given?—It was; the 2d of April 1798, a motion was made and seconded, that the following clause in the 13th chapter *De Permissis* be inserted in the said statute, after the words, “eundem examinandum proponere,” which was carried for the first time in the affirmative, viz. “Dummodo prius (scilicet in comitiis majoribus ordinariis, postridie Nativitatis Divi Johannis Baptistæ habitis) id se in animum suum induxisse palam enuncieverit Collegio. Statuimus etiam, ut qui permissum aliquem examinandum proponit, his utatur verbis: Liceat mihi proponere Presidenti et Collegio virum egregium A. B., qui annum ætatis tricesimum sextum clausit, et qui ultra annos septem medicinæ facultatem exercicit, ex quo tempore in permissorum numerum
admissus

admissus fuerit, et quem scio esse aptum, habilem et idoneum, tam moribus quam doctrinâ, qui in societatem nostram eligeretur." Dr. Pitcairn proposed him in June.

437. Dr. Pitcairn was taken unwell?—It is not said that he was taken unwell, but that he was in the country.

438. Dr. Wells's disappointment was occasioned by the absence of the fellow who had given notice that he would propose him?—Yes.

439. It would not have been consistent with the statutes that he should be proposed by anybody else?—It would have been informal, I conceive.

440. It appears that notice having been given by Dr. Pitcairn, that he would propose him a second time, when that time came, Dr. Pitcairn was absent?—He was.

441. Can you invalidate the following statement: "In the end of June 1798, Dr. Pitcairn, though much debilitated by a dangerous illness under which he had lately laboured, attended at the college to give notice, that he should in the following September again propose me for examination. To this notice he premised, that he conceived it to be unnecessary, since the merits of his first proposal had not yet been considered; but unfortunately for mankind and himself, he was shortly after again taken ill, and was in consequence obliged to leave London for the recovery of his health, a few days before the time arrived for making his motion. Previously to his departure, however, he wrote a letter to Dr. Baillie, in which, after stating his own inability to propose me, he delegated that office to him. Accordingly, Dr. Baillie produced this letter at the meeting of the College in September, and then proceeded to execute his trust. This was resisted by the same men who had opposed the former motion for my being examined. It was urged by them, that the new bye-law required the proposal to be made by the very person who had given notice of it. To this it was answered, that as the avowed object of the notice was to allow time for inquiry into the character of the person to be proposed, the spirit of the bye-law prescribing it had, in the present case, been completely satisfied; and it was asked whether a delegation had never formerly been received, when he who had declared his intention of bringing forward any motion, was prevented by illness, or the unavoidable duties of his profession, from attending at the college to propose it. No reply was made, but the question was immediately put, whether the present delegation should be admitted. A ballot being taken, 12 votes were found against the delegation, and 9 in favour of it?"—That is the statement of a disappointed individual. I did not belong to the college at that time; I know nothing but what is on the annals.

442. Were you acquainted with Dr. Wells?—No, I did not know him.

443. Do you know that even before he was first proposed to the College, he was considered a man of that character, that he was a fellow of the Royal Society, physician to St. Thomas's Hospital, and the author of many known medical and scientific papers?—He was physician to St. Thomas's Hospital, but he was never an eminent physician. He has written his own life, and he says he never succeeded in his profession; that he gained very little by his profession; that is his own testimony in his life; he was a very clever, scientific man.

444. You must know that there are other men of great eminence who have deserved to succeed, but have not succeeded in their profession?—Certainly.

445. Therefore his never having gained a great income by his profession, is no proof that he was not eminently qualified to be elected into the College of Physicians?—It is no proof that he was not qualified, certainly.

446. Do you not think that the College are bound to adhere to the letter of their bye-laws?—I think so; they have no option.

447. According to the letter of their bye-laws, Dr. Wells could not be examined upon that occasion?—Certainly not.

448. Have you examined the annals to ascertain whether, in the case of any other motion, there was ever a delegation from one fellow to another?—I have not heard of such a thing, and do not think there are any notices of that sort.

449. You do not know whether the like objection was ever made in other cases?—I do not know of other cases.

450. At what period in the history of the College do you consider the order of licentiates to have been established?—At the same time that the charter was granted by Henry the 8th.

451. Is there internal evidence in that charter to show that the order of licentiates was then contemplated?—A power is given by that charter to certain people

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to license practitioners in physic; and a fine is named (which is the same fine as now exists) for unlicensed practitioners, therefore there must have been licentiates.

452. Are you aware of Lord Mansfield's opinion, as given in his judgment in the case of *Rex v. Askew*, in 1767; that it appears from the original charter of Henry the 8th, and by the Act of Parliament by which that charter was confirmed, that the charter had an idea of persons who might practise physic in London, and yet not be fellows of the College?—I have read that opinion; that was his opinion.

453. Was not the claim of Doctors Archer and Fothergill distinctly made in the year 1770, for the purpose of trying the right of the licentiates to the fellowship, and as distinctly rejected by the court?—It was, according to the reported cases.

454. Was not the application made by Dr. Stanger in 1797 for a mandamus to require the College to admit him to be examined for a fellowship, rejected by Lord Kenyon and the three other Judges of the Court of King's Bench unanimously, upon the expressed ground, that the bye-law requiring a qualification he did not possess, that is to say, a degree at Oxford or Cambridge, was good and reasonable?—It is so stated; I have read it.

455. It has been said that the doctors and first presidents of the College were closely connected with the two English Universities?—I believe the founder of the College, Linacre, founded medical lectures at Oxford, and was himself a professor there.

456. Is it not reasonable, therefore, to consider the object of those distinguished persons to have been, not merely to create a medical institution, but the advancement of medical science in this country, and its establishment on a firm basis of literature and philosophy?—I think so.

457. With regard to the effect of this connection of the College with the Universities, has it not, in your opinion, been to contribute very much to the respectability of the profession, and to raise it to a degree of consideration here, such as it has never attained in any other part of Europe?—I have no doubt of that.

458. It has been said, that for some years after the first institution of the College, graduates at foreign universities were freely admitted to the fellowship?—The foreign universities, at that period, were the most celebrated schools of medicine; Padua, for instance.

459. The state of medical science at that period was much further advanced abroad than in England?—It was.

460. That will account for the admission of foreign graduates at that time?—The case is so.

461. The case is very much altered now?—I should say, there is no better school for the study of physic than the Metropolis, for instance, in this country now.

462. The foreign schools have no advantage, in point of medical science, over those in this country?—No, not at present.

463. Rather the reverse?—Yes, rather the reverse.

464. Looking at the history of physic in England, does it appear that the original connection of the College with the two Universities has been constantly maintained?—It would appear that most of the distinguished fellows of the College, and physicians, have been connected very closely with the English Universities; I could enumerate them.

465. Since when?—Since the foundation of the College itself, 300 years ago; but I will enumerate some: Harvey, for instance, was Warden of Merton College for some period; Friend was the Professor of Chemistry at Oxford; Glisson, called the greatest anatomist of his age, was 40 years Regius Professor of Physic in Cambridge; Dr. Heberden was a Professor of *Materia Medica* in Cambridge. These are instances I remember.

466. Do you not consider it essential to the character of an accomplished physician, that he should have received, in addition to his medical attainments, the best and highest education within the reach of an English gentleman?—Yes.

467. Is not an accurate and extensive acquaintance with classical literature and philosophy of importance with regard to the cultivation of medical science, and a great advantage in the exercise of the medical profession?—Of the greatest.

468. Are you aware of any means by which those acquirements can be better attested, than by a degree at Oxford or Cambridge?—I know of no other means so satisfactory.

469. Do you not consider it to be desirable, with regard to the advancement of medical

medical science, and for the sake of the public, as concerned in such advancement, that a higher qualification should be required from those who aspire to the first honours of the profession, than could reasonably or conveniently be expected from those who merely claim to practise in the profession?—Yes, very desirable; it is for the honour of the profession, and for the good of the public.

470. Can such higher qualifications be supposed to be attained in the length of time, or included in the course of study, necessary to the attainment of a degree at the Scotch Universities?—It is scarcely possible, in three or four years, to complete all those studies which require, according to the present system of English education, eleven years.

471. Is it not desirable, on these grounds therefore, that an inducement should be held out to some of those, at least, whose object is the pursuit of the medical profession, to undergo the longer and more complete intellectual probation, and more extensive study required at Oxford and Cambridge?—Yes, I think that very desirable.

472. Can it be imputed to the College, that any partiality for the English Universities has rendered them in the slightest degree indifferent to the real substantial qualifications of those who come to them with credentials from the Scotch Universities?—Every person examined undergoes the same sort of examination, with the exception of the English graduates being examined in Greek, and there is no favour shown to one candidate more than another.

473. You do not consider that they are inclined to overlook any imperfections in those who come with credentials from Oxford and Cambridge?—I am quite sure they never do overlook any, and I have had great opportunities of observing, because, being Registrar of the College of Physicians for about seven or eight years, I was always present at the examination of every candidate, and I never saw any instance of favour shown to one candidate more than another.

474. Do not you think that the character and reputation of the College have been well supported by those who have been admitted fellows, in general?—I think some of the most distinguished physicians in this country have been fellows of the College of Physicians, and one might enumerate them; the names that occur at this moment; Mead, for instance; Friend, Sir George Baker, Dr. Warren, Dr. Heberden, Dr. Baillie, Dr. Wollaston, Dr. Young.

475. It has been stated that several of the fellows admitted of late years under the dispensing statute, have been Dissenters: are you aware of any eminent fellows of former days who were Dissenters?—Mead was a Dissenter; he was the son of a Dissenting minister; Akenside, the poet, who was a fellow of the College of Physicians, was a Dissenter, and, I believe, a Dissenting minister himself, before he began the study of physic.

476. You are acquainted with the names of those who have been admitted under the dispensing statute within the last ten or twelve years?—I have the pleasure of knowing them all.

477. What motive do you suppose to have directed the College in electing, and the President in proposing those gentlemen?—I know of no other motive except their eminence and their own merit.

478. Do you suppose either the College or the President to have been influenced by any motives of private favour?—None whatever.

479. That they owe their admissions solely to their eminence in the profession, and their high character?—I believe so entirely.

480. Do you believe the words "*speciali gratiâ*" occur in that statute?—They do not occur; I looked at the statute this morning; there are no such words to be found in that statute, nor, I believe, in any other.

481. Is not the person to be elected under that statute, thus designated in the statute, "*utpote morum integritate, doctrinâ, et artis medicæ peritiâ insignem*?"—Those are the words.

482. What is the nature of the patronage said to be enjoyed by the College, with regard to the appointment of physicians to St. Bartholomew's Hospital?—When a vacancy of physician occurs in St. Bartholomew's Hospital, notice of it is given to the College of Physicians, and, according to the will of Dr. Hamey, I think it is, the College of Physicians recommends a person to be elected. If the Hospital takes that recommendation, the College has to pay a certain sum; I think 30*l.* or 40*l.* a year, to him; so that it is a great burthen on the College, rather than a piece of patronage.

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483. If they do not take the recommendation, is the sum payable?—No, I conceive not.

484. Has the College been in the habit of exercising the patronage, subject to this payment?—They always recommend a fellow.

485. Do they make the annual payment?—In my time the Hospital has not followed their recommendation.

486. The Hospital is not bound to follow it?—By no means.

487. Does this apply to all vacancies for physicians for St. Bartholomew's Hospital?—To all; one vacancy is the utmost that ever occurs at once; it is not often that two physicians resign or die together.

488. They are not compelled to make such recommendation?—They do as matter of form; they adhere to the conditions of the will.

489. The patronage would be burthensome to them?—Certainly it would.

490. Is not the desire at present universally evinced by all classes of Dissenters to be admitted to a participation in the benefits of an education at the two Universities, a strong testimony in favour of the superiority of that education?—I think it forms the most unequivocal proof.

491. If, as you have stated, the principal object of limiting the admission into the College to graduates of the English Universities, be to secure a higher degree of qualification in the candidates, might not the object be more advantageously attained by examination, without reference to the schools from which the candidates come?—The College of Physicians is appointed to examine into the qualifications of the candidate touching his knowledge of medicine.

492. Supposing the object be to require a higher degree of qualification from persons intending to enter into the higher branch of the profession, would it not be desirable to obtain that object rather by ascertaining the qualifications through means of an examination, than by presuming that they have been acquired by residence a certain number of years in particular universities?—The possession of a degree from an English University has always been supposed to imply previous knowledge. For instance, in other professions, in the law, the possession of a degree alone of the English Universities gives certain privileges; a barrister is called to the bar sooner, and in some courts it is necessary to have a degree. In the civil law courts, for instance, it is necessary to have a doctor's degree from an English University before they can practise.

493. Would it not be better to ascertain the existence of that previous knowledge by examination, than to imply its possession from a residence, for a certain time in an English University?—It is ascertained, in a certain degree, as the candidates from Oxford and Cambridge are examined in Greek.

494. Are not the qualifications necessary for an accomplished physician, too various and extensive to be ascertained by the test of a personal examination?—It is impossible to examine a candidate in every branch; it would take up so much time; therefore the examination is rather on certain points, which, if the candidate answers well, you are sure that he is acquainted with other branches: no one can construe Aretæus, for instance, unless he be a good Greek scholar; but it would not be necessary to put him on in Euripides at the same time.

495. Does it not require some additional testimony, besides that which could be had from a personal examination?—It always requires the testimony which a degree gives before the College will lose its time; a man may knock at the door, and say, examine me; it is impossible the time of the College should be so taken up.

496. Would you consider an attention to classical reading and philosophy as part of the proper education for the duty of a physician?—Most of our best treatises on physic are written in Latin; it is not possible to read them without a knowledge of that language. Till lately, no book on medicine was ever written in any language but Latin; none of our English medical authors wrote in English: Harvey's work is written in Latin; Sydenham wrote in Latin.

497. That merely implies that there should be a competent knowledge of the Latin language?—No; many of the works are also in Greek.

498. It would be of very little importance to the College where that stock of Latin and Greek had been obtained?—I think that is of no consequence.

499. That competent knowledge is ascertained at the College by examination, and is not merely implied by residence at the Universities?—It is ascertained by an

an examination ; the examination itself is in Latin ; the questions asked, and the answers given, are in Latin ; there is no English talked at the Board.

500. You state that a power is given by the charter to appoint licentiates ; and that there is internal evidence from the charter itself, that it was intended to create them ; what are the words in the charter to which you refer ?—I cannot quote them, but that it may be allowed to the president and the community to judge of the competency of other physicians, and to license them.

501. The nomenclature of science generally is founded on the Greek languages, is it not ?—It is.

502. In reference to what you have stated as to university degrees ensuring a previous good education, in the profession of the law is a university education required as a qualification for admission to any of the honours of the profession ?—No ; it gives a privilege ; a man is called to the bar earlier.

503. There is no other advantage that you are aware of ?—None, that I am aware of.

504. With reference to the last question, are the Committee to understand that it is of no advantage in the profession of physic, with respect at least to eligibility into the College, that the party should have been at a university, and have there taken a degree ; except so far as this, that without it, he would have to stay seven years at least in London, before he could be so eligible ; and that if he has a degree from the University, he must pass from the commencement of his attention to physic twelve years ?—The precise difference is this ; that now the University of Edinburgh require a residence of four years ; formerly a residence of three years was sufficient, before they granted a degree ; so that in fact the Edinburgh graduate could be a fellow of the College in ten years ; an Oxford or Cambridge graduate could not be so in less than twelve years ; the advantage is in favour of the other, in point of time.

505. Have you seen much of the continental schools ; of the practice of physic in other countries ; and of the relative rank and influence which the profession holds in other countries, compared with our own ?—I have been abroad a great deal, some time ago.

506. State to the Committee, so far as your observation has enabled you to form an opinion, whether in any country in Europe the profession of physic holds so high a rank as it holds in this country, compared with other classes and other professions ?—A physician in this country holds a much higher rank than in any country in Europe I have visited.

507. Does this observation apply to every class of the profession, physicians, surgeons, and general practitioners ?—I think it does.

508. What is your understanding of the terms you have just made use of, that physicians have a higher rank in society ; do you mean that they are men, generally speaking of them as a class, of greater ability in their profession than the similar class on the Continent ?—That would be very invidious to answer ; they are admitted into the highest society in this country, and are not admitted into the highest society abroad.

509. You have stated that the English physicians mix in the highest class of society in this country ; have you reason to believe that, with some rare and splendid exceptions, this is not the case with respect to the profession in other countries ?—That is the case.

510. Generally speaking, the English physician is comparatively higher than the Continental ?—Certainly.

511. To what cause, operating on a large mass, would you attribute such a result ?—In the first place, the circumstance of many physicians in this country being educated at the English Universities. There they have the same education as those who fill the highest stations in life ; they are brought up with those persons, and afterwards become physicians. I think the distinguished post which they hold, elevates the whole profession ; that all physicians partake of the dignity which their education and their good conduct give.

512. From your observation with respect to the personal conduct of physicians in other countries, and from what you know by reading also, do you believe that physicians, as a class, stand higher or lower in foreign countries than they do in our own country ?—I should say the English physician ranks highest in moral character and in all endowments, owing to his having had a longer and more liberal education.

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513. Physicians in foreign countries are generally admitted to practise without any previous discipline, in respect to their moral character and habits?—I believe so.

514. Have you collected from observation and inquiry respecting the medical profession abroad, that their examination is limited to purely professional acquirements?—I believe so.

515. The public have not that security for the moral character in society of a physician in foreign countries, which they are held to have in this country?—That is the fact.

516. You attribute this, in part at least, to the discipline of the English Universities; to the effect of such discipline in improving the conduct of the persons there educated, which raises them in public estimation; an estimation in which all of the same profession participate who are afterwards associated with them?—I think it can be reasonably attributed to no other cause.

517. Do not physicians in foreign countries constitute a larger portion of the whole medical profession than they do in this country?—Yes.

518. Do you consider the discipline of the English Universities such as to be, in every sense, a security for the moral character of the candidates?—It would; by giving him right feelings and enlarging his mind, it is the best security you can possibly have.

519. Will you advert to the words in the charter, from which you collect that the licentiates are therein provided for?—They are mentioned in the charter.

520. Will you read the words?—"Concessimus etiam eisdem præidenti et collegio, seu communitati et successoribus suis, quòd nemo in dicta civitate, aut per septem milliaria in circuitu ejusdem exerceat dictam facultatem, nisi ad hoc per dict' præidentem et communitatem, seu successores eorum qui pro tempore fuerint, admissus sit per ejusdem præidentis et collegii literas, sigillo suo communi sigillitas, sub pœna centum solidorum pro quolibet mense quo non admissus eandem facultatem exercuit, dimidium inde nobis et hæred' nostris et dimidium dicto præidenti et coll' applicandum."

521. Is it perfectly clear from those words, that it contemplated, at the time of granting the charter, that there should be a class of physicians forming a distinct and separate class from the persons composing the college?—That seems to be the most natural interpretation; and that was the opinion of Lord Mansfield, who was not very favourable to the College. I do not know how the expression can otherwise be interpreted.

522. Have you ever noticed the words of Lord Mansfield with regard to the construction he put upon those words in the charter: "It appears from the charter and the Act of Parliament, that the charter had an idea of the persons who might practise physic in London, and yet not be fellows of the College; the president was to overlook not only the College, but also 'omnes homines ejusdem facultatis.' So when the College or corporation were to make bye-laws, these bye-laws were to relate not only to the fellows, but to all others practising physic within London or seven miles of it?"—I have read that opinion.

523. "The restraint from practising physic is thus expressed: 'Nisi ad hoc admissus sit, by letters testimonial under their common seal.' Now what does this ad hoc mean? It must mean 'ad exercendum facultatem medicinæ admissus sit.' And this is agreeable to the words used in 3 Hen. 8, c. 11, concerning admissions by the Bishop of London and the Dean of St. Paul's. The supervisal of the censors is expressed to include not only the physicians of London, but "omnes etiam qui per septem milliaria in circuitu ejusdam medicinam exercent." The same observation holds as to punishments. This must regard those who had a right to practise in London and within seven miles of it, and were not fellows of the College: These observations convince me, that the charter had an idea that some persons might practise by licence under their seal, who were not fellows of the College?—I have read that opinion."

524. Does it appear from the charter, that it contemplated that any persons, *having the degree of doctors in medicine*, were to form a distinct class of persons from the members of the College?—The charter incorporated a certain number of persons, whose names were mentioned, and all those who at that time practised physic.

525. At the time of granting the charter, every person practising physic in London was entitled, as a matter of right, to become a member of the College?—I believe so, if he chose to apply.

526. It was not compulsory; but as a matter of right, if he chose, he might become a member of the College?—I believe so.

527. Do you recollect, from an examination of the annals of the College for the first 70 or 80 years, what was then the practice of the College under the charter; whether at that early period, there was a separate class of licentiates?—I believe there was.

528. Can you refer to any passage in the abridged annals by Dr. Caius, previous to 1555, or in the subsequent authentic annals of the College, to confirm your opinion?—I have not had the annals in my possession for four years, therefore I cannot answer to that point.

529. Are you aware whether any distinct mention of the two classes of fellows and licentiates occurs in the annals of the college before the year 1581?—It is possible the annals may be imperfect; but the charter gives the power.

530. Is it to be collected from the charter, whether or not the persons who were to be admitted ad hoc, were a distinct class of inferior practitioners, and not persons having the degree of doctor of medicine?—No, I think not; “*exerceat dictam facultatem*,” means to practise physic as well as the president; not that he is to do any thing inferior.

531. Did not the College at that early period grant licences to practise in particular departments of medicine, as oculists, and so on?—It is very possible; the whole supervision of the profession was given to the college.

532. The permission, in the first instance, being given to all persons who were of the faculty of medicine to enter into the college, can you collect from any evidence whether, from the period of 1518 down to that of 1581, there were any bye-laws by which doctors of medicine (wheresoever they may have graduated) were excluded from the college?—My opinion is that the bye-laws are private regulations of the College, which they are entitled to enact, and which they may alter as they please. There are no documents of bye-laws of so early a date as those that I have ever seen.

533. Do you mean that there is a perfectly arbitrary power in the College, without respect to the charter, or the Act of Parliament confirming the charter, to enact what bye-laws they please?—Not an arbitrary power to do any thing illegal.

534. Not a power to do any thing inconsistent with the charter, or the Act of Parliament confirming it?—No.

535. You mean that they have a power only to make such reasonable bye-laws as are consistent with the charter and the Act of Parliament?—Just so.

536. Are you aware that the practice of the College, from the year 1647, if not earlier, down to the period when Lord Mansfield delivered his judgment, was to limit the fellows to a certain number, varying at different periods from 20 to 80; and that Lord Mansfield declared that any such limitation was illegal?—I am aware of that.

537. You are aware that the practice of the College for above a century, from 1647 to 1752, or even later, was declared by Lord Mansfield to be illegal?—I recollect that he said he thought them unreasonable, and perhaps illegal.

538. This is an extract from the case of the King *v.* Askew: Lord Mansfield says, “The licences probably took their rise from that *illegal* bye-law, now at an end, which restrained the number of fellows to 20. This was arbitrary and unjustifiable. They were obliged to admit all such as came within the terms of their charter; yet it is probable that the practice of licensing was in consequence of their having made it.”—I think the inference drawn is not borne out by the charter. I think it was very unwise of the College to limit the number, and a very unreasonable bye-law. The College ought not to fetter themselves by any such bye-law; but that the practice of licensing began from that, I think is not borne out by the history of the college.

539. The question was, whether you were aware that Lord Mansfield had declared that practice of limiting the number of fellows to be illegal?—I think it unreasonable, and probably illegal in all respects.

540. The judgment of Lord Mansfield upon the cases that occurred about the year 1767, and afterwards, have been referred to. Are you aware that in the case of Dr. Letch, his Lordship concluded his judgment with a recommendation to the College to settle all other matters amongst themselves, without coming to this court; at the same time intimating to them a caution against narrowing their grounds of admission so much, that even if a Boerhave should be resident here, he could not

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be admitted into the fellowship?—Yes, and I think that very good advice which he gave.

541. Are you aware that in the next case, the *King v. Askew*, that came before Lord Mansfield in the same year, his Lordship, towards the close of his judgment, gave this advice? “I think that every person of proper education, requisite learning and skill, and possessed of all other due qualifications, is entitled to have a licence; and I think that he ought, if he desires it, to be admitted into the College; but I cannot lay it down, that every man who has a licence from the College by letters testimonial to practise physic in London, and within seven miles of it, does thereby actually become a member of the College, and obtain a right to vote in corporate elections.” Then, after some other intermediate matter, he goes on: “As now constituted, the College is at present to be considered as the body corporate. I have a great respect for this learned body; and if they should think proper to hearken to my advice, I would wish them to consider whether this may not be a proper opportunity for them to review their statutes; and I would recommend them to take the best advice in doing it, and to attend to the design and intention of the Crown and Parliament in their institution. I see a source of great dispute and litigation in them as they now stand. There has not, as it should seem, been due consideration had of the charter, or legal advice taken, in forming them. The statute 14 & 15 Hen. 8, c. 5, after reciting the charter, mentions it to be expedient and necessary to provide, that no person of the politic body and commonalty aforesaid be suffered to exercise and practise physic, but only those persons that be profound, sad and discreet, groundedly learned and deeply studied in physic. I do not say that no man can be a licentiate who is not perfectly and completely qualified to be a fellow of the College. Many persons of no great skill or eminence have been licensed; and there seem to be fewer checks, guards and restrictions upon granting licences than upon the choice of fellows. Yet it has been said, that there are many amongst the licentiates who would do honour to the College, or any society of which they should be members, by their skill and learning, as well as other valuable and amiable qualities; and that the College themselves, as well as anybody else, are sensible that this is, in fact, true and undeniable. If this be so, how can any bye-laws which exclude the possibility of admitting such persons into the college stand, with the trust reposed in them, of admitting all that are fit? If their bye-laws interfere with their exercising their own judgment, or prevent them from receiving into their body persons known or thought by them fit and qualified, such bye-laws require regulation. Such of them indeed as only require a proper education and a sufficient degree of skill and qualification may be still retained. There can be no objection to cautions of this sort; and the rather, if it be true that ‘there are some amongst the licentiates unfit to be received into any society.’ It is a breach of trust in the College to license persons altogether unfit. I do not speak more particularly, but I recommend it to those who are likely to be established the masters of the College, to take good advice upon the points I have been hinting to them.” Are you aware of that having been Lord Mansfield’s advice?—I am aware of it.

542. In the *King against the College of Physicians*, the case of Dr. Archer, Lord Mansfield, in delivering his judgment, said, “I have foreseen the labyrinth and maze of litigation that this learned body would be involved in by persisting rigidly on both sides in pursuing the points of their dispute, and contesting about a feather. I have read over all their constitutions, statutes and bye-laws; and many of them appear to be narrow, if not illegal.”—The College has taken his Lordship’s advice, and revised the statutes; none of those illegal statutes exist now.

543. You allude, probably, to the alterations that were made in the statutes between the period of his Lordship’s latter judgment, delivered in 1770, and the period of 1784, particularly to two statutes, one of which allows the president to recommend for election a fellow of 10 years standing, and the other, which enables any fellow to propose for election a licentiate of seven years standing and 36 years of age?—Those are the principal ones; but there is another also, I recollect, that has been abolished, respecting the number of years that a candidate should have been resident at the University. It was said he ought to be two consecutive years at the same University where he graduated: that was found very inconvenient, and perhaps unreasonable; that has been abolished; they alter their statutes according to existing circumstances.

544. The principal are the two, one enabling the president to propose for admission without examination a licentiate of 10 years standing, and the other enabling

enabling a fellow to propose for examination a licentiate of seven years standing, and if he pass examination, for admission into the college?—Yes.

545. Are you aware, that with respect to the statute enabling the president to propose, it was passed very shortly after Lord Mansfield had bestowed his advice?—I do not recollect the date.

546. Do you believe it was very shortly after Lord Mansfield delivered his opinion?—Very likely, but I did not belong to the College at that time.

547. You were for some years Registrar of the College?—Yes; but I am not now, nor have been for some years.

548. It appears by the Return of the College to this Committee, to have been in the year 1784 that that statute passed, and that on the 30th of September in the same year it was determined, that the power should not be exercised if the number of fellows should exceed 50: there must be some inaccuracy in that; for it appears by a Return of the College of Physicians to the order of the House last year, that so early as in the year 1771 this power was exercised, and that there were four such admissions?—I did not make that return; I have not looked at the annals for four or five years, except to-day.

549. It appears that at some period between 1771 and 1784 the College did pass this dispensing statute, allowing the president to recommend a licentiate for election without examination?—Yes.

550. It appears also by a Return of the College, that in 1772 the other dispensing statute was passed, enabling a fellow to propose a licentiate of seven years standing to be examined?—Yes.

551. Were not those dispensing statutes appealed to on the trial which took place between the College of Physicians and Dr. Stanger, and insisted on as qualifying the exclusive statutes, and thus removing the objections which Lord Mansfield made?—I looked at Dr. Stanger's case a day or two ago; I think it was so, but I cannot be quite certain.

552. Were not you here yesterday when a passage from the proceedings to that effect was read?—Yes, I heard it read.

553. If that be a correct report of the trial, Lord Kenyon made distinct reference to the new dispensing statutes, as qualifying and removing the objections made to the old exclusive statutes?—I think I recollect that that was so.

554. How do you account for the circumstance, that under the seven years qualifying statute not a single election of a licentiate has taken place from the time of its passing down to the present period?—I presume that the circumstances of being publicly examined by the whole College would be a great objection to any one wishing to avail himself of that privilege.

555. Are you aware that Dr. Sims was proposed, and that the College would not proceed to the election on the ground that he was not seconded?—I have been told so; but I think that a person proposed and not seconded has no very great chance of being elected. He would probably be black-balled.

556. Are you not aware that Lord Kenyon delivered his opinion, that under the statute no seconder whatever was necessary?—It is so said in the report.

557. The next application made was that in favour of Dr. Wells, who, at the time of his being proposed, was a fellow of the Royal Society and physician of St. Thomas's Hospital, and above all, was proposed by two men so eminent in their profession as Dr. Baillie and Dr. Pitcairn?—He never was proposed at all, according to the annals.

558. It appears that he was proposed in 1797, but that an objection was taken, that no notice had been given. If a person so distinguished as Dr. Wells, a fellow of the Royal Society, physician of St. Thomas's Hospital, proposed by two men so eminent in their profession as Dr. Baillie and Dr. Pitcairn, was not even balloted for, whether he should be examined as to his fitness to be admitted a fellow or not, do you think it a reasonable conclusion on the part of the licentiates, that however eminent their qualifications might be, if they endeavoured through this bye-law to obtain admission into the College, they would be disappointed?—I am not aware that Dr. Wells ever was eminent as a physician: he wrote some papers for the Royal Society on Dew, and was considered a clever man; but he was not at all an eminent physician, and he was an extremely irritable man.

559. From what do you collect that he was not an eminent physician?—I am not very conversant with his papers, or his works on physic or medicine; they are not voluminous; his papers are chiefly philosophical.

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560. His life has been published, written by himself?—He has written his own life.

561. Is there any evidence in that of any great eminence?—He was a clever man, but not successful in his profession.

562. Have you never read any of his medical works?—I do not recollect any at this moment; they are not often quoted.

563. The titles of his medical writings are the following: “Observations on Erysipelas;” “An Instance of an entire Want of Hair in the Human Body;” “Observations on the Dropsy which succeeds Scarlet Fever;” “A Case of Aneurism of the Aorta, attended with Ulceration of the Œsophagus and Wind-pipe;” “A Case of Epilepsy and Hemiplegia, apparently produced by a sharp Projection from the inner Table of the Skull;” “A Case of Tetanus, with Observations on the Disease;” “A Case of Aneurism of the Aorta, communicating with the Pulmonary Artery;” “A Case of considerable Enlargement of the Cæcum and Colon;” “A Case of an extensive Gangrene of the Cellular Membrane, between the Muscles and Skin of the Neck and Chest;” “On Rheumatism of the Heart;” “On the Presence of the Red Matter and Serum of the Blood in the Urine;” “Of Dropsy, which has not originated in Scarlet Fever;” “Observations on Pulmonary Consumption and Intermittent Fever, chiefly as Diseases opposed to each other.” These were published in the Transactions of the Medical and Chirurgical Society. There is also a case of Aphonia Spasmodica described by him, and communicated by Dr. Carmichael Smith, in the second volume of the Medical Communications. Previous to his being proposed at the College of Physicians, he had written an “Essay on Single Vision with Two Eyes;” “Two Letters in Reply to Dr. Darwin’s Remarks in his ‘Zoonomia,’ upon the ‘Treatise on Single Vision with Two Eyes;”” “Observations on the Influence which incites the Muscles to contract in Mr. Galvani’s Experiments,” published in the Philosophical Transactions in 1795; “Observations and Experiments on the Colour of Blood,” published in the Philosophical Transactions in 1797. His Treatise on Dew was published some years afterwards.—There is one paper I do recollect, which is a very important one, that on the Rheumatism of the Heart; all the others are such as the magazines and the publications of the present day abound with. He is not the author of any great work; that on the Rheumatism of the Heart is a very important one.

564. Do you not consider him to have been a man of great talents?—He was a very clever man.

565. Do you not consider him to be a man of singular virtue and independence of mind?—I did not know him.

566. Have you read his life?—I have.

567. Should you not consider that if that life is true, which was dictated by him on his death-bed, he was a man of singular virtue and independence of mind?—Yes, I should conceive so. I have not read it for 10 years; it is a curious work.

568. You state that he had not written any great work on medicine. How many of the present College of Physicians have written great works on medicine?—It is not so necessary to write great works now: the science is advanced so much, that it is not to be expected that we should have very voluminous publications.

569. Is there so great an alteration in the state of science and of the times between the period when Dr. Wells was rejected, 1797, and the present, as to make it necessary for a candidate to have written a great work at that time, though such a qualification is not requisite at present?—No, he might be a very clever man, and yet not a fit person to be a fellow of the College of Physicians.

570. By what do you think that fitness ought to be determined?—At all events, the goodness of his temper. I should think he was notoriously a man of extremely irritable disposition, and therefore had probably made a great many enemies; but I never knew him.

571. Do not you think it a great testimonial in favour of a man’s moral character to be proposed and seconded by two such persons as Dr. Baillié and Dr. Pitcairn?—They were very eminent men.

572. How do you account for not a single person obtaining admission into the college under this qualifying statute, from the time of its passing down to the present time?—I stated that a public examination at the College might weigh with many persons, and induce them not to present themselves; but I do not know the motives that actuate other persons.

573. The statute is of this nature; a licentiate of seven years' standing may be proposed by a fellow. In order to become a licentiate, he must already have passed before the censors three examinations and ballots, and one ballot before the whole College of Physicians. Then, under this statute, the College first agree by ballot that the licentiate may be examined as to his fitness to become a candidate; and subsequently to such ballot, he must undergo before the whole College three examinations and ballots; and lastly, if approved of at these examinations, he may be elected by ballot of the whole College into the order of candidates?—Yes.

574. When a person has already undergone a medical examination, in order to become a licentiate, the same sort of medical examination that, in order to become licentiates, the graduates from Oxford and Cambridge are required to undergo, is it a reasonable thing to subject him a second time to three medical examinations?—It may be unnecessary; the unreasonableness of it does appear to that extent: that may be the reason why so few persons have ever come into the College by that statute.

575. The only deficiency of which, according to your former answers, a licentiate, not a graduate of Oxford or Cambridge, may be suspected, is that he does not know the learned languages sufficiently; that he is not well informed on classical literature and science; and that the College is not able to have so satisfactory a testimonial of his moral habits as they would have if he had been educated at Oxford or Cambridge. In the case of a person applying as Dr. Wells did, after having already undergone medical examination in order to become a licentiate, do you not think the inquiry of the College should be limited to those points in which licentiates are suspected to be deficient?—It may be so far a little unreasonable, and I think it is.

576. Do you think that any physician, after he has been established in London in practice seven years, would like to undergo an examination?—It is probable that they would not, because they never are so proposed; that may be the reason.

577. From physicians of what standing are the censors usually selected; are they of long standing generally, or the juniors in the College?—There are two senior censors, who may be of 40 years standing; and there are two juniors.

578. Upon whom does the labour of the examination generally devolve; on the seniors or the juniors?—On all alike, and the president also.

579. Are there many men who, after engaging in practice for a considerable time in London, (whatever may have been their ability when they first came from a University to pass examination,) would not be liable to be puzzled on being examined by the whole College; do not men usually cast down most of the scaffolding of learning, after they have obtained the object of their wishes?—Yes; and therefore so few or none have been admitted in that way.

580. From that you infer that there is something about the bye-law which renders it in a great measure inoperative?—I think there is.

581. You stated in a former answer, that of those admitted lately into the College, some were Dissenters?—I have been told so.

582. Will you attend to the names of those admitted by the recommendation of the president in the last 10 years; Dr. Southey, Sir James M'Gregor, Dr. Prout, Dr. Roget, Dr. Holland, Dr. Babington; which of those are Dissenters?—I do not know, of my own knowledge, that any are; I do not think I should be called on to answer that question.

583. During the 15 years preceding 1823, there were no admissions of licentiates into the college in any way whatever. From 1823 down to the present time, being a period of 10 years, as appears by a Return made by the College to the House last year, there have been seven licentiates admitted on the recommendation of the president; having heard the names of those licentiates read, do you or not know whether any of them, without mentioning their names, are Dissenters?—Sir Henry Halford, the president of the College, who proposed them all, stated that. I heard him state that yesterday.

584. Then you state that, not on your own, but on his information?—I do not know it of my own knowledge.

585. Do you state that on his information?—I do not state it on my own knowledge.

586. Did you ever hear of any one being excluded from the College on religious grounds?—Never; I have stated the instances of very celebrated men who are dead, Mead and Akenside, who were Dissenters.

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587. You have stated that the graduates of foreign universities, at the time of the institution of the College of Physicians, were better qualified than those of the English Universities for admission into the College, on account of the foreign universities being greatly in advance of the English in respect of medical education?—Yes; Harvey, for instance, graduated at Padua, though he was a Cambridge man.

588. Do you apprehend that the foreign universities were at that time as much advanced in medical science as the Scotch Universities now are?—No, I should think not.

589. Do you not think that, as schools of medicine, the Scotch Universities are in advance of Oxford and Cambridge?—Yes, I think they are.

590. Whatever claim, therefore, the graduates of foreign universities had in early days for admission into the College, the graduates of the Scotch Universities would now possess the same claims upon the College?—I do not consider the Scotch Universities the best schools of medicine of the present day; I think the Metropolis is the best school of medicine.

591. If therefore a Scotch graduate has completed his medical education, by attending hospital practice in London, you would think that would give him an additional claim for admission into the College?—An additional claim, but not the best claim.

592. What better claim do you think, as far as medical education goes, a person could have, than having gone through a course of medical education in a Scotch University, and afterwards having gone through a course of hospital practice in London?—The best medical education I think would be that, that would secure to a man a preliminary education at the English Universities.

593. The question put respects medical education, as distinguished from preliminary education?—Medical education is not the only education a physician should have; therefore I cannot answer the question in that particular way.

594. Do you recollect from any part of the early history of the College, that the graduates of foreign universities were examined into their qualifications as regards preliminary education?—Almost all the graduates of foreign universities received their preliminary education here. They went only, for instance, to Padua and Leyden to complete their medical education, having got their first degrees here, as was the case with Harvey, and most of the distinguished fellows of the College.

595. You are of opinion that one advantage attending the English Universities, is the opportunity they afford of ascertaining the moral habits of the graduates; are you aware that it is the practice in any other universities than those of Scotland, to countenance the practice of term-trotting, as it is called; that is, of allowing licentiates already established in London, who perform the formal exercises, and go through the formal residence required by those universities, to obtain from those universities medical degrees?—I do not know any person that has done so.

596. Is there not a college phrase applied to that practice at Oxford or Cambridge, namely, term-trotting?—Yes, there is such a phrase.

597. Does not that imply that there is such a practice?—I should suppose so.

598. What sort of residence is it that is required?—I do not know how much or how little; I did not term-trot myself. In how short a time it may be possible for a person to obtain a degree, I cannot tell; but I am sure that it is not a common practice. I should think not one in twenty of the College of Physicians has done so.

599. Do you know that it has happened?—Yes; but if I were asked to point out a term-trotter, I could not do it.

600. If this be a mode of obtaining a degree from Oxford or Cambridge, and therefore a qualification for admission into the College of Physicians, does it give any particular opportunity of ascertaining the moral habits and qualifications of parties?—I do not consider that anybody has a claim, on the ground of qualification, to the fellowship of the College of Physicians; that a person who comes from either Oxford or Cambridge can claim a fellowship; he gets nothing but a licence; if he is afterwards elected into a fellowship, that is a spontaneous act on their part.

601. Still it is that qualification, without which he will find the greatest difficulty in obtaining admission into the College. Do you think that such a mode of obtaining a degree affords any reasonable security to the College of Physicians of the moral habits of the parties, in that manner soliciting entrance into the College?—A short residence of course gives a less opportunity of knowing any thing of the individual;

individual; but it is very little the practice, according to my belief. I do not think that it is allowed at all at Oxford.

602. Do you know whether the parties who obtain their bachelor of physic degree at Cambridge, by the practice of term-trotting, are examined as to their attainments in classical literature, in mathematics and natural philosophy?—At Oxford we are all examined alike. I do not know the practice at Cambridge; we must take degrees in arts at Oxford.

603. While you were censor of the College, did any licentiates thus qualified ever come before you?—I do not recollect that any did: it is possible.

604. You did not think it necessary in those cases to subject them to any peculiar examination, for the purpose of ascertaining whether they were qualified in classical literature or the sciences?—The examination of all candidates for a licence is the same; the only thing we require of them is, to produce a degree. We do not ask them where they got their information; if they have it, they pass, and are admitted.

605. Inasmuch as this opportunity is, or was lately afforded at Cambridge of obtaining degrees in physic, the presenting the testimonial of a Cambridge degree to the College of Physicians was no certain criterion of the graduate's having performed at the university the usual exercises in classical literature and in the sciences, or of his having those moral habits for which it is contended a residence of the usual period at College affords the best security?—The probability is that they have resided: the exceptions are very few indeed; the presenting the degree is not sufficient, they must also have a licence to practise. That is a document we require them to present; the Bachelor of Medicine's degree does not entitle them to be examined.

606. You do not subject those who have obtained a degree at Cambridge by term-trotting, to a severer examination than you subject those who have gone through the usual course of study?—We have no means of knowing the fact: it would be very impertinent of the officer of the College to ask a candidate how he had kept his terms, if he had the document.

607. Do you think it is impertinent in the College to endeavour to ascertain, to the best of its ability, what the real qualifications of the candidate presenting himself are?—We ascertain those qualifications by examination.

608. What qualification is it you do ascertain by examination?—Medical.

609. And a certain portion of classical, namely, that he can construe a passage out of some Greek and Latin medical author?—The whole examination is in Latin: unless he is a competent master of the language, he cannot understand them. No word of English is spoken at the examination.

610. You do not, in fact, subject them to any severer examination than you do those who have regularly passed their studies; and you think it would be impertinent in the College to ask them the particulars how they passed their studies?—It would be very unusual: it is not required by the charter nor practised by the College.

611. Is there not some inconsistency in the view you take of this subject, when you state that the principal advantage of confining the fellowship to the graduates of English Universities is, that it affords you a good criterion of their having passed through a proper course of preliminary studies and acquired good moral habits; and yet you think that it would be a work of supererogation in the College to inquire whether the person really has passed through these studies, to which so much importance is attached?—The possession of a document from the University presupposes, in nineteen cases out of twenty, or probably more, that residence which gives security for good conduct and qualifications.

612. Of what date are the regulations at Oxford to which you allude, which require a person, before he can take a degree in medicine, to have taken the degree of Bachelor of Arts?—Always, I believe. It is a great many years since I was at Oxford, and they existed then; and I always understood they had been so long previously.

613. You approve of confining the fellowship to the graduates of the English Universities, as affording the best education within the reach of an English gentleman: do you think that the gentlemen who come from the northern parts of the island are not fitted, from their acquirements, to take their stand on the same level with the gentlemen educated at Oxford or Cambridge? Is there any distinction between their standing in society, so that those who have graduated at the English Universities gain admission into one class, while the graduates of the Northern Uni-

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versities are confined to another?—No; I have never said that, that the choice of the College of Physicians was confined to the English graduates. The fact is, that there is more facility, perhaps, given to those who come from Oxford and Cambridge; but I consider all physicians in the country alike in point of rank, and very much superior to the rank they hold abroad.

614. You have stated, that you consider the physicians of this country hold a higher rank in society, generally speaking, than physicians on the Continent; are not many medical men on the Continent made ministers and councillors of state, Humboldt at Berlin, Cuvier at Paris, and Hern at Vienna; do they not mingle with the highest personages in much greater number than in this country, and also receive higher honours on the Continent than they receive in this country?—Honours are given very easily abroad; but the distinction which may be given to Cuvier is no great distinction. Humboldt is a traveller; he has never practised.

615. You have spoken of some of the most distinguished physicians, Mead and Akenside, who were Dissenters, as having been fellows; do you know in what manner they obtained admission into the college?—I do not know as to Akenside; but Mead, who graduated at Padua, was incorporated at Cambridge, and then afterwards he was made a fellow.

616. Do you not know, that before the passing of the statute at Cambridge and Oxford, restricting *ad eundem* degrees to the graduates of the sister English University, or of Dublin, by payment of the usual fees, it was very easy for the graduate of any Scotch or foreign University to be incorporated in an English University, and thus to find admission into the College of Physicians?—They would not necessarily find admission into the college.

617. Did that impediment to their admission then exist to the same degree as it does now?—I believe that is the fact.

618. Are you aware that Mead and Akenside, and those other parties to whom you allude, were admitted into the College of Physicians by obtaining mandamus degrees at Oxford or Cambridge?—Perhaps they were.

619. In the period of 11 or 12 years which has been alluded to as constituting the term of medical study at Oxford and Cambridge, is not that period included during which they are studying, not medicine only, but the arts?—Yes.

620. In the comparison you have made between the period of medical study at the English and Scotch Universities, have you not omitted in the period of study in Scotland the years given to preliminary education, while, by the last answer, you admit that you have included preliminary education in the time assigned to medical education in England?—I did not say that 12 years were a term for the medical studies, but that 12 years must elapse before the man could be a doctor of physic and a fellow of the College of Physicians: I conceive that a period of those years being devoted to the study of arts and literature constitutes the chief advantage.

621. If a Scotch graduate were to produce a certificate, that besides the period of three or four years given to medical study, he had devoted two or three years to studying the arts: in making the comparison between the English and Scotch periods of study, you ought to take those two or three years of studying the arts into account?—Certainly.

622. Would that imply the same degree of controul and restraint as if there had been residence within the walls of one of the college institutions of this country?—It would depend upon how he had devoted his time to the arts, and whether he had studied.

623. Suppose proof were given that he had not studied in a university, but in his parent's own house, do you apprehend that the moral controul would be greater or less?—The presumption is, that a person who has been at the university has undergone that moral controul. A special inquiry in every case would be impossible, were it necessary to know the parents, and go to their houses, and see how they live. These laws are made for society in general, not for particular cases.

624. You have stated that you are not aware of mandamus degrees having been granted at Oxford?—I am not aware, of my own knowledge, of any one having been made a doctor by mandamus.

625. Have any proposals been made of licentiates to be examined in order to become candidates, except of Dr. Sims, Dr. Wells and Dr. Pearson?—I do not recollect any others.

626. Do any fellows of the college or any inceptor candidates practise surgery? —I do not think they do; I do not know that they do.

627. Do any of the licentiates practise surgery?—I believe not.

628. Would it be in the power of any one of them to become a surgeon to a metropolitan hospital?—He might be a surgeon; the Act of Parliament of the 32 Hen. 8. gives to the physicians the right of practising surgery.

629. In spite of this power granted to the College of Physicians, do they not require, before they admit a person to be a candidate or licentiate, that he should renounce any college of surgeons to which he may happen to belong?—Yes; I think that each branch of the profession is sufficient to occupy all a man's time and talent; I think he would be a better physician if he were only a physician, and a better surgeon if he were only a surgeon.

630. Therefore, whatever may have been his previous studies, though he may have been a distinguished member of the College of Surgeons, he would be disqualified from being elected a surgeon to any metropolitan hospital, after being elected a fellow of the College of Physicians?—He may be a surgeon, but not a member of the College of Surgeons.

631. Then if renouncing the College of Surgeons would create a disqualification to his being appointed surgeon to an hospital, that renunciation would occasion a loss to him?—The College of Surgeons have no power; anybody may practise surgery.

632. Do you not know that it is a rule in most of the metropolitan hospitals, that the surgeon of the hospital shall be a member of the College of Surgeons?—That depends entirely upon the governors.

633. Would not the fact of not belonging to the College of Surgeons disqualify a man from being a surgeon to most of the metropolitan hospitals?—All hospitals have different laws which they keep to themselves. I know that a man cannot be a surgeon to the army or navy without belonging to the College of Surgeons.

634. Do you know whether any fellows, candidates, or inceptor candidates practise midwifery?—Not that I know of.

635. Is it a disqualification for an inceptor candidate to practise midwifery?—The College do not desire their inceptor candidates to practise midwifery.

636. Would it be a ground for the censors making a report to the College, and advising a forfeiture of his situation in the college as inceptor candidate?—No; an inceptor candidate is only a licentiate; it is only a disqualification to be a fellow. A candidate is a licentiate and nothing else, and he might practise midwifery, but he would not be elected a fellow.

637. Do any of the present fellows, candidates, or inceptor candidates practise pharmacy?—None, that I am aware of.

638. Do any of the licentiates practise pharmacy?—None, that I am aware of.

639. Have any of the inceptor candidates or licentiates been examined by the Apothecaries' Company, since the period of their so becoming inceptor candidates or licentiates?—Not that ever I heard of.

640. Is it not considered an objection to election into the College that an applicant has practised pharmacy *pro mercede*?—Yes.

641. Is that a rule that has been invariably adhered to?—I believe so.

642. Was it adhered to in the case of Dr. Babington?—Dr. Babington never was an apothecary. They may be apothecaries at an hospital, but they cannot sell medicines and drugs.

643. Did Dr. Luke of Cambridge, and Dr. Hooper of Oxford, apply to be admitted into the fellowship?—Yes.

644. Were they refused on the ground of their having practised pharmacy *pro mercede*?—Yes, in the case of Dr. Hooper, I know; but the other I do not.

645. Did not the same objection apply to Dr. Babington?—No; he never sold drugs; he was, I believe, merely house apothecary to Guy's Hospital, but not a person who sold *pro mercede*.

646. Was the subject canvassed, and was that distinction drawn at the time of his election?—It was a subject of conversation.

647. What was the age of Dr. Pearson when, being a licentiate, he was proposed for examination, as a fit person to be a candidate?—He was very old, I believe 80; he was extremely anxious about it. I thought it a very extraordinary wish on his part; he came to me himself, and told me he should like it of all things.

648. He was to be examined, at the age of 80, by the whole College, as to his

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knowledge of those studies he had been pursuing probably all his life from the age of 20?—Yes; but he knew that himself, and yet he chose to propose it.

649. It was stated by a former witness that there was every probability of his succeeding in case he had not died. Had he gone through any examination?—No, he died.

650. Would not his admission have depended upon his proficiency in all of the subjects of his examination?—I suppose a great allowance would have been made for his age.

651. Was not it rather premature to predict, before the period of his examination, whether he would have been admitted or not?—I never predicted that he would have been admitted.

652. If any person did predict that there was every chance of his being admitted, would it not have been rather premature to make that prediction before he was examined?—It would depend on his power of prophecy.

653. Might it not depend on an intimate acquaintance with Dr. Pearson on the part of the person who gave that testimony?—I cannot say.

654. Would not his acquaintance with the Greek language have been a subject of examination?—Yes, he would have been examined in Greek, and I know he studied Greek very hard immediately before he died.

655. What is the salary of the Registrar?—I think 40*l.* a year.

656. In what manner was the first Cholera Board nominated, and by whom?—The Privy Council nominated them.

657. Who recommended the members?—I do not know.

658. You were one of that Board?—I was.

659. Do you know any thing respecting the remuneration each member of that Board received?—I think we got about 16*s.* a day.

660. Was the remuneration equal to every member of the Board, or did the president receive more?—He received the same as all the rest.

661. Who was the secretary?—Dr. Seymour.

662. Did he receive more or less?—He received the same.

663. Were there any licentiates among that Board, or were they all fellows of the College?—There were many who were not doctors who belonged to that Board; Sir William Burnett belonged to the Board, he is not a fellow.

664. Was not this Board superseded by another Board?—Yes; in short we were discontinued, and we were extremely glad of it.

665. Was the second Board composed exclusively either of fellows, or of licentiates, or of both?—I do not know who were the members of it, I do not think they were fellows.

666. The choice of the Central Board, as it was called, was not confined to fellows of the college?—No, it was chiefly physicians who had had great opportunity of seeing the cholera, and had recently returned from Russia; who must have known more about the disease than ourselves, who had never seen it.

667. Do you know by whom the second Board was nominated?—I suppose the Privy Council.

668. Is the same disqualification which arises from practising pharmacy *pro mercede*, also extended to practising midwifery?—Yes.

669. Who are the members of the present Pharmacopeia Committee of the College?—I am not one; Sir George Tuttell is one, Dr. Watson, Dr. Chalmers, Dr. Prout; Dr. Babington was a very efficient one while he was alive. I think Dr. Latham is also one.

670. When was the Pharmacopeia Committee first formed?—Five or six years ago.

671. How was it appointed?—It is a nomination by the College; it is not an office sought after, it is rather a burthen thrown upon the members.

672. With whom did the idea of a general Pharmacopeia for the three kingdoms, which had lately been under the consideration of the College, originate?—I do not know.

673. Do you know whether the proposition originated with the College, or whether it was suggested by any person in the College of Edinburgh?—I do not know; I should think it originated with the College here. I know they have been extremely anxious to communicate with the Colleges of Dublin and Edinburgh.

674. There have been various suggestions lately under the consideration of the College, as to some alteration in its constitution; are you one of those who think that the present constitution should be adhered to, or that it would be expedient to introduce

introduce some change, giving greater facilities for admission than now exist?— I think some changes are very desirable.

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675. Of what nature would the changes you would recommend be?—I think it would be very desirable that the College of Physicians should have the power of granting the degree of Doctor.

676. You think that the power, if vested in any metropolitan authority, should be vested in the College of Physicians rather than any other?—I do.

677. Would you suggest any other changes?—I think that a system of education might be pointed out which would be better than the one at present pursued.

678. Do any changes which you contemplate, embrace greater facility of admission into the fellowship than exists at present?—It is my opinion that the admission into the fellowship should be entirely in the breast of the fellows, and be unfettered completely.

679. Have you ever adverted to any legal opinions which have been given, that any restriction on the eligibility of individuals, whereby any particular class is excluded, is unlawful?—I think such a bye-law would be illegal.

680. You think that it should rest in the breasts of the fellows of the College, whenever an individual is proposed, wheresoever he may have been educated, to elect him or not to elect him?—Yes, I think so.

681. Have any propositions for those reforms been brought forward for discussion in the College, since the question of medical reform has been agitated by the public?—Yes, for two or three years before that, it had been talked of.

682. When did the reform committee, if it may be so described, begin to sit?—I do not recollect precisely, but some time ago.

683. Are you a member of the reform committee?—Yes.

684. Have the committee kept minutes of their proceedings?—I think so.

685. At what periods have the various clauses of the Reform Bill been discussed?—I understood the questions to refer to the new curriculum; that has been much discussed.

686. Will you inform the Committee to what objects the attention of the reform committee has been directed?—To the drawing out a scheme for medical education, which would chiefly enable the student to learn his profession in London, and to come to the College to be examined for a licence to practise. That has been considered the great object.

687. Did you also discuss in that committee the proposition of throwing open the election, and removing the disqualifications which have been adverted to in the course of this examination?—Chiefly medical education.

688. The matters discussed before that committee will appear upon the minutes of their proceedings?—I suppose so; but I am not the secretary.

689. Who is the secretary of that committee?—I think the registrar, Dr. Hawkins.

690. What has been the fate of the propositions recommended by the committee?—The propositions recommended by the committee have not been finally adopted; they have been only discussed; because I think the College judged very rightly, that whatever alteration they might make now in their laws, might be supposed to be the effect of fear and intimidation, but they have not given them up; they began them three or four years ago.

691. Were not certain propositions brought forward lately which were negatived?—They were not negatived, they were only postponed.

692. *Sine die*?—No, not *sine die*.

693. How many times has the Reform Bill been read?—I beg to say, that I have given my faith not to reveal the secrets of the College.

[The Chairman intimated his opinion, that as the President of the College had spoken unreservedly on the matters of the College, the Witness might answer the question without any breach of faith.]

I can only say several times; I cannot say how often.

694. Have not certain propositions which have been brought forward, been rejected; not those on medical education, but certain other propositions?—There has been great diversity of opinion on certain points; some of the proposals have been rejected, but the precise points, I cannot say.

695. Whatever has been brought forward and rejected, will appear upon the annals of the College?—If the proposal is not carried, I do not know that it does necessarily appear upon the annals.

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696. Do you mean to say that when you were registrar of the College, and any proposition was brought forward and discussed, but not carried, there was no mention of it on the minutes?—Yes; but very often the thing was talked of, and if they did not come to any ballot or vote upon it, no notice was taken of it.

697. What is the average time taken up in the examination of candidates?—I should think half an hour for each person; but it depends on the readiness of the individual; if he is ready, it occupies but a short time, if not, it takes a longer time.

698. In any part of that examination, is the examinee required, as at Berlin, to dissect, to operate, in order to prove his knowledge of the construction of the human body; so that the examiners may satisfy themselves of the competency of the candidate?—No; we have no dead bodies.

699. Is the examination in pharmacy practical? Are drugs introduced, and are the examinees required to state what they are?—They are not produced; that is the examination of an apothecary.

700. The College undertakes to construct a Pharmacopeia, and is at the head of the medical profession; should not the knowledge of those who are to belong to that body, and who are to practise physic under its licence, be as perfect as it is possible for it to be?—Yes; it is very desirable that it should be perfect.

701. Would not the best mode of ascertaining a man's knowledge of mineralogy be to put specimens on the table, and to require him to describe them and their characters?—They are often required to describe their character.

702. Do you not think that the best mode of ascertaining their proficiency in *Materia Medica* would be, to prove practically their knowledge of drugs, by stating, out of a number put miscellaneously on the table, what was the name of each, and having done so, to describe their properties?—That examination is so elementary, that every physician is supposed to possess it; and if he knows the doses of medicine, and the chemical processes by which medicines in the *Pharmacopeia* are made, he is supposed to be competent to prescribe. It is a competent examination in pharmacy for a physician.

703. Is it usual to ask the applicants for a licence to practise, whether they wish to be examined in Greek?—I have never heard any one examined in Greek.

704. If such a practice exists, must it be very modern?—I have never heard a licentiate examined in Greek.

705. Do you know whether any such practice has been lately introduced?—I believe in one instance; I heard yesterday Sir Henry Halford say that he had examined one in Greek.

706. Since when has that practice been introduced?—I suppose within the last month or two.

707. Was not that at the wish of the party?—I only know by common report.

708. As censor, have you been present at the examination of the apothecaries' shops?—Yes.

709. At what periods does this examination of apothecaries' shops take place?—At uncertain times.

710. How often in the course of a year did you go upon such examinations?—Three times.

711. How many shops did you examine in the course of the day?—Twenty or thirty, perhaps.

712. That would make sixty shops in the course of a year, probably. Is there any record kept in any book of the proceedings on such visitations?—Yes.

713. Do they enumerate all the shops they visit?—Yes.

714. Do they also visit the shops of druggists?—Yes, they do.

715. In what manner is the examination conducted?—The examination is in this way: you ask for a drug, it is shown to you, you see whether it is of good quality or not; you have the assistance of the wardens of the apothecaries with you, who are supposed to be very much *au fait* at the external appearance of drugs.

716. Do all the censors go on such visitations?—They do.

717. Except in case of illness?—They must be present, a deputy cannot be appointed; it is the only case in which a deputy cannot be appointed.

718. All the four censors must go?—Yes.

719. Not the president?—No.

720. Is not the power of examining shops confined to the city of London?—
That

That is a matter of doubt; but it is so virtually; other shops have been examined, but I was never out of the city of London.

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721. Do they examine the warehouses of wholesale druggists?—Yes; I have been in the warehouses of wholesale druggists.

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722. Do they examine the shops of the venders of patent medicines?—Yes, I think so.

723. Can you state any instance in which the censors, during their visits, have examined the manufactory or shop of a vender of patent medicines?—I do not recollect any.

724. Are you aware that by the 10 Geo. 1, a statute that has expired, the examination of the warehouses of wholesale druggists and venders of patent medicines was prohibited?—I do not know that.

725. Considering the great number of wares to be examined, and the mode of examination, namely, that you ask for a drug, and it is produced; do you think the examination really does afford any security for the vending unadulterated drugs?—Yes, I do; a thing may escape, but if you ask at random for various drugs, without adopting any particular rule, you may judge of the character of the shop. We ask for different drugs, perhaps, in every shop; it would take us a day to go over the whole shop; but the examination of some of the most efficient and important medicines would give a very good notion of the sort of character the whole shop possessed.

726. Would it not be very easy for a druggist or apothecary, intending to use bad drugs, to have one specimen of a drug for sale, and another for the censors?—We are not satisfied with seeing what is actually in the drawer, but we ask for the magazine very often.

727. Do you believe that upon those who may be disposed to practise such falsification, the visitation by the College of Physicians has any effect whatever in preventing it?—Yes, I think so; an apothecary or a druggist who sold very bad drugs, would be in fear of visitation; he does not know to what the attention of the censors may be directed; they may hit upon the very thing which is so very bad.

728. What is the number of apothecaries and druggists' shops in the city of London?—I do not know.

729. You do not know the proportion the sixty bear to the whole number?—No.

730. Do you know whether falsification goes on to any extent?—We have found bad drugs and have destroyed them; I have seen them thrown into the street, which we have power to do.

731. When you find bad drugs, what is your mode of proceeding?—We have power to destroy them.

732. Have you done it?—I have seen them often destroyed by being thrown into the street.

733. Are there any fellows of the College who are teachers of anatomy in London?—Yes, I believe there are.

734. Will you give a list of their names?—Dr. Wilson is one, I know; I do not recollect any other at this moment.

735. Has the College made any application lately to the Government for a power of granting degrees?—Yes; a petition has been presented to the King in Council.

736. Has any report been made upon that petition yet?—Not yet.

737. What is the form of admission of fellows and licentiates into the College?—They subscribe a book, and they give their faith to the College that they will support the dignity of the profession.

738. Do they go down upon their knees?—I think they do upon a cushion.

739. When was that form first instituted?—I do not know I am sure.

740. If the fellows and licentiates are so perfectly on an equality in every advantage, to what do you attribute the series of litigation that has taken place between the licentiates and the College, and the present dissatisfaction of the licentiates, which is proved by 77 of those who reside within the London precinct, signing petitions to Parliament, complaining of their treatment by the College?—I think it is owing to a mistaken notion of the value of the fellowship.

741. Seeing that the College is generally consulted by Government upon all matters of great medical import, is it not very natural that the licentiates should wish to have some voice in the deciding upon such matters?—Yes, it is

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natural that they should; but it is not desirable that the number of fellows should be very great, that would be extremely inconvenient, inasmuch as a large debating body would be, I think, inconvenient. I think the number of fellows now is too great.

742. Are not the officers of the College self-elected?—No; they are always elected by the College.

743. The question refers to the elects?—They elect one another: that is according to the charter.

744. They, with the president, are the governing body of the College, are they not, though certain duties may be devolved on the censors?—They may be called so; but the truth is, that the College decides every question by ballot, so that the College is the governing body; they choose one of their own body president.

745. Great influence belongs to the elects, from their power of electing the president?—That is the only influence they possess.

746. Do not the same individuals remain for a very long period elects of the College?—Unless they resign or die, they are not removed.

747. Do you not think it desirable, considering how very improving the science and practice of physic is in its various branches, to introduce some principle of more frequent election of new members into the governing body of the College than takes place under the charter and statutes?—The president himself is elected every year; all the officers are elected every year.

748. You were a graduate of Oxford?—I was.

749. You kept your terms there in the usual manner?—I did.

750. What is the form of examination you underwent when you took your degree at Oxford?—I cannot say; not very severe.

751. In what were you examined?—It is so long ago, I do not recollect it very well.

752. To the best of your recollection, describe the examination you underwent?—I was asked some questions by the Regius Professor of Physic.

753. Of what kind?—On anatomy and the practice of physic.

754. How many examinations were required?—Mine was one.

755. How long did it last?—A very short time.

756. How many acts and opponences were you required to give?—We have no such terms.

757. The only examination of the candidate is that which he is obliged to undergo by the Regius Professor of Physic?—Yes, it was so in my time; I believe it is different now.

758. In your time did Oxford possess any competent means of teaching medicine?—Yes; there were very good lectures on anatomy, which I attended; and there was a very good infirmary, which I attended; I was a pupil there.

759. Describe the courses of lectures given in your time, and the subjects of the various branches of medical science taught?—The lectures on anatomy were very good.

760. Were there any lectures on physiology?—No.

761. Any on morbid anatomy?—That was included in the lectures on anatomy.

762. Any on pathology?—No.

763. Any on materia medica?—No.

764. Any on therapeutics?—I was a clinical pupil of Dr. Wall.

765. There was clinical practice?—Yes; but he gave clinical lectures.

766. There was no series of such lectures?—No, but the cure of patients in the hospital was the best way of teaching that.

767. What period of attendance on hospital practice was considered necessary?—I do not know; there was no stipulated time; I attended for a year.

768. It was entirely voluntary on your part?—I paid the fees.

769. That was not essential to your passing your examination before the Regius Professor?—It enabled me to pass it better.

770. Perhaps less than a year's study would have been sufficient for passing the sort of examination you appear to have undergone?—I do not consider that I studied my profession at Oxford.

771. The place where you really laid the foundation for all that solid knowledge which is necessary for practising medicine, was not Oxford, but some other school?—Yes.

772. What school was that?—I was three years in Edinburgh.

773. That

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773. That you consider a better school for teaching medicine than Oxford?—Yes, I do.

774. Did you afterwards attend hospital practice?—I attended the hospital in Edinburgh; I was then a pupil in Bartholomew's Hospital.

775. If the question solely were, where is the best school for teaching the practice of medicine, and all the sciences that belong to it, you would not say Oxford or Cambridge, but some other university?—I should say some other school. I should say now, London, at this moment; because it is much better than it was when I was a pupil.

776. Is the examination of candidates for a licence to practise, *vivâ voce*?—Yes.

777. No written papers are prepared?—None are ever allowed.

778. No written papers were required in your time by the Regius Professor at Oxford?—No, not in my time.

779. With respect to physicians in the country, the College have no power to examine any, except those who voluntarily apply to be examined, and to receive a licence as extra licentiates?—They have the power to control others; but it is not exercised. He is liable to a prosecution for misdemeanour at common law, if any one practises in the country without a college licence; but I do not know any instance of that power having been exercised.

780. Is it not a matter of fact, that a very large proportion of those who practise as physicians in the country have neither University nor College of Physicians' licence, but that they practise on the strength of degrees they obtained in Scotland or elsewhere?—There are a great many; but there are a great many also who think it a great credit to belong to the College.

781. Do you confirm a statement made by Sir Henry Halford, that it is only at an advanced period of life that those who practise in the country come to solicit from the College a licence as extra-licentiates?—Those I have seen come for an examination, have been all elderly men; they have been general practitioners, who have been ambitious of becoming Doctors.

782. The examination of those who come to solicit a licence as extra-licentiates is not nearly so strict as the examination of those who ask for a licence to practise in the precinct of London?—The extra licentiates are not examined by the censors, but by the elects; but the licentiates who practise in the country are examined exactly in the same way as those who practise in London. Whether a man settles in town or country, if he applies to be a licentiate, they are all examined alike.

783. Do you mean that the examination is as strict?—Quite; it is the same examination.

784. The Committee were informed yesterday, that the licentiates to practise within the precinct of London are subjected to three examinations, whereas an extra licentiate undergoes only one?—The licentiate often lives in the country; but the extra licentiates are a different class altogether.

785. The question refers to a person who comes for a licence to practise in the country; you call him an extra licentiate?—The extra licentiates are not licentiates.

786. They have no licence to practise within the precinct of London?—They are not licentiates, if they settled at Bath or elsewhere.

787. Do you mean to say, that a person having an extra licence has not all that authority under it which belongs to a licence legally granted?—An extra licentiate cannot practise in London, nor within seven miles of it.

788. Has not an extra licentiate of the College all those privileges regarding the practice of physic which belong to the licentiates of Oxford or Cambridge?—He is to all intents and purposes a physician.

789. There was a suit formerly instituted by a physician of a Scotch university, settled in England, against a person who had accused him of not being a regularly educated physician, and he was defeated in his action by the direction of Lord Mansfield, because he had not a legal title in England and Wales to the denomination of physician; would that objection lie to an extra licentiate licensed by the College of Physicians?—No.

790. He has a licence to practise physic in any part of England and Wales not lying within the precinct of London?—Yes.

791. Is the examination of an extra licentiate as strict, and does it take as much time, as that of a person coming for a licence to practise within the precinct of London?

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London?—I think it is quite as strict; it is not by the same persons, and it is all completed in one day.

792. In how many hours?—It depends upon the readiness with which he answers; he generally comes from a great distance, and it is desirable that he should not be detained long; and that is the reason it is all done in a day.

793. Do you know an instance of a person applying for a licence as extra licentiate being rejected in consequence of not being adequately informed on the subjects on which he was examined?—I do not remember an instance.

794. The rejection of an extra licentiate is not common?—The applications are very few; the persons are exceedingly experienced; they are generally people well advanced in life, and have seen a great deal of practice. He has the reputation generally of being a very clever man in his line; but he wishes to become a Doctor.

795. Have any cases of this sort arisen, that the physicians of the College, being requested to meet in consultation medical practitioners who were not either fellows or licentiates of the College, the bye-laws of the College have been suspended, in order to remove the difficulty in which the physicians of the College were placed, arising out of the statute that prohibits, on pain of a fine payable to the College, the fellows or licentiates from consulting with such practitioners?—I am not aware of the suspension of them.

796. You are not aware of the suspension of the statutes in favour of a particular individual whom the physicians of the College had been required frequently to meet in consultation, and who had not resided two years in a university?—Does the question refer to the suspension of the statute as it respects a particular individual?

797. The question is, not whether the statutes have been suspended in regard to the penalty imposed on individuals meeting him in consultation, but in regard to the particular practitioner, by electing him a licentiate of the College, although he had never resided two years at a university.—I remember the case of a gentleman presenting himself to the College for examination with a Lambeth degree; and in that case, the statute which required a residence of two years in the university was not put in force.

798. Does a Lambeth degree import any superior knowledge of medicine?—The fact is, the College may examine anybody they please, and give him a licence to practise; the possession of a degree is only a regulation they have imposed upon themselves; it is not in the charter, it is not a *sine qua non*.

799. You do know of a case in which the statute was suspended in favour of a particular individual coming with a Lambeth degree, as respects his not having resided two years in a university?—The statute was altered, it was not suspended; it would appear to be in force, but it was not in force; it was so modified as, I conceive, the College has a right to modify any of its statutes.

800. Was it modified for that particular period, and afterwards re-enacted in its original form; or does it remain in its altered form to the present day?—It remains just as it was altered; it has not been re-enacted.

801. With regard to the museum and library, have any recent additions been made to them by purchase or otherwise?—No, we have no funds; Dr. Baillie left us his museum.

802. What are the conditions upon which the licentiates are admitted to the library and museum?—By asking a fellow to take them in, or to procure for them a book.

803. Must a fellow personally attend to introduce a licentiate, or will a mere order be sufficient?—I think a letter to the beadle would be sufficient.

804. Will that order serve him only *pro hac vice*, or for any length of time during which the licentiate may choose to present himself?—That will depend upon the order.

805. On a general order written by a fellow, "Admit *A. B.* licentiate of the College, until you hear from me to the contrary;" would the beadle be authorized at all times to admit the licentiate so presenting himself?—The beadle would not at all times be present, and there is no other officer; but I conceive that such an order might be used by a licentiate, and the beadle would be most happy to attend to him, and give him every facility to consult the library.

806. Do you know of such an order having lately been acted on?—I never heard of such a one.

807. Do you believe that such a one was ever acted on?—I do not know whether it was asked for; it was not long ago I went to the College to get books out for a licentiate.

808. Are

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808. Are the committees of the College, except in extraordinary cases, generally composed principally of the officers of the College?—Yes; every committee of the College of Physicians consists necessarily of the officers of the College.

809. Is that according to the statute?—According to the book of regulations, I think; the president, the elects and the college officers, that is, the censors, the treasurer, and the registrar, to whose names are almost always added the names of four or five others, who take particular interest in the subject.

810. Then it would be found generally that the majority of the members composing the committees consist very much of the same names?—The censors are changed every year.

811. But the elects and the president would be the same?—Yes, they would.

812. How do you account for there not having been any publication of the bye-laws of the College?—I do not know to what purpose: the bye-laws of the College, affecting licentiates, were published when I was registrar.

813. Are you aware that the statute empowering any fellow to propose a licentiate, remained secret for several years after it was carried?—I do not know the fact.

814. Are you aware that Dr. Stanger applied to the College for information respecting that statute, and that they refused to give the information?—That is very likely.

815. Do you think, where a statute is passed for the very purpose of affording means to the licentiates to obtain admission into the College, it is proper to keep from those very licentiates a knowledge of the statute?—The statute must have been known to every fellow; as the statute says that the licentiate is to be proposed by a fellow. If Dr. Stanger had a friend who was a fellow, that fellow would have proposed him. The candidate need not know it, and I think the candidate never ought to know that he has been black-balled; it is not usual.

816. The question is not, whether he shall be elected or not, but whether he shall know the rules to regulate his admission into the College?—The fellow who is to introduce him knows it.

817. Do you think (to use Dr. Stanger's illustration) that the rule of Caligula is the best; that your bye-laws shall be written in so small a character, and placed so high, that they cannot be read?—These were very legible to those who had the power of acting upon them, who were the fellows.

818. It appears from Dr. Stanger's applying to the College and not being able to obtain information, that he was ignorant of what the words of the law were?—But he could not act upon the law himself; the initiating must be with the fellow.

819. The object of Dr. Stanger was this: he had made one application to the Court of King's Bench, requiring a mandamus, and he was turned back, because the form of his application was irregular. It was of great importance to him, before he applied the second time for a mandamus, to make himself acquainted with the precise terms of the statute; he, therefore, applied to the president and officers of the College for information concerning the words of the statute, and that information was refused to him: do you not think in that case it was of great importance to him to know what was the very word and letter of that statute?—But they could not inform him consistently with the oath they had taken, that they would not divulge the secrets of the College.

820. What, not inform a licentiate of the College, seeking admission into the College, of the terms of that bye-law and statute by which he was to gain admission?—I do not see how he was to obtain admission, unless a fellow of the College chose to propose him.

821. Are you aware that two of the physicians named in the original charter of the college, *Chambre* and *Linacre*, were in holy orders?—*Linacre* was not then; he was latterly, very late in life.

822. Was *Chambre* in holy orders afterwards?—I do not know.

823. If a person were in holy orders, and presented himself for examination, would he be disqualified from being admitted as a fellow or licentiate*?—I presume so; but I do not know that such a statute exists; I do not recollect it; that *Linacre* was not a clergyman till two or three years before he died, I know.

824. You do not know that there is such a statute?—I know one or two instances

* The bye-law referred to was in the statutes of the College of 1765, but does not appear in the present collection of statutes of the College.

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instances of fellows of the College taking orders, and that their names do not appear then on the list.

825. If there be such a statute, do you think there is any reason to doubt its validity, inasmuch as two of those who formed the first members of the College mentioned in the charter were in holy orders, either at the time or afterwards, and do not appear to have quitted the College?—I believe Linacre was a prebendary of York; but he did not practise in his profession after that.

826. Have you ever considered whether the statute of the 3 Hen. 8, giving power to the Bishop of the diocese of London and four doctors of physic to examine candidates and grant them licences to practise, has ever been repealed or not?—I do not know an instance of its ever having been acted on.

827. Do the censors take the oaths of allegiance, supremacy and abjuration before the Court of Exchequer at Westminster, as was directed by the statute of 32 Hen. 8, c. 40?—No, they do not.

828. As far as the restriction to graduates of the two Universities goes, has it not the effect to exclude Dissenters from being fellows?—At present, if they come in that way, but not to their coming in on the nomination of the president.

829. Have you ever considered whether the statute of Elizabeth, confirming all the privileges that ever were granted to or enjoyed by the two English Universities, does not give to the two Universities authority to give licences to practise within the precinct of London?—It is not generally supposed that they have any right.

830. There is a statute of Elizabeth confirming the privileges of the Universities, granting to them all the privileges they have ever enjoyed: this is a statute subsequent to the statute of Hen. 8, by which the exclusive power of licensing the practitioners within the precincts of London was granted. Have you ever considered whether that statute of Elizabeth does not restore to the Universities the power of granting licences to practise within the precincts of London?—I know no instance of a graduate of the English Universities attempting to practise in London who had not previously obtained a licence; and I am quite sure the College would send him a remonstrance if they knew it.

831. Is there a considerable number of persons now practising in the precinct of London without a licence from the College?—As far as I know, there is not a considerable number.

832. Is there a considerable number who, being summoned by the College, have declined taking notice of the summons?—No, not many; I do not recollect one now.

833. Lord Mansfield condemned the limitation of the fellows to a certain number?—Yes.

834. Is there any limitation now to a certain number?—No.

835. Was not Dr. Stanger's application to the Court of King's Bench founded on certain observations that fell from Lord Mansfield?—As far as I can recollect, it was.

836. You are aware that this case was deliberately argued, and his application rejected?—Yes.

837. Do you know that Lord Kenyon expressed himself thus on that case: "I cannot but lament that the learned Judges, in deciding the cases reported in Burrow, did not confine themselves to the points immediately before them, and dropped hints that, perhaps, invited litigation; though, indeed, I cannot see what these parties are contending for that is worth the expense and anxiety attending this litigation." And afterwards, "The principal ground on which it was said in Burrow," that is by Lord Mansfield, "that the bye-laws of the College were bad, was, that they interfered with their exercising their own judgment, and prevented them from receiving into their body persons known or thought by them to be really fit and qualified; and if I had found that that objection existed in this case, I should have thought it fatal. But in the very sentence in which Lord Mansfield expressed himself as above, he added, 'Such of them, indeed, as only require a proper education, and a sufficient degree of skill and qualification, may be still retained.' Two Universities have been founded in this country, amply endowed, and furnished with professors in the different sciences; and I should be sorry that those who have been educated at either of them should undervalue the benefits of such an education." Lord Kenyon added, "The question is, whether this is a reasonable bye-law, that requires a degree to be taken at one of our Universities, which, in general, is supposed to be conferred as a reward for talent and learning. If, indeed, this had been a *sine quâ non*, and it had operated as a total exclusion of every other mode

mode of gaining access to the college, it would have been a bad bye-law ; but these bye-laws point out other modes of admission into the college."—I believe he expressed himself to that effect.

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838. Has it not been the practice lately that the statutes shall be submitted to counsel before they are acted on?—Yes.

839. Is it not reasonable to infer, from the unwillingness shown on the part of the licentiates to seek admission to the College on the terms of an examination under one of the dispensing statutes, that the advantages of the fellowship are not very considerable?—Yes; I think that may be considered the motive.

840. Is it not also reasonable to suppose, that an examination by the whole of the College, in the presence of the friends of the candidate for the fellowship, would be fairly and liberally conducted?—I believe it would be very liberally conducted.

841. Then that is one ground for believing it would be fairly conducted, from the open nature of it?—That is an additional ground for believing it.

842. Do you know whether those who obtain a degree at Edinburgh are domiciliated there, or subject to any supervision by which their moral character or habits can be ascertained?—No, they live in private lodgings.

843. So that a degree obtained there cannot be supposed to carry with it a certificate of moral character?—No; it is a certificate of medical competence.

844. Is not the circumstance of the having completed the residence required by the English Universities, and been subject to the discipline observed there, as attested by the degree, the most obvious and the highest testimonial of character and general education that can be procured?—I can conceive of no one better.

845. With regard to the state of the profession abroad, is there not a difficulty sometimes experienced by English physicians abroad, in asserting that rank in society which belongs to them here?—Yes; they are not treated on the footing of gentlemen.

846. Are you aware that Monsieur Royer Collard, a peer of France, is a physician practising at Paris?—I do not know that.

847. Are you aware that the President of the House of Assembly in Bavaria, is a physician?—I do not know that.

848. Are you aware that Monsieur Castello is of the Privy Council in Spain?—In turbulent countries physicians generally rise to very considerable offices. I know a physician in this town, I met him yesterday, who was minister for foreign affairs in Lisbon.

849. Are you aware that Mr. Wylie, a physician, is a privy councillor in Russia?—I know him very well; but I know that the title of privy councillor is a mere titular distinction, not carrying with it any great weight or authority.

850. Are you aware that Baron Grafe is a privy councillor in Prussia?—The same observation probably applies to him.

851. And Mr. Walter, a physician, is also a privy councillor?—He would not be of the Privy Council in England.

852. Do you think Dupuytren, Dubois, Boyer, Desgenettes, and Larrey are persons standing very low in rank in society in Paris?—They are all eminent men.

853. Do you not think that the estimation in which physicians are generally held, is much lower abroad than in England?—I think that physicians abroad rank perhaps as low as our general practitioners do, and that that sort of rank they are in, is rather that of general practitioners, and not physicians, within the English acceptance of the term.

854. With regard to midwifery, does not the actual practice of it belong more to the office of the surgeon than of the physician?—I apprehend that the more distinct the different branches of the profession are kept, the more likely they are to be exercised with skill.

855. Would it not tend to lower the character of a physician, properly so called, if he were to be at liberty to practise pharmacy *pro mercede*?—I think very much.

856. Do not you think Dr. Pearson's desire, at the age of 80, to be admitted a fellow, was a strong testimony in favour of the respectability of the College?—Yes.

857. Do you know whether it was not submitted to ballot in 1828, whether Dr. Pearson should be examined, and whether it was not carried unanimously?—Yes, I was present; I was the registrar at the time; I wrote the note.

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858. Was it not fair to infer from thence that there was a probability that he might be elected?—Yes; very probably he would have been elected.

859. When a graduate of Oxford comes before the College to be examined, do they proceed as if his degree at Oxford implied a perfect knowledge of medicine?—They examine him to every point; the possession of a degree only gives him a title to be examined.

860. Are you aware of any such graduates who have been rejected?—There have been instances.

861. Have there been any of recent date?—I believe so.

862. Do persons educated at Oxford generally consider their medical education as completed there?—They never consider their medical education as completed there; but they always afterwards go to the best schools of physic they can have access to, either in Scotland, in England, or abroad.

863. Perhaps they consider their medical education scarcely begun?—Perhaps they consider very rightly.

864. You say you consider London the best school of medicine at present?—I think so.

865. Does not a school of medicine derive very great advantages from its establishment in a populous place?—The greatest, from the great number of hospitals, and the opportunity of seeing diseases.

866. Do you consider that the licentiates labour under any disadvantages from the non-publication of statutes which do not concern them?—I cannot conceive any disadvantage they labour under.

867. Supposing they do concern them?—They were all printed.

868. Were they not laid before Parliament and printed last year?—Oh, much longer than last year; at least six or seven years ago.

869. In what way?—All the statutes relating to licentiates have been printed at least six years, and given to anybody.

870. Then for the first time?—Yes, then for the first time.

871. What is your opinion of the established mode of paying apothecaries, not for their attendance, but for the quantity of medicine they send in?—I think they would be much better remunerated if they were paid for their attendance as well as medicine.

872. Do you not think that the mode of remuneration would be more creditable to both branches of the profession if they were remunerated in that way?—I think it would.

873. Do you not think the custom you condemn subjects both branches of the profession to the imputation, that the quantity of medicine has not so much reference to the wants of the patient as to the pecuniary advantage of the apothecary?—It subjects them to that suspicion, certainly.

874. Therefore if you had a voice in legislating, you would be a supporter of a change in the law in that respect?—I think much good would be done by it, that the public would derive benefit from it.

875. Throughout the whole country?—Yes, I think everywhere.

876. In a scattered as well as a dense population?—If the apothecary is to ride five or six miles to see a patient, and then order him a draught, or two draughts, he is very inadequately paid, unless he is paid for his trouble and time.

877. Are you aware of the practice of druggists to prescribe across the counter?—I heard it referred to yesterday; I do not know that I ever saw it.

878. Did you ever sit down for half-an-hour in a druggist's shop, to watch the parties coming in?—I never have.

879. Looking at the various grades of the profession, both regular and irregular, who are entitled to practise medicine, do you see any particular use in the College of Physicians exercising its authority, in endeavouring to put down physicians who are practising without their licence?—I think the College of Physicians is of the greatest use, inasmuch as it tells the public who are licensed, and who are not; if the public choose to employ an unlicensed practitioner, they must do it at their peril.

880. In what way do you propose that the College of Physicians should interfere, if not by proceeding in the usual manner by action of debt for penalties, at the rate of 5 *l.* a month?—They do when they have complete evidence; but it is very difficult to get evidence. But very few respectable physicians would run the hazard in this town, though one or two may do so; it is not very common. By far the greatest majority of physicians in London belong to the College. There

are one or two exceptions of persons who run the risk of being found out and prosecuted, perhaps.

881. Are you aware of the clause in the Apothecaries' Bill, reserving to the druggists all the rights they had before the passing of that Act; and that under this clause, they contend that they have a legal right to prescribe across the counter, and to dispense medicine; provided they do not visit patients out of their own shops?—I do not know that.

882. Are there any instances of physicians of considerable practice, eminent in London, who do not possess a licence?—I do not know of any.

883. Are you aware that under the Apothecaries' Bill, or under the customary privileges belonging to surgeons, almost any person who calls himself a surgeon, or who was an apothecary before the passing of the Apothecaries' Act, may practise physic in London?—I am; a man who is not a physician is not under the controul of the College of Physicians; we have no controul over apothecaries or surgeons.

884. If there is such a legion of practitioners over whom you have no controul, where is the use of endeavouring to diminish that number by singling out one or two unlicensed physicians, and proceeding against them by action of debt?—Public opinion is the chief thing that gives the professor of physic respectability; and it is not creditable to be an unlicensed practitioner.

885. With regard to the practice of druggists, would it not be perfectly impossible to prevent one person giving advice to another?—I see no means, if a person chooses to run the hazard.

886. You think that any effort of the College to prevent that practice would fail?—I think it would be very difficult.

887. Are you aware whether the President has not long had the power, by the statutes, of proposing one licentiate to the College, who has not resided two years in any university?—Yes, there is such a statute.

888. What is the date of it?—I do not recollect.

889. You state that in the cases where an apothecary rides many miles and has to administer but little medicine, he is but very inadequately paid. If the general practitioners were paid by fees, in lieu of the present plan, would not the lower class lose by the change?—They would be able to give a very small remuneration. The practitioner, if he were paid by his medicines, unless he gave an unreasonable quantity, would not be paid; but if he were paid partly for his medicines, and partly for his journey, he might be adequately paid.

890. Are there not one or two fellows in the College list of this year who are in holy orders?—Not that I know of; I do not think there are.

Jovis, 20^o die Martii, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Edward James Seymour, Esq., M.D., called in; and Examined.

891. DO you hold any office at present in the College of Physicians?—No.

892. You are physician to St. George's Hospital?—I am.

893. Do you hold any other public offices connected with the medical profession in London?—I am Consulting Physician to the Seamen's Hospital, Physician to the Mary-le-bone Charity School, a Commissioner in Lunacy under the new Act, and Physician to His Royal Highness the Duke of Sussex.

894. Did you succeed in your first attempt to become physician of St. George's Hospital?—No, I did not; another gentleman was thought better adapted to the situation, and gained the election.

895. You graduated at Cambridge?—I did.

896. Did you enter at Cambridge in arts, and did you take a degree in arts?—I took a degree in arts.

897. Did you take the degree of Master of Arts?—I did.

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898. At what period, after taking your degree in arts, did you receive from the University your licence ad practicandum?—Two years.

899. In order, therefore, to obtain at Cambridge the licence to practise through the medium of a degree in arts, it required how many years?—Nine years. I was the last but one under the old law, which made a person who went out in arts two years later in taking his medical degree, than if he had gone out in medicine; that is now done away with.

900. It took you three years and a quarter to obtain your degree as Bachelor in Arts?—Yes; seven years to be a Master of Arts, and two years more to be a licentiate.

901. Having obtained the degree of Licentiate in Medicine at Cambridge, you became an inceptor candidate for the College of Physicians?—Not at first; I first practised two years upon the continent.

902. When you say you practised, do you mean that you not only frequented the schools, but that you practised?—I practised as a physician.

903. What are the conditions of St. George's Hospital as to the degree in physic, which any person occupying the office of physician to the hospital is required to attain?—He must be a legally qualified physician, according to the existing laws; a fellow or licentiate, or an inceptor candidate, which is the same thing as a licentiate.

904. When you first offered yourself as a physician to St. George's Hospital, were you then an inceptor candidate?—I believe I was an inceptor candidate.

905. There was no disqualification for your obtaining the situation of physician to St. George's Hospital at the time that you first offered yourself?—None whatever.

906. State the nature of the examination which you underwent at Cambridge, in order to obtain a licence ad practicandum?—I was examined on paper for a considerable length of time by the Regius Professor of Physic.

907. In what were you examined?—In anatomy, physiology, symptoms of diseases, treatment of diseases, and certain preparations of medicines, and the materia medica.

908. How many examinations did you undergo?—One.

909. How long did that examination last?—About five hours.

910. Were there any other candidates examined for degrees in medicine on the same day?—No; I was locked up in a room by myself.

911. Was the examination by written papers or *vivâ voce*, or both ways?—By written papers.

912. Was the examination in materia medica practical; for instance, were you required to point out and distinguish different drugs submitted to your inspection?—Upon the preparations; such as the quantity of arsenic in the liquor arsenicalis of the London Pharmacopeia.

913. And the quantity of that medicine to be given to a patient?—Exactly.

914. Have you preserved the papers upon which you were examined?—I have not, but I remember many of the questions.

915. It was one professor that examined you in all those subjects?—It was.

916. Were you then required to have attended the lectures of any of the other professors?—No; those are regulations which have been made since.

917. Have you subsequently taken the degree of Doctor of Physic in the university?—Yes.

918. Did you keep an act for that purpose?—I kept an act and an examination upon that act: I do not mean so serious an examination as the former one; but an examination *bonâ fide* in the old syllogistic form in which it used to be conducted.

919. Did it require any great degree of knowledge to answer the questions on that occasion?—Yes, I think it did.

920. In keeping the act, you first read a thesis, and then you were examined. Was it upon the thesis, or upon various medical subjects that you were examined?—The syllogisms were upon the thesis, but afterwards the professor reads a thesis himself, and then he asks questions in medicine.

921. How long did the questioning last after the thesis was concluded?—About half an hour, or perhaps not so much; but I really could hardly say.

922. Can you state the nature of any of the questions that were asked you upon that occasion?—They were principally in reference to fever, and the treatment of fever.

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923. Who was the Regius Professor of Physic in your time?—Doctor Havi-land.

924. Did you subsequently study at any other British university?—Before I took my licence to practise, I studied three years at Edinburgh, one year at Paris, and one at Florence.

925. Was it immediately after taking at Cambridge your licence ad practicum that you went abroad to practise?—I was abroad before I took the degree, two years, to study.

926. But after taking your degree, you stated that you went abroad?—I resided then in Italy, and I returned there; I came over here to take a degree, and returned to Italy.

927. You practised then in your profession at Florence?—I practised in my profession at Florence.

928. At what period was it you went to Edinburgh?—Immediately after taking my Bachelor of Arts degree at Cambridge. I was in ill health and I went abroad, and on my return from the continent, after having been there six months, I went to Edinburgh.

929. Did you graduate at Edinburgh?—No.

930. You neither graduated nor became a fellow of the College of Physicians or Surgeons at Edinburgh?—No.

931. You stated that you practised at Florence; what formalities were necessary to give you a title to practise there?—None. I practised among the English only, and occasionally among the Russians; but among the Italians they had other medical men. One is looked upon as a stranger practising among one's own people.

932. Was it required that you should undergo any examination, in order to practise at Florence?—None; but it was understood to be rather a matter of courtesy than otherwise; had I remained there, I think that such a condition would have been required.

933. What those conditions were you do not know?—I think I heard that there must have been an examination at Pisa; but I could not speak positively as to that fact.

934. Was it upon your return that you offered yourself as candidate, to be assistant physician to Guy's Hospital?—It was.

935. Previous to your offering yourself as a candidate for Guy's Hospital, had you been a pupil in the metropolitan hospitals?—I was a pupil at Guy's Hospital.

936. At what period were you a pupil at Guy's Hospital?—After I returned from abroad.

937. How long did you continue a pupil at Guy's Hospital?—I think, about eight or ten months.

938. Did you frequent the hospitals, when you were abroad the second time, at Florence?—Certainly; I dissected a year at Florence, at the Santa Maria Nuova, a large hospital in Florence.

939. Exclusive of the expenses attending dissecting, are there any fees demanded of a medical man attending the practice of the hospitals in Florence?—I believe, none; but I received an order from the government.

940. If you had not received an order from the government, do you believe that, as a medical man, every facility of access would have been given to you?—Certainly; the medical men are salaried by the state, abroad; they receive no profit whatever from the hospital.

941. Do you believe that a large number of those who graduate at Oxford and Cambridge, come to study practical medicine in the hospitals of London?—A very large number.

942. Is that the practical school, which is the most frequented by the graduates of the two Universities?—Now, certainly; but formerly, the greater number used to go to Edinburgh.

943. What has occasioned the change?—I think there is more pains taken upon the subject, the schools are more numerous, and the school for dissecting in London was always the best in this country. There is no anatomy to be learned at Edinburgh; persons always went either to London or to Dublin for that.

944. Was the facility of dissection you met with, one of the reasons why you went abroad?—That was one of my objects; I had mixed objects relating to my family.

945. From the intercourse you had with foreign physicians abroad, what opinion

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were you led to form of them, as compared with British physicians, in point of medical knowledge?—There are many eminent men abroad; but, generally speaking, they are not so well educated as the British physicians. With regard to medical science, the science is in such a totally different state that it is difficult to answer a question of that kind. I should say, that in natural history and (for the great facility) in anatomy they are superior to us: certainly, in natural history, they are superior to us. I should say, that in the application of remedies to diseases, they are very inferior to us; but then it is to be taken into account, that the people on the Continent live in a different manner; they do not take heavy food so much; they do not take wine in the same degree, and they lead more temperate lives. I think an English physician might, among the French and Italians, commit great slaughter; and I think a French physician would hardly meet many of the ailments in this country; but they may both be very eminent men in their respective spheres.

946. Do you think, as regards their knowledge of the theory and practice of medicine, they are or are not inferior to English physicians?—They are very theoretical; there is a fashion in physic upon the Continent, as much as there is in dress.

947. Then, as to the practice?—I should say, very inferior on the average.

948. As to their general information in literature and science?—As to the physicians, I should say it was far inferior to that of the physicians of this country.

949. Are they really as well remunerated?—No; the remuneration is exceedingly trifling.

950. What is the fee of the highest grade of physicians in Italy?—If employed by the English, the English are very apt to carry the custom of their country with them, and to give the same honoraria that they would here; but for natives, it is about 4*s.* 6*d.* a visit, or perhaps less. Supposing it was a nobleman of very extensive fortune, such a man as the Prince Borghese, I suppose it might be more.

951. Are the honoraria paid immediately?—Yes; a 10 Paul piece is put into the hand, which is about equivalent to 4*s.* 6*d.*

952. For the highest grade of physicians at Paris, what is the fee?—Among the English, I should say the same; among the natives, I believe, from five francs to ten, according to the degree of reputation they enjoy.

953. What opinion do the foreign physicians entertain of the English physicians?—They say they always speak *comme s'ils avoient inventé la science*, as if they had invented the science.

954. What do they mean by that?—That they speak with great authority.

955. What opinion do the foreign physicians entertain of Oxford and Cambridge, as schools of medicine?—I do not suppose they know any thing about it. I have heard that, at Ofen, they looked in the map to find the University of Cambridge.

956. At the time you were at Cambridge, were there any of the students in medicine commonly known by the name of term-trotters?—I do not remember any trotting in my time; such things have happened, and the College of Physicians interfered, and wished very much to prevent it, but it was impossible. The case is extremely rare, and, I believe, if known at the college at the time, would have stopped the fellowship.

957. Was not Dr. Baillie a term-trotter?—I believe, certainly not; but he was at Oxford, and he could not be a term-trotter, I believe, at Oxford; they must keep there whole terms.

958. Did you take any part in the recent proceedings of the College, with regard to the medical reform?—I do not know what is meant exactly by medical reform.

959. The question refers principally to alterations in the bye-laws regulating admission into the college?—I have. In the first instance, I opposed the abrogation of those laws. I should mention first, that there was an education committee appointed, of which I was one of the persons who promoted the measure; and a scheme of education was drawn out, taken from the practice of all universities at home and abroad, and more especially in reference to the longer degree of hospital attendance for a physician; those were printed. Subsequently to that, it was moved in the college, that the laws with reference to the restrictions as to the English Universities, as they exist, should be repealed. I did not think the reasons adduced sufficient for it; and I think those laws, provided there is a sufficient admission by the other laws, wholesome and extremely useful to the profession.

960. Have there not been two committees appointed, one on the subject of education, and another at a more recent period, on the subject of some new propositions?—For the purpose of inquiring whether those laws should be altered; I was not a member of that committee.

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961. Have you seen a copy of the propositions on that subject reduced to print?—I have.—[*A paper (See Appendix, No. 2.) was shown to the Witness.*]

962. Is that a copy?—Yes.

963. Were those propositions, in your opinion, wholesome, or otherwise?—Not wholesome.

964. You opposed them?—To the utmost of my power.

965. How many stages did they pass through at the College?—A portion passed at one meeting of the comitia majora.

966. Was that the first reading?—It might be considered so; there was some irregularity about the whole proceeding, but it passed.

967. Through how many readings must a new statute pass to become final?—Three for abrogation, and two for enactment.

968. Is it at the discussions that have taken place at the comitia of the College that you have taken part in those matters?—Entirely so, in my place in the College.

969. Not approving of the proposed changes in the statutes of the College, are you of opinion that any changes are necessary in its constitution or statutes?—Yes; I think much might be done.

970. What changes do you think expedient?—I think it would be very desirable that the gates should be set open wider for the admission of licentiates, but that the regular road should still be kept through the English Universities.

971. In what way do you think the doors should be thrown open wider for the admission of licentiates?—I think there should be an election, either annually or biennially; and I am inclined to think it would better meet the justice of the case, that the nomination should take place from the licentiates, and a certain number of persons so nominated should be elected by the College.

972. Who, according to your proposal, would, in the first instance, nominate licentiates?—The licentiates should nominate a certain number, and the fellows elect from them; but I beg to be understood, that this is not a proposition which has been made in the College.

973. What number would you have proposed in that way?—I should say six nominated, and three elected.

974. You mean these in addition to the graduates of Oxford and Cambridge, admitted in the usual way?—Yes.

975. Would you in that case retain the president's power of nominating?—I think it is better vested in the College than in the president; although many eminent men have been elected through that power as it now stands.

976. By many, how many do you mean?—I mean all those that have been elected latterly, since I have been a fellow of the College, by the exercise of that bye-law.

977. You mean the number of seven elected within the last ten years?—I believe so; I am speaking of the president's power; and I think the power, as it has been possessed, has been very judiciously employed.

978. Are there any other changes which you think expedient in the statutes of the College?—I should state that one of the reasons of my opposing that law is, that were it to have the effect that all persons, however educated, were to be made one class, out of which the College were to elect, it would be the same thing as making the College a close vestry, because they would have the power of electing only such persons as they thought proper; whereas at present, by usage, if not by law, they are constantly receiving supplies from the English Universities.

979. You think it would become the interest of those who form the body of the College to exclude others who, perchance, might become their rivals?—I do not mean that; but I mean, that as a principle, it is bad; it might give facilities for abuse.

980. Then you would make it compulsory upon the College, annually or biennially, to admit a certain proportion of those recommended, and which of the persons recommended should be admitted, you would leave to them?—Yes.

981. Suppose all the licentiates were admissible, and that the College were obliged, out of the licentiates residing in London, annually to elect a certain proportion, would not that answer the same purpose?—I think it would be harder

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982. Would the plan you have proposed lead to the election of more distinguished men into the College?—I am not sure of that; but I think it would meet the case better than any other way that has been suggested.

983. Is it advisable in any degree to restrict surgeons from practising medicine?—I think the practice of keeping the professions distinct is of great service; I think it leads to greater eminence in each.

984. Has this always been the view the College has taken?—I was not speaking of the College; I was speaking of my own opinion.

985. Supposing the College were to act on such a suggestion, would it not be in contrariety to the principles upon which they acted about the time of its institution, it being declared in an Act for extending the privileges of the College, viz. the 32d of Henry 8, “that surgery forms a part and parcel of medicine?”—I am aware of that; I am aware that they can practise it; but it has been many years the usage not to do so, and I think that usage is, in a practical point of view, beneficial to the public, and therefore I would not disturb it.

986. Is not a certain knowledge of surgery very essential to a physician; and for a surgeon to treat skilfully surgical cases, is not a certain knowledge of medicine and medical treatment extremely necessary?—I think it is desirable that in both cases that should form part of the studies.

987. Then up to a certain point you think that the elementary education of a surgeon and of a physician should be the same?—I think the elementary medical education of a surgeon or a physician cannot be too extensive.

988. Except what regards the acquirement of manual dexterity, should not the education of the surgeon be nearly that of a physician?—I cannot say, in all its bearings, that I think that: operations, and what is peculiar to the surgeon’s province, would require a considerable time, which might be otherwise better occupied in the education of a physician.

989. Are you aware that in many of the continental schools, up to a certain point before they can take their degree, the studies required of both run *pari passu*?—I am aware of that.

990. Is that an expedient course of education?—I am inclined to think not.

991. Why not?—Because I think they are better physicians and surgeons in this country than in any other, under the present system.

992. You judge from the practical result in this country; but you do not raise objections to the principle of educating them *pari passu*?—No; I have not seen the experiment tried in this country.

993. But admitting, as you do, that up to a certain point they should acquire the same knowledge of principles, how can you consistently object to a system of education founded upon that plan?—I do not object to its being founded upon a knowledge of principles; but there must be a great deal of operative surgery that a surgeon must direct his attention to, which it is not necessary for a physician to do, and he would be better employed in some other way.

994. Is not it desirable that a physician should know anatomy?—Most assuredly.

995. And physiology?—Most assuredly.

996. Do you think it expedient that he should have dissected?—Most certainly; every man does who learns it in this country.

997. Pathology and therapeutics, of course, belong entirely to the education of a physician?—They belong to a physician; but I apprehend that a surgeon that understands nothing of pathology would be a bad surgeon.

998. Pharmacy and materia medica, of course, they ought both to know?—Clearly.

999. Then what part of the education of a surgeon is it which you think it is unnecessary for a physician to know?—I think operative surgery, and an attention to it.

1000. Then you except whatever bears upon the manual skill of the surgeon; and with that exception, you agree that all the principles of the various branches of medical science ought to be known in common by both?—I think so.

1001. In what respects does the plan which has been adverted to, as carried into effect at Berlin, differ from that which you state you think would be advisable?—I apprehend that operative surgery and attention to surgery is there pursued rather to the exclusion of the doctrines and what may be called the literature of the profession;

profession ; but I am not very well acquainted with the detail of the Berlin school of medicine. *E. J. Seymour, Esq. M.D.*

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1002. The following is the examination which, at Berlin, any person applying for the permission and right of practising either physic or surgery, is required to undergo.* "1. Extemporale chirurgicum. An urn is presented to the candidate, out of which he takes a ticket on which the name of any surgical operation is written. This he must immediately demonstrate, namely, the indications to it, the contra-indications against it, the methods of performing it, and the necessary instruments. 2. Extemporale anatom. primum. The candidate must describe an osteological subject. Extemporale anatom. secundum. He demonstrates a splanchnological subject. In both cases he takes a ticket inscribed with the name of the subject to be demonstrated out of an urn which is presented to him. The candidate writes a treatise on a surgical subject which is given to him on the day of examination ; he reads it, performing the operation upon a dead body, and then demonstrates the situs viscerum in one out of the three cavities. Demonstratio et præparatio plexus alicujus nervorum, is the fifth. The candidate now applies to the first surgeon of the charité, under the superintendence of whom he undertakes the treatment of two surgical patients ; he then immediately writes the history of the diseases, the causes, and the treatment. This he continues during fourteen days. In this time he visits the patients every day, once or twice, in company of the first surgeon. On the last of these fourteen days, he must give his opinion of the diagnosis of the diseases of ten or twelve patients, and dress them. The same is done with medical patients, whom he must treat, under the superintendence of the first physician, during about six weeks. The eighth examination is, that the candidate is examined in surgery, medicine, therapeutics, materia medica, and medical jurisprudence, by the first officers of the faculty. If he intends to practise midwifery also, he must prove that he has studied midwifery, and that he has made two deliveries. All those examinations require from three to four months." Is there any part of this long course of examination which you think it would be expedient that a surgeon or physician should not undergo?—I think the earlier part is not necessary for a physician.

1003. What do you consider to be the complete course of study which a physician should undergo?—As in this country lectures are given generally, I think a physician should attend two or three courses of anatomical lectures, and dissect for at least six months. I think he should go through the Practice of Physic and the Materia Medica.

1004. Do you include physiology in your anatomical course, or would you have a separate course for it?—Physiology is taught in two ways ; as connected with anatomy, and as connected with the doctrines of the profession.

1005. Is it not best first to describe the structure, and then the functions ; and is it not desirable, therefore, that physiology should form a separate course?—I think so.

1006. It would be desirable, therefore, that the physician should go through a distinct course of physiology?—I think so. I think he should have at least six months of surgical practice, under established teachers, and that he should dress for the usual period, six months at some hospitals, and three months at others ; that he should have a course of medical jurisprudence, a course of midwifery ; that he should have delivered women. I do not mean to practise ; I mean to learn it, and to know the practice.

1007. Would a course of morbid anatomy, as distinguished from the course of pathology, be desirable?—That comes in the course of the hospital lectures ; but above all, the distinction between the two is this, that for a physician the minimum of attendance upon hospital patients should be three years.

1008. You are now stating the course that a physician should undergo?—Yes ; and that his proficiency should be declared upon examination.

1009. Would you have it a practical examination, like that at Berlin, which has been read?—No ; I think that is quite unnecessarily minute.

1010. Does not a practical examination afford a much greater certainty of ascertaining whether a person has merely learnt it by rote?—I think any experienced examiner would discover if a man had learnt it by rote.

1011. What variations from the course of medical study you have recommended, would

* Quoted from the Appendix to the speech of Mr. Lawrence. London, 1826.

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would you enjoin upon a surgical student?—I am not well acquainted with the details of surgical practice at present; but I should say, that with a physician, the most important matter, after learning anatomy, is hospital attendance. I apprehend it is at the bedside of the patient alone, that the profession can be properly learnt.

1012. Would you shorten the attendance upon clinical medicine, and extend it upon clinical surgery?—Yes.

1013. Would you have a course of practical anatomy, meaning thereby a course illustrative upon the dead body, of those operations which are afterwards to be performed upon the living?—I apprehend, that for a surgical examination it would be desirable that the operation should be shown.

1014. Are you aware that a course of practical anatomy is now given at Paris, and at some other of the great schools, with the greatest advantage?—I believe they are taught here likewise.

1015. Would it be possible in any degree to restrict surgeons from practising medicine, since for the judicious treatment of most surgical cases, the patients must be treated precisely as the physicians would treat them?—If the two educations are, as have been stated, very generally going upon the same principle; but leaning as to hospital attendance, in the one instance, to one particular view of disease, and in the other instance to surgical disease, I think there will always be in the mind of the public a feeling that the physician is the best able to treat medical diseases, and the surgeon local diseases, and those which arise out of his own treatment.

1016. Is it expedient, by any legal restrictions, to impede the surgeon from treating his patients medically?—I do not think any legal restrictions can be interposed.

1017. If it were possible, would it be inexpedient?—I think so.

1018. Ought the fellows and licentiates of the College, in your opinion, to be allowed to practise midwifery?—The licentiates practise midwifery, the fellows do not.

1019. Is the restriction proper?—It has always been my opinion that it is not proper; but the opinion of others who have had a vast deal more experience in the profession than myself, is opposed to that.

1020. It appears that, according to the present bye-laws, the following persons are disqualified from becoming candidates or fellows of the College: first, any one that has used any nostrum in curing diseases for gain?—Certainly; a fellow who employs a nostrum is liable to expulsion.

1021. Second, any one who has ever gained a living by practising as an apothecary?—That law has been modified; there is such a law, but there is an exception made in the law by introducing the words, “*nisi gravi aliqua de causâ,*” which takes all the violence out of it. This disqualification existed in the Universities, and it was intended to prevent a man, practising as an apothecary in the University, from having his name upon the boards of a college, and proceeding to take a doctor’s degree; and in London the same thing might prevail. A man might be keeping a shop and attending patients, and at the end of a short time, by means of a qualification, he would become a physician. I think that is a sort of underselling which is injurious to the profession, and injurious to education.

1022. The same law extends to a person who has gained a living by practising midwifery; is that a restriction you approve of?—It is not.

1023. Fourth, any one who has gained a living by selling any merchandize; the words are, “*aut mercibus quibusvis vendendis victum quæsitaverit.*” What interpretation do you put upon them?—A dealer.

1024. A shopkeeper, or a petty dealer?—That is my idea.

1025. You do not think that a merchant, who thought proper afterwards to enter medicine, might under this statute be disqualified?—I have no idea of it; but I do not contemplate such a case.

1026. May not possibly the word “*merces*” bear the interpretation of apothecaries’ wares?—Very probably.

1027. Is that the interpretation you would be disposed to give to it?—To speak the truth, I did not know that that portion of the law existed.

1028. After a person has been admitted a candidate, or a fellow, does he not absolutely forfeit his seat if he shall gain a living by practising as an apothecary or midwife, or “*mercibus quibusvis vendendis?*”—A man may be elected a fellow who has practised pharmacy; a man may be elected a fellow who has practised midwifery, but he must cease to practise them upon being elected a fellow or a candidate.

1029. Or else there is an absolute forfeiture?—Yes.

1030. Then

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1030. Then if he has been guilty, after being elected candidate or fellow, of selling any nostrum, he is liable to be expelled from the college, if the majority of the fellows assembled in the comitia majora think proper to decide so, by ballot?—Clearly.

1031. And if he has been convicted criminis alicujus gravioris ac publici, he is in the same manner liable to be expelled by ballot at the comitia majora?—Clearly.

1032. It appears that in the case of his practising as an apothecary or a midwife, or selling the merces aliquas, he absolutely forfeits his seat; whereas if he sells a nostrum, or is convicted of some grievous crime, the College deliberate upon his offence; there is, therefore, a heavier visitation upon him for practising as an apothecary or midwife, than for being found guilty criminis alicujus gravioris ac publici: does not that seem to be an anomaly in the statutes?—I have already mentioned that, with reference to midwifery, in my opinion the law is injurious; but with regard to the other, it appears to me that the statute means to say, that if he shall have been convicted of some crime, yet still a possibility might arise on the part of the College, that they might think he had been improperly convicted of such a crime.

1033. To your knowledge, do any candidates or inceptor candidates now practise midwifery?—I think there is an inceptor candidate practising midwifery.

1034. Under the statute, the inceptor candidates are not subject to any penalty?—I believe not; but I apprehend it would be construed as applicable to an inceptor candidate. It might be an objection upon a ballot: it was an objection in Dr. Lett's case, if I remember right.

1035. Are there any fellows on the list of the college, men in holy orders?—There have been several; but I think when they went into holy orders they have removed their names. Dr. Courthope Sims was a clergyman; and Dr. Clark, the Professor of Anatomy at Cambridge, is a clergyman; there was a Dr. Acheson, who I think was a candidate, not a fellow, was a clergyman.

1036. Was not Dr. Fearon?—I do not know that he was a licentiate.

1037. Is there not the Rev. Dr. Holland?—I heard so yesterday; but I did not know that Dr. Samuel Holland was a clergyman till I heard so; but a great many fellows have been clergymen.

1038. Is the statute of the college which existed in 1765 now in force, disqualifying a person in holy orders from retaining his seat in the college?—I never heard of such a statute, and I do not know whether it is in force; I know no more of it than that when fellows of the college have become clergymen, their name has generally been removed; and I have always understood that it was removed at their desire.

1039. In your opinion, does the Apothecaries' Act of 1815 require any alteration for the benefit of the profession or the public?—I think that the apprenticeship which is required for persons in general in this country, should be waved in the case of graduates who choose to come and act as apothecaries, after having been examined by the Apothecaries' Society, or whatever board might replace it.

1040. Would not a shorter period of apprenticeship than seven years be sufficient to inform a person in pharmacy?—It is not a subject with which I am conversant; but I apprehend that the apprenticeship had two objects; one was that of learning pharmacy, and the other was that restraint which is produced by residing in a family, and which it is desirable should be exercised over them just coming from school, during the seven years previous to their becoming masters of their own time and actions.

1041. Has not so long an apprenticeship sometimes an opposite effect, by rendering the apprentice discontented?—I think it may be so; but it is not a subject to which I have turned my attention.

1042. What is your opinion of the present mode of remunerating general practitioners, by charging for medicine, not for attendance?—I think it is a question of very great difficulty. Very respectable general practitioners have often tried not to send medicine. They have said, "We will send the least possible quantity of medicine, and we will charge for attendance;" and the remuneration has been so insignificant, that it has been impossible for men of respectability and character to live upon it, where it is left to the individual. I have heard of instances where that has happened.

1043. May not the very low charge that is made in these cases arise from the state of the law, under which any sum exceeding 2*s.* 6*d.* the visit, may, if the patient

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patient pleases, be struck off the bill?—I meant by making no charge, but leaving it as an honorarium.

1044. Suppose that he was entitled to a reasonable sum for each visit, and might receive it either in the way of an immediate fee, or by charging it in his bill?—I am not sure how it would operate to have compulsory fees, under any circumstances. I question whether the general practitioners would be benefited by it. I question whether a fixed scale of remuneration by law would not in some instances be construed into a degradation. In point of fact, many eminent practitioners, who enjoy the confidence of the public, are remunerated far beyond any scale which could be laid down, and which, if it were made compulsory, might rather do injury than be useful; but it is a question which requires more consideration than I have given to it.

1045. Does not the existing system lead to an imputation, both upon the physician and upon the apothecary, that the quantity of medicine is rather calculated for augmenting the apothecary's bill, than proportioned to the wants of the patient?—That has always been so.

1046. Do you or do you not think, that in point of fact, under this system, a larger quantity of physic is generally sent to patients than would be expedient for them to take?—I cannot say what would be the quantity of physic to take in any particular case, unless I saw the case.

1047. Has it not come across you to hear, in the course of your practice, that under this system apothecaries generally do send more physic than is either taken, or it would be wise to take?—I have read so in Moliere.

1048. Is not that the tendency of the present system, when the only way in which the practitioners can obtain remuneration, is by charging for the medicine sent?—Certainly, it is liable to that imputation.

1049. You are not prepared to state whether you would or would not recommend any change in the mode of remunerating apothecaries?—I am not prepared to state that; I think it a question of great difficulty, as regards their interest.

1050. Do you entertain any fixed opinion one way or the other?—I do not; I have not been able sufficiently to consider the subject.

1051. Did the College of Physicians possess the power of licensing apothecaries to practise medicine before the passing of the Apothecaries' Act in 1815?—They licensed every body and every thing; they licensed women, they licensed oculists, they licensed for partial remedies.

1052. Was the number of such licences for partial practice to oculists, midwives, &c., considerable, for the period of 20 or 30 years before the passing of the Apothecaries' Act?—No, I believe not; I alluded to the earlier period of the college.

1053. Such partial licences had fallen almost entirely into disuse?—Excepting midwifery.

1054. Even there, was it not confined to physicians practising midwifery?—I think so.

1055. Was not such licence considered, on the part of accoucheurs, not to be necessary? Could they not lawfully practise without such licence?—I believe they have always done so.

1056. Did not the College of Physicians, before the passing of the Act of 1815, possess the power of licensing persons wishing to practise physic as apothecaries?—I think they might have licensed them, but I think they could not punish them if they did not take out a licence. I think, after Rose's case, after the squabbles between the College and the apothecaries, they were distinct.

1057. Do you think it would have become the College of Physicians, standing as it does at the head of the medical profession, to have itself taken up the question of licensing the apothecaries throughout England and Wales, and examining into their possessing the due qualifications to practise?—I think it would have been well; but this great difficulty existed, that if the apothecary was examined by the College of Physicians, and had precisely the same examination as a physician, it would have raised the question, in what was the difference: and if he had an inferior examination to a physician, it was marking a difference which was very invidious on the part of the body. Those were the difficulties which I believe existed in the College; I think myself that it would have been better that the College should have examined the licensed apothecaries.

1058. Is not the great body of the medical practice in this country in the hands of the general practitioners?—Certainly.

1059. Is

1059. Is it not therefore above all things essential for the public good, that those general practitioners should be duly qualified?—Certainly; and they are under the new regulations.

1060. Is the standard of medical education of those general practitioners who go through the examinations before the Apothecaries' Company and the College of Surgeons, as high as that required for passing the examination before the censors of the College of Physicians, in order to become a licentiate?—I find it very difficult to answer that question. The licentiates of the College of Physicians are often men of considerable education previously, and have been a longer time, many of them, in acquiring it, and I think that may make a difference; otherwise there is no question that the education now required for a general practitioner is of the very highest kind; I should say, as good as that of physicians some years ago.

1061. As far as the examination goes, do not the two examinations of Apothecaries' Hall and the College of Surgeons together, embrace a wider field than the examination before the College of Physicians?—No, I do not think that; in surgery, certainly, but not the other examination.

1062. Is not the examination in pharmacy more severe?—There is no examination in pharmacy before the College of Physicians, as to compounding medicines.

1063. Then the examination before the College of Physicians is confined to the materia medica, so far as drugs are concerned, and does not relate to the compounding of medicines?—No.

1064. Is not the knowledge of compounding medicines very essential to a physician?—I think so; and almost all the physicians have been either at an apothecary's shop or at the laboratories of the hospitals, for the purpose of learning it.

1065. Is not the omission of an examination concerning the compounding of medicines an important omission?—No, I do not think it is; I think that they are all taught it; and I think that in examining a physician the time is not to be taken up in asking what is merely elementary, but what is necessary to be known. I should not ask a man whom I was examining upon grammar, his alphabet.

1066. What cognizance does the College take of the physicians in the provinces?—The College of Physicians by their charter have a right to license all persons throughout England and Wales to practise physic; but they have never used that right, probably because when the charter was granted there were very few physicians; and they have been advised by their counsel that they have that power, but inasmuch as it has been disused for so many years, that it was not expedient in the present times to endeavour to resume it.

1067. Is it enforced by any penalties?—He is liable to be prosecuted for a misdemeanor, and he cannot recover in a civil action.

1068. Is there any penalty under the Act?—No.

1069. And it would only be a misdemeanor, as being in violation of an Act of Parliament?—Exactly.

1070. Have not the Universities, upon any examination they choose to institute, a power of licensing for practice in any part of England and Wales, except in London, and within seven miles of it?—Clearly; they are expressly excepted by the statute.

1071. Therefore there would at any rate be a common right with the College of Physicians on the part of the two Universities?—Clearly.

1072. Had the College previous to 1815 taken any steps or entered into any negotiation for the purpose of improving the class of general practitioners in medical knowledge?—I do not think the College interfered upon the subject.

1073. How do you account for the circumstance, that under the seven years bye-law, from its enactment about 1771 down to the present time, no licentiate has ever been admitted into the fellowship?—I cannot account for it at all; it would have been very easy if they had wished it.

1074. May not the failure of the first applicants, one of them in particular, Dr. Wells, being a person highly qualified, and recommended by fellows of the first eminence, Dr. Baillie and Dr. Pitcairn, have led other licentiates to despair of succeeding when such an applicant had failed?—No; I rather imagine they did not think about it in many instances. The fact with regard to Dr. Wells's rejection, I know little about; but I can easily conceive that the heat that existed at the time, the anger on the part of Dr. Wells, and the heat on the part of the College during the protracted litigations, may account for a great deal at that period

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which would not have occurred at a subsequent period. Physicians are men, and sometimes very angry ones.

1075. Is not the circumstance of its being necessary for a licentiate physician, after he has entered into practice, to pass through the ordeal of five ballots, sufficient to deter persons from making the attempt?—I do not think they pass through more ballots than a fellow of the college under ordinary circumstances. The ballot has not so much to do with the qualification, as with the circumstance of the “*vir probus*.”

1076. Is there not first a ballot whether he shall be admitted to examination or not?—Certainly there was in the case of Dr. Pearson.

1077. That is before the whole body?—Yes.

1078. Next he is to be examined three times before the whole body of the College, as to his knowledge of medicine?—Yes.

1079. Are there not to be three ballots, one on each examination?—Yes.

1080. And then, finally, after a certain interval, there is to be a fifth ballot upon the question whether, having passed the examinations, he shall be admitted into the college or not?—Clearly.

1081. In the case of a licentiate admitted by recommendation of the president, there is only one ballot before the whole body of the College?—Clearly, and one before the censors' board.

1082. In the case of his being admitted upon a recommendation of the president, he undergoes no examination whatever; whereas, if recommended by a fellow, he has to undergo three examinations?—Certainly, under that bye-law.

1083. Are not these circumstances sufficient to account for the very small number of applications that have ever been made to come into the college on the proposal of a fellow?—I will first answer with regard to the ballots: the ballots, I think, are the same as under the ordinary way of electing a fellow; they are examined there only by the censors' board.

1084. Are not the censors sworn to do justice?—They are.

1085. Are the fellows sworn to do impartial justice, on the examination before the whole body of the College?—I know no such oath; but I cannot conceive it possible that they would act otherwise. I will proceed to describe with respect to the ballot. On the ordinary admission of a fellow, there are three ballots by the censors' board after the examination; there is one ballot for his admission as inceptor candidate; and then they ballot upon his admission to the fellowship; and again they ballot upon the affixing the seal to his diploma; so that there are six or seven ballots in either case.

1086. You are now speaking of the ballots which the graduates of Oxford or Cambridge have to undergo; but in case of a recommendation by the president, there is only one ballot to undergo?—Clearly; I meant that in the examination under the extraordinary statute, it was intended to assimilate the ballots as nearly as possible to the examination that takes place for a fellow under ordinary circumstances; and in fact, if the first ballots pass, there is generally no objection made upon the subsequent ballots, which are generally meant rather as a test of good conduct than of qualification.

1087. If it be necessary to have so many ballots in the case of a person entering the College in the ordinary way, and also in the case of a licentiate recommended by a fellow in the extraordinary way, why should not as many intermediate steps and ballots be necessary also in the case of admission into the college by the proposal of the president?—It is supposed that the president, from his long knowledge of the profession, selects a proper person; and the censors having approved at first, and the College approving it afterwards, that is sufficient.

1088. Where is the use of subjecting Dublin graduates in medicine to the expense of taking *ad eundem* degrees at Oxford and Cambridge? Why should not they be immediately admissible, upon the same conditions on which Oxford and Cambridge graduates are admitted?—It has been matter of usage a great many years, originating with a Royal letter in the time of Charles the Second.

1089. The question relates to the expediency of that usage?—I think it is expedient.

1090. Why?—Because those gentlemen come from a great distance, and it is a sort of probation.

1091. Does it appear that the Universities of Oxford and Cambridge, in admitting Dublin graduates *ad eundem*, consider such probation necessary?—I think it is necessary.

1092. What additional security does the College obtain in this instance, since it only requires them to pass through the seive of Oxford and Cambridge, but subjects them both, when they arrive at the college, to the same and no severer kind of examination?—Their character at Oxford and Cambridge is something, which determines for the election to the fellowship.

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1093. Does the taking an *ad eundem* degree afford any particular means of ascertaining what their moral qualifications are?—Most of those persons have resided at Oxford, and are better known in consequence.

1094. Is it not optional with the Dublin graduates whether they shall or shall not reside?—I suppose it must be.

1095. Are not the Roman-catholic medical graduates of Dublin excluded from taking *ad eundem* degrees at the English Universities?—Certainly.

1096. Therefore the Roman-catholic, though not the Protestant graduates of Dublin are excluded, through the medium of the English Universities, from finding admission into the College of Physicians under the ordinary law?—Certainly; I apprehend that that was the original intention of the enactment, under the authority of the government of that period; but that rests with the Universities; there is no law of the College which prevents a Roman-catholic from being a fellow of the college. No man that is admitted under the extraordinary statute is ever asked any question with reference to his religion whatever; and no licentiate is ever asked any question with regard to his religion whatever.

1097. But the effect of this is to exclude the Catholic graduates of Dublin from finding admission into the College of Physicians under the ordinary law?—Certainly.

1098. When was the name of the word fellow* first adopted by the members of the College of Physicians?—I cannot say exactly; I have been all through the annals some years ago, and I think very early indeed the word “socius” is employed in the annals.

1099. Are you not aware that the word “socius” was adopted first after the charter of Charles the Second, in which that name is employed?—I think not; I have gone through the whole, and I am pretty certain that one of the first bye-laws ever passed by the College of Physicians before the period of Dr. Caius, was, that no socius should practise pharmacy, and that, if he did, he should be expelled de societate.

1100. Are the Committee right in supposing that, for the purpose of general practice, a licentiate may do every thing which a fellow of the college may do?—Certainly.

1101. As the fellows of the college have certain functions to perform, do you consider it desirable for the considerate and proper execution of those functions, that the body should not be exceedingly numerous?—It is desirable.

1102. If the fellows of the College of Physicians are acknowledged as the body to whom is entrusted the high duty of selecting and sanctioning persons who are fit to practise medicine, is it not right that they should be the very highest persons in the practice of the profession?—I should think so, certainly.

1103. In order to secure that object, is it in your opinion expedient that the number of which that body consists should not be unlimited, but that it should be confined within some definite limit?—I cannot say definite, because that has been declared to be illegal; but the business cannot very well be done by a very large body. If the body were to become very large, there must be some delegation of power, for the purpose of doing business.

1104. Are the functions to be executed by the College of Physicians such as to make it absolutely necessary that they should be a deliberative body?—I think, certainly, in the present state of things they must be so.

1105. And in order to discharge well the functions entrusted to them, you entertain an opinion that they should not be extremely numerous?—Certainly.

1106. If the principle of limitation rests upon that ground, must it not follow, as a matter of course, that many persons practising physic, being licentiates though not admitted into the College, are entitled to as high consideration as physicians and as men, as if they were actually admitted within the numbers of the College?—Certainly.

1107. For

* The word Fellowship, as applied to the College, occurs in the Act 14 & 15 Henry 8; and the word Fellows, as applied to the Corporators of the College, occurs in the Act 32 Henry 8.

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1107. For the benefit of those who practise as licentiates, is it not indispensably necessary that that state of things should continue; and would it not be injurious to persons practising as licentiates, if it followed, as a matter of course, that non-admission to the College proved inferiority of knowledge, character and practice?—Certainly.

1108. If, therefore, the present rule was abandoned, and every man who could prove, to the satisfaction of the majority of the College, that he was a qualified physician, could be admitted within the College, must it not necessarily follow that all who remain licentiates, and are practising licentiates, would be deteriorated in their character, and sink in the estimation of the public?—I think so.

1109. You think it of great importance that the governing body of the College should be men of the first character, both for their moral qualities and for the knowledge of the profession which they practise?—Of course, I think it absolutely essential.

1110. Is the present mode of appointing the governing body the one best calculated for selecting the persons who stand the highest in the profession for moral qualities and medical knowledge?—I think there might be a larger selection.

1111. As the mode of selection now stands, are not many of the very best excluded, and many not of the highest character in the profession admitted?—I cannot answer that question without some explanation. The legislation is for the public, and not for exceptions; and the College think that a certain education is absolutely necessary for the majority of those who are to constitute the fellows of the College; they think that that education should not be inferior to that which is considered the best for the law, or the best for an ecclesiastic, up to the period of his commencing the study of his profession. That is the principle of the fellowship, and the cases of exception should be provided for by means of laws for the purpose of admitting all men of the first reputation and character who have obtained a high rank in the profession and in the public estimation, without having gone through such an education.

1112. You have compared the admission to the College of Physicians with the admission to the professions of the law and the church. Is there any exclusion whatever from the profession of the law, of those who have not been educated at an English University; is not this the sole advantage given to university graduates, that the terms they have kept at the university count as part of the terms required at the inns of court?—Clearly, in common law that advantage is given; but in civil law they must have an education at the university.

1113. Is not that partly because the profession of the civil law is very intimately connected with the ordinances of the church?—I am not skilled in civil law; but I know that there is considerable connection, of course.

1114. Is there any established faith in medicine, as there is in ecclesiastical matters?—No, certainly not.

1115. Is there not therefore a reason why the admission into the church should be confined to those who had been educated at an university professing the principles of the church?—Certainly, that is one part of the argument; but I think it should be the highest education which society recognises in this country for the church, and if for the church, it should be so for the profession of physic.

1116. If society recognises and admits into the order of gentlemen all individuals of good education, whether educated in the Southern or in the Northern Universities, does it appear reasonable to exclude from the honours of the medical profession a class of persons who, according to all usage, are admitted to partake of all the benefits which society is able to confer?—As far as the profession and society are concerned, there is no difference. I think that the principle to go upon is, that they should exact, as a general rule, the best education which society in this country recognises for other learned professions, and that they should make all exceptions for all persons who, not having such advantages, have obtained reputation without. It is to be observed, likewise, that this is an English College of Physicians, and that there is a Scotch College of Physicians at Edinburgh, and an Irish College of Physicians at Dublin.

1117. Then do you object to an intercommunity of practice for the natives of the three kingdoms; ought the practice of Englishmen to be confined to England, of Scotchmen to Scotland, and of Irishmen to Ireland?—Certainly not; but the jurisdiction over the respective pharmacopeias and other local laws, which are divided at present, must be continued as long as those are divided.

1118. Is the body of the profession likely to be satisfied with a governing body selected

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selected upon any other principle, and in other way, than those of merit and freedom of election?—The Committee will probably have, in the course of this inquiry, many witnesses from other branches of the profession before them; and I think that if the question is put to them, it will be found that the majority will be satisfied of the propriety of the present mode.

1119. How do you account for the dissatisfaction that has so long prevailed on the part of the licentiates of the College, from the year 1760 down to the present time?—I think there has not been a sufficient election from their number, and the election should have been made rather by the body from themselves than from the selection of other persons; and I think likewise that they attribute a great deal more importance to the situation of a fellow than it actually possesses. Till gentlemen raised such a cry upon the subject, the great majority of society, as far as practice is concerned, knew no difference between a fellow and a licentiate; and, in 99 cases out of a 100, neither the master nor the mistress, or any body in a family knew that there was such a distinction existing.

1120. You have stated that you think it expedient that the governing body should not be very numerous, because if it were, there must be a delegation of authority; are you not aware that in all numerous societies, for example, in the Royal Society, and learned societies of that kind, there is a delegation of power to certain members of the body, called a council?—Yes; but I question whether that would apply so much to physicians, a large portion of whom are in constant occupation in the duties of their profession; I question whether they could be thrown into committees, like the Royal Society and other societies of the same nature, and that is one difficulty that would arise.

1121. Has not such a delegation of power already taken place in the College, by the act of the Legislature; is not the greater part of the power transferred to the censors and to the elects already?—Every thing must come before the College, finally.

1122. Is not every thing prepared beforehand for the consideration of the College by the committee of elects and of the censors?—What, in all cases?

1123. In a great part of the executive duties of the college, is not the power transferred to those two committees?—They certainly are; but it must all come before the College, and then arises the inconvenience of a large deliberative body.

1124. Has the inconvenience of a large deliberative body been experienced under the present constitution of the College?—I think so.

1125. What inconveniences have resulted?—A great deal of very lengthened discussions upon trifles, and a very great difficulty to make the body move.

1126. If lengthened discussions upon trifles before large deliberative bodies are considered an inconvenience, does not that apply to other bodies besides the College of Physicians?—I think it applies particularly, as an evil, to scientific bodies.

1127. Is it not the fact that discussion, although attended with some delay and inconvenience, has been found a most effectual mode of conciliating the opinion of large bodies of men?—As applied to the College of Physicians, I question whether discussion produces conciliation.

1128. Do you mean that it does not produce conciliation in the College of Physicians, or that it does not produce conciliation in the whole body of the profession?—Neither in the one nor the other.

1129. Is it not very natural that discussion should not produce conciliation in the profession at large, when a large portion of that profession is excluded from taking any part in the discussion?—I think that to manage the affairs of the medical profession, or of that branch of it to which I belong, if the governing body, that is, if the College of Physicians were to become very large, it would become very inconvenient; and they would be obliged to delegate to a smaller number their authority almost exclusively. I think that would be the result.

1130. Is that the only inconvenience that would arise from making the body larger?—Otherwise, I should think that the more learned and clever men constituted the body, the better.

1131. And therefore any principle and method of selecting the governing body, that insured more completely than the present mode, a choice of the very highest in the profession, both for moral qualities and knowledge, provided the number chosen were not too great, would be better than the principle and method of selection now existing?—I think so.

1132. What is your opinion of the propriety of giving the power to grant medi-

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cal degrees to the College of Physicians?—I will state what occurred upon that subject, which will explain my views. The College, under its present constitution, possesses an undoubted power of preventing any one from practising physic within London and seven miles, unless they have been examined and licensed by the College. The law which they made, obliging licentiates to reside two years at an university, *animo studendi medicinam*, and a degree to be got after such study, was a restriction upon their own power; they are not obliged to require a degree, nor to require any education for a licentiate; and indeed Lord Kenyon had some doubt whether they could require any education; consequently, in arranging the plan of education proposed by the education committee, it became a question what was to become of those gentlemen educated in the two large rising bodies in this town, if they presented themselves at the College of Physicians, and said, “We have fulfilled this course of education, admit us to practise physic.” The College were in the dilemma of either sending them to a distance to get a degree, or they must admit them without a degree. Now formerly they did admit people without degrees constantly; and the degree itself, when gained, is of no advantage whatever unless it has been confirmed by this authority of the college. Under those circumstances, they thought it would be better to petition the Privy Council, that His Majesty would grant them the right of conferring degrees, after examination, upon those persons who should have pursued the requisite medical studies in this metropolis. This was the subject of the petition that was presented. It has not yet been reported upon, and the Committee will understand from this, what is the view which the College takes, and what will be the effect. It will place upon an equal footing all who have been educated at the medical schools in London, and having fulfilled a certain medical education, they would come before the College, who (perhaps erroneously) consider physicians the best judges of the qualifications of persons for medical degrees.

1133. What would be the effect upon the medical schools in London, if the same power were granted to the London University?—If it were granted to the London University alone, it would be injurious to the great schools of medicine which are attached to the larger hospitals; because, of course, persons following the same professional career would go to the University in preference to going to the schools of the hospitals; where, although they could get education, they could get no reward. Any one teaching body, having the power of granting degrees of medicine in this town, unless there were a power of granting the same to persons taking charge of other schools, would of course give a monopoly.

1134. You think the power should not reside in the teaching body?—I should think not, if any other body could be provided. It might reside with the teaching body, provided they did not examine their own pupils.

1135. What would be the effect upon medical science, and the respectability of the profession in general, if a system were established, under which one single standard of qualification for the practice of physic were demanded; would it be to raise the acquirements of the general practitioners up to the highest standard now existing, or to reduce the qualifications of the first class of physicians?—If there were a single qualification for all practitioners, it would have a very injurious effect; because either the highest degree of medical education must be exacted, and the highest preliminary education, which it is not in the power of many individuals to attain; or else, the highest degree of medical education must be diminished to that standard which it is in the power of the great majority to attain; and the public would suffer by such a system, in my opinion.

1136. Is it desirable that the faculty should be reduced to one class of practitioners, and the distinction between physicians, surgeons and apothecaries abolished?—No, I think not.

1137. For the advancement of medical science, is the present system better?—The division is better.

1138. With reference to any changes which might possibly be made in the bye-laws and regulations of the College of Physicians, might not that matter be pretty safely left with the College itself; or, is the system so bad, that there is a necessity for legislative interference?—I think that great advantages will result from this inquiry, and I think any alteration by the College, before this inquiry or immediately preceding it, was ill judged; but when this Committee has terminated its sittings, its suggestions or its Report will enable the College to decide
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very much better ; and as the law now stands, the College has the law in its own hands, and nothing but an Act of Parliament can take it away.

1139. The system of the College is not so bad as to require the interference of Parliament?—Certainly not; I think it might be very well changed by the College itself.

1140. Are they likely to turn a deaf ear to any suggestions that may result from this inquiry?—Certainly not: I think they would consider them with the utmost patience, and with the best good-will.

1141. Is it not the object of a public medical institution, such as the College of Physicians, to confer a sanction upon practitioners, by which the public may be able to distinguish who are those properly qualified: does the College, in fact, answer that object?—I think it does; at the same time, I think there is nothing so perfect but that it might be made something better.

1142. But that it answers that object as well as can be expected, considering it to be a human institution?—Of a very great age.

1143. But not in a state of decay or decrepitude?—No, a green old age.

1144. Do you understand it to be the wish of any large part of the medical profession to make the governing body of the College of Physicians inconveniently large, by admitting all licentiates without selection; or do you not rather believe the cause of complaint to be, that the selection is not made upon proper principles?—I cannot answer that question. I believe there is a division of feeling; that some persons consider that they have a right, under the construction put upon the Act of Parliament, *ex officio*, having taken a degree and passed an examination, to become fellows of the College; but that has been distinctly denied, after solemn argument in the Court of King's Bench. Others, I apprehend, might be satisfied by being selected.

1145. Are you aware that the Scotch Commissioners, in their Report upon the Universities of Scotland, condemned the entrusting the examination of medical students to the professors whose pupils they were?—I was not aware of it.

1146. If the privilege of conferring degrees were granted to any one university in the metropolis, such as the London University, ought it not to be granted to all other institutions founded upon the same principles, to the King's College or to 20 more, were they to spring up?—I think it would be better to put it into a central body, who could hold the scales of justice even. There is a good deal of rivalry in the profession.

1147. Does the College of Physicians answer your idea of that central body?—I apprehend that the College of Physicians are as good judges of medical qualifications as any body that could be selected, and they are already in possession of that power, although they have not the *nominal* power of granting degrees, they have all that is essential to the power; but if the King's College, or the London University, were to have the power to-morrow, the College of Physicians could still refuse them the power of practising the profession, till they had been examined before them.

1148. You have stated, that you think it is not expedient that there should be only one grade in the profession. If the Legislature, by entrusting power to three separate corporations, had not created various grades, would not the various wants of society have called various grades into existence?—I think it is impossible, in this country at all events, that there should not be such a variation of grades.

1149. And therefore, if there were no legislation whatever upon the subject, the wants of society would form various grades?—I think so; but I do not contemplate the possibility of its being altogether without legislation; because society cannot judge of the commodity, it must be protected.

1150. Has this inquiry been the cause of the College suspending its proceedings upon the subject of the contemplated reforms?—It was one of my reasons for wishing to press upon the College the propriety of doing nothing till this inquiry had ceased; because I apprehended that it might be said, that the College had delayed making those inquiries, till they were frightened by a Committee of the House of Commons.

1151. Is the fear of having the dread of inquiry imputed to it a good ground for a corporate body taking one course rather than another?—I think it is a good ground for not taking any decided and hasty measure, at a time when such hasty measure would be liable to have been produced by suspicious circumstances.

1152. Have there not been, and are there not now, many of your acquaintance amongst the licentiates who would be competent to pass an examination before

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the fellows of the college for admission into a fellowship?—I cannot say any thing with regard to the competency of passing an examination, till the examination is instituted; but I think there are men among the licentiates of very high attainments and high character.

1153. Have they been so, in your opinion, for a series of years?—Undoubtedly.

1154. Is there any one such with whom it is an object to be admitted?—I should think not.

1155. Has it come to your knowledge that any licentiate ever expressed an apprehension of undergoing such an examination?—I never had any conversation with any licentiate upon the subject, except Dr. Pearson.

1156. Did he express any apprehension?—He died reading Aretæus.

1157. Do you know any physicians who, having graduated at Oxford or Cambridge, applied for a fellowship, and were excluded?—Formerly, I think, but not latterly; except upon not passing an examination, and then only until they did pass it.

1158. Do you apprehend that the proportion is large?—No, very small.

1159. Have rejections of that kind taken place of late years?—Yes.

1160. In such cases, has the applicant generally, after the interval prescribed by the statutes, returned again and passed?—Yes.

1161. Did not Dr. Hooper apply to be admitted a fellow of the college?—There were circumstances with regard to Dr. Hooper's case that took it entirely out of the ordinary routine.

1162. Had he not been apothecary to the Marylebone Infirmary?—Yes.

1163. Would not his having practised as an apothecary at the St. Mary-le-bone Infirmary be a ground, under the statute, for his exclusion from the fellowship?—The fact was, that he was stopped at Oxford; he was only a Bachelor of Medicine.

1164. Is he not a distinguished physician?—A most distinguished physician, and the College were very desirous of electing him into the fellowship in latter years; and there is still a difficulty.

1165. Has not he written many works?—Many.

1166. Was the late Dr. Babington admitted a fellow?—He was.

1167. Had he been apothecary to Guy's Hospital?—He had.

1168. Had he graduated at an English University?—No, he had not; an alteration in the law was made, in order to admit him. They added the "*nisi gravi aliqua de causâ*," in order to admit him.

1169. Which alteration of the law has been maintained ever since?—Clearly. Dr. Luke likewise was under examination for the fellowship of the college at the time of his death, under the same alteration of the statute.

1170. Why was the application of Dr. Luke rejected?—That law existed; when the law was altered, he was to have been admitted, or, rather, he was to have come up to the college to have passed the examinations; which, as he had passed as a licentiate, were granted to him with every degree of courtesy.

1171. Dr. Luke had graduated at Cambridge when he made the application?—He had.

1172. Therefore the same objection did not apply to Dr. Luke which had applied to Dr. Babington?—The same law existed in the university, and was repealed for Dr. Luke, "that no person who had practised pharmacy could take the degree of Doctor of Physic at Cambridge." That law was repealed by the senate, and Dr. Luke was admitted under it; and subsequently the College altered the law in the same manner.

1173. Did not Dr. Luke commence as an extra licentiate in the west of England, and then come to London, where he was admitted a licentiate? Did he not then graduate at Cambridge, and afterwards was he not refused admission to the fellowship, in consequence of his having practised in the country as a general practitioner?—He was refused under a bye-law which rendered it impossible, at that time, for a person who had practised pharmacy, to become a fellow of the college; and when that law was altered, he was admitted.

1174. Is not the old law even at present operative in ordinary cases, unless there be *gravis aliqua causa*?—It is operative in such a way that it would exclude no respectable man.

1175. Are there at present any Dissenters in the college?—Several.

1176. How many?—I should think there are five out of the seven. I know there

there are three, and I think there is another of those formerly elected from the licentiates. *E. J. Seymour, Esq.*
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1177. In recommending licentiates to the fellowship, does the president state the grounds which have guided him in his selection?—I do not know. There was none presented at the censor board when I was censor, and whatever formula takes place is before the censors; and afterwards the president states to the College that he has nominated such a person, who has had the approval of the censors' board.

1178. When he makes his recommendation to the College, he does not state the grounds which have influenced his choice?—He does not; at least I never heard them stated.

1179. Is not that bye-law rather likely to diminish the independence of licentiates, and to induce them rather to seek admission by private favour?—I stated in the beginning that I thought it would be better that the selection should rest with the licentiates, and be approved by the College.

1180. How long did Dr. Luke live after the refusal to admit him?—A few years, but I cannot say how many. He was with me at Cambridge.

1181. How long a period elapsed between the alteration of the law and his death?—I think he would have been a fellow about a year before his death, if he had not made some irregularity of his own. He was absent in the country at the time of one of the comitia.

1182. Is there not a bye-law prohibiting the fellows or licentiates of the college from meeting in consultation with unlicensed physicians?—There is.

1183. Are there several unlicensed physicians in London practising under the name of accoucheurs?—Several.

1184. Are not those who practise for the diseases of women and children very liable to be called in to practise for other ailments occurring in the same family?—Most assuredly; and it is a reason why, I think, that bye-law acts injuriously.

1185. Are not the regular licentiates or fellows of the college frequently placed in the awkward position of being called upon to break the college statutes, by meeting in consultation upon medical cases those accoucheurs who are practising physic without the college license?—In my view of the case, the College have made the difficulty, though they are not often put into much difficulty about it. It is understood that those accoucheurs practise; neither the College of Physicians nor the College of Surgeons have qualified them exactly, and they stand "*mezzo termini*."

1186. Is it a frequent thing to enforce the fine upon the licentiates or fellows of the college, for meeting in consultation upon a medical case, gentlemen of the description referred to?—It is not looked upon as a consultation, I believe, under these circumstances.

1187. Is it not a difficult thing to prove?—It must be proved that it has been done, and then, I presume, the statute must be enforced or repealed.

1188. Would it not be difficult to have the concurrence of the public in favour of such an attempt to influence the choice of families?—The cases are few; and it is considered that unless the prescription is signed by both, as physicians, it is not a regular consultation. I have already stated, that I look upon the law as an inconvenient one in every respect, and injurious to the profession and the public; but that is only my own private opinion.

1189. Are you aware that a graduate may practise medicine, surgery, and midwifery in London, and evade all the statutes of the corporate bodies?—I am sure he might not, legally.

1190. Do you not think he can in fact?—He can, but he is doing so illegally, according to the established law of the land.

1191. Do you not think that a great many do?—Not a great many as physicians; a few, but very few.

1192. It appears that under the present regulations of the college, when a person has obtained at the university a licence ad practicandum, he then becomes eligible into the college as an inceptor candidate; but that in 1705, the requisite degree to render him eligible into the order of candidates, was that of Bachelor in Medicine?—Because at that time very few persons went out in arts; they always graduated in physic.

1193. By this change, has not the College of Physicians lengthened the period requisite at the university?—I think not; it strikes me that a Bachelor's degree of medicine, at the time spoken of, was obtained in the sixth year; and there

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being no licence to practise, a person who went out and took a degree of Master of Arts, and then had a licence to practise, was in fact longer in the university. He was two years longer in the university than a person going out in medicine.

1194. You believe then, that by that alteration in the statute, the period of residence, or of being upon the books of the universities, has not been lengthened?—I believe not.

1195. Did you ever know of licentiates, on thus passing, being examined in Greek?—It is not usual.

1196. Do you know any cases where that has happened?—Never; it was never the case when I was censor.

1197. Have you heard of any since?—I heard yesterday, in the examination, that there had been one instance; but I was not aware of it before. It occasionally happens, that licentiates who have some considerable eminence in classical attainments have come before the censor, and they have not been examined even in Latin. It has been waived, under the circumstances; and I should mention that, in the examinations under the college, every possible courtesy is shown.

1198. Is it a wise course to conduct the examination in Latin?—I think so.

1199. Is it not easier to ascertain the medical proficiency of the person under examination, if the examination is conducted in English?—I think any gentleman who was present at one of the examinations, would see that a great deal may be got out of a man in Latin, a very excellent test of his proficiency; and the College, in their new arrangements, have added that there may be papers in English in addition to the examination in Latin which now exists, the examination in Latin being retained.

1200. Would their talking barbarous Latin at such an examination be considered as in any measure disqualifying them, or giving them a less title to pass?—If they could neither understand nor express themselves at all in the language, it is a mark of a very inferior education in the present state of society, and would certainly be a disadvantage in a learned profession.

1201. As censor, have you gone through the examination of apothecaries' shops?—I have.

1202. How many days in the year did it occupy you?—Three dreadfully long days.

1203. How many apothecaries' shops in a day did you examine?—I could not state; neither could I state the number of things I tasted; but I was ill for a week after it; but it would be easy to ascertain it, because a book is kept stating every shop and every article, with remarks upon all the shops, and every thing done upon the occasion.

1204. Did you examine the druggists' shops as well as the apothecaries'?—Yes.

1205. Did you examine the shops of any wholesale druggists?—Yes.

1206. Did you examine the shops of any of the manufacturers or vendors of patent medicines?—I do not remember seeing one. In many of the shops they sold patent medicines; but I do not think that the jurisdiction of the college extends to patent medicines, since the government licensed quackery by stamps.

1207. Are there any fellows of the College, or candidates, or inceptor candidates, who practise surgery as surgeons to the army or navy?—I have no means of knowing, but I believe not.

1208. Since persons wishing to become licentiates of the College, provided at the time they are members of any college of surgeons, are required to renounce such college, do they not thereby disqualify themselves from becoming surgeons to most of the metropolitan hospitals?—Certainly, a physician would not be elected surgeon to a metropolitan hospital. The College of Surgeons was instituted within a few years, and I believe it is not usual for a man to be a member of two corporations so similar in their nature at the same time. I have understood that it is a kind of courtesy to the College of Surgeons, that if a man chooses to enter upon a new career, he shall resign the other.

1209. Is it not the renunciation of the College of Surgeons, and not the being a fellow of the College of Physicians, which would disqualify him from being a surgeon to a metropolitan hospital?—I cannot contemplate the possibility of such a case.

1210. Ought a person to be disqualified to practise as a surgeon, who in addition to his knowledge of surgery, proves by his having been elected a fellow of
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the College of Physicians, that he also understands the practice of physic?—Additional knowledge can never be a disadvantage.

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1211. Are not the officers of the College generally composed, rather of the seniors of the College than of the juniors?—It is a matter of rotation by election.

1212. Are not the elects generally seniors?—The elects must be so; at least there has been rarely an exclusion of a senior upon whom the election devolved; in general they are the senior fellows of the College.

1213. Of the censors, how many generally are juniors?—Two juniors. One senior who is on the list came a little after the seniors, and one quite a junior.

1214. So that the majority of the officers of the College is composed of seniors?—The College officers consist of the president, the elects, the four censors, the registrar and the treasurer.

1215. Are the registrar and the treasurer generally juniors or seniors?—The registrar is generally not a senior; I question whether a senior would be a registrar.

1216. What is the treasurer?—He is generally a person who can take care of his own money and the College money. He is generally advanced in years.

1217. So that there would be the two junior censors and the registrar; there would be three out of the whole number?—Yes.

1218. Has there been any difficulty of late in finding fellows of the College to perform the duty of censor?—I think this year Dr. Roget declined, in consequence of being secretary to the Royal Society, and having besides the Bridgewater Treatise on his hands, or some great occupation of that kind; but otherwise it is not usual, except from some bodily infirmity, to decline the censorship.

1219. Have four or five declined it this last year?—No; only two, I think; Dr. Roots, who had considerable engagements, and Dr. Roget.

1220. If there was any security that the medical education at those universities or schools that teach medicine and confer medical degrees was really good, would there be any use in examining at the College of Physicians at all?—I think there should always be an examination, to sift the degrees, by people in actual practice in this town. I think it is a security to the public.

1221. That is, so long as the mode of granting degrees is so lax, that a doubt exists whether the possession of a degree carries with it a sufficient extent of medical knowledge, it is expedient that the College of Physicians should also examine; but provided full security were taken that the bodies which confer medical degrees did really exact from their graduates competent medical knowledge, would it then be any longer necessary that the body giving the licence to practise should examine?—That involves a considerable question; that course would restrict physicians in their number very much. The manner in which the charter has been construed has been, that the College should exact from their fellows whatever they thought proper; but that they could not exact for the public in general such a very high scale, because the public might have the benefit of the services of a man who might be good for some classes of diseases, without having that education which the College thinks necessary for the reputation of the profession: and if it was required that every one of those persons must have been at some university where strict and long-continued discipline was enforced in the first place, it would be difficult to find such a place; and in the next place, it would be raising the standard beyond what the wants of society in general may demand.

1222. In the bye-laws as they stood in 1765, in addition to the disqualification arising from practising as apothecary or midwife, was there not also a disqualification in case he had gained a living by practising as a surgeon?—I do not know that it was; before the establishment of the College of Surgeons, and when, I apprehend, the arrangements with regard to that branch were very lax, I apprehend that the education of surgeons was very inferior to what it is at present.

1223. Does the College of Physicians hold literary meetings?—Yes, once a month.

1224. At what period did the holding of these literary meetings commence?—This is the fourth season.

1225. Was not the resolution for holding such meetings passed at the very time that the College were opposing the Medico-Chirurgical Society in obtaining a charter?—A law might have been passed at that time; but that law was never acted upon, and the law that was acted upon for holding those meetings was in the new college.

1226. The question refers to meetings before which medical essays are
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read, in the same manner as medical papers are read and questions discussed at the meetings of the Medico-Chirurgical Society?—In the first place, in the Medico-Chirurgical Society there were no discussions permitted. The College have for a great length of time read papers at various times from their various members, which were afterwards published under the title of *The Transactions of the College of Physicians*, and I think the law alluded to was a resumption of those meetings, which gave rise to the last volume of the *Transactions of Physicians*.

1227. How many volumes of the *Transactions of the Society* have been published?—I think seven or eight.

1228. In how many years is that?—In a great many years; the College have never been a publishing body.

1229. Is not that seven or eight volumes in the 300 years which have elapsed since the first institution of the College?—They did not begin to publish at all for the first 250; I apprehend they contented themselves with examining and regulating under the powers vested in them, in fact, the municipal jurisdiction of physic.

1230. For how long a period has the Medico-Chirurgical Society existed?—About 30 years.

1231. Have they published 18 volumes in that period?—They have; I edited one of them.

1232. In the memorial which the College of Physicians presented to the Privy Council in opposition to the charter claimed by the Medico-Chirurgical Society, was not one of their allegations, that any charter so granted to the Medico-Chirurgical Society would stint the number of essays which would be communicated to the College of Physicians by the licentiates and the fellows of the College?—I am not aware of the fact, but that question might be asked of the president, who was the president of the Medico-Chirurgical Society at the time.

1233. In the memorial of the College against granting the charter to the Medico-Chirurgical Society there is the following passage: “That by certain regulations or bye-laws of the said College, any tract or treatise on medical subjects, written by any fellow or candidate of the said College, or by any person licensed by the said College to practise physic, may be read at certain meetings of the said College; and if approved of in manner as by such regulations or bye-laws is required, will be directed to be printed at the expense of the said College:” and it is further stated, “That the said Sir Henry Hallford, Bart., Matthew Baillie and William Saunders, Doctors of Physic, in the aforesaid petition named, are fellows of the said College; and the said Sir Walter Farquhar, Bart., Alexander Marcet and John Yelloly, Doctors of Physic, in the said petition named, are licentiates of the said College: That the establishment of such Society by Royal charter will be the means of depriving the College of Physicians of such tracts upon medical subjects as shall be written by those members of the College who shall likewise be members of the Medical and Chirurgical Society: That as no person can practise physic in London and seven miles round the same without the licence of the said College of Physicians, and every person so licensed may offer any tract or treatise on medical subjects to the said College for the purpose of being read, and if approved, of being printed at the expense of the said College, it is humbly submitted, that such charter of incorporation, as far as relates to the science of physic, will not only be injurious to the said College, but is altogether unnecessary: That the said College of Physicians is possessed of a large medical library, and is, as the College submits, the proper centre to and from which all useful communications concerning the state, progress and improvement of physic ought to be conveyed.” Was not a memorial to this effect presented by the College of Physicians?—I do not know; I cannot be accountable for the faults of those who preceded me. I can easily conceive, that in the course of a vast number of years this College may have done occasionally unwise things, of which, probably, this is one.

1234. What portion of the papers published in the *Transactions of the College of Physicians* were written by the fellows of the College, and what proportion by licentiates?—I cannot say, but I think by far the greater number by fellows; a great many were written by the celebrated Dr. Heberden, and several by Dr. Baillie, Sir G. Baker, and the late Dr. Warren.

1235. Are not transactions of this kind published under the authority of a
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medical body, and containing principally the essays of the members of that body, very good tests of the degree of knowledge and activity of the members composing it?—No, I cannot say that.

1236. How do you account for the great difference in the number of volumes published by the College of Physicians and the Medico-Chirurgical Society; the former having published six volumes in 300 years, the latter 18 in 30 years?—The Medico-Chirurgical Society was instituted for the express purpose of publishing and writing. The College of Physicians have never looked upon themselves as such, and it has always been discouraged. I remember a conversation some years ago, with a view to returning to those publications. Many men are very well skilled in their profession, and yet do not like writing essays. I do not think there is any fair comparison to be instituted between the College of Physicians and the Medico-Chirurgical Society upon this subject. I am a member of both, and I think that both may fulfil their functions to the public perfectly well; the one by collecting and publishing, and the other by licensing and regulating the practice of the profession under the powers committed to them.

1237. What was the date of the last volume of the publications?—There has not been a volume published for eight years, and I think ten; there have been a great many papers read before the College, and many of the gentlemen who have written those papers have published them in another form.

1238. Do you think it expedient that the College of Physicians should be the body to which the Government should principally apply when it wants information and advice upon medical subjects?—I think so, generally speaking.

1239. Was not the College of Physicians the body which had the inspection over mad-houses?—Yes.

1240. That has been now removed from its jurisdiction?—Yes.

1241. Were not the medical officers in the army at one time principally promoted from amongst the fellows and licentiates of the College of Physicians?—I am not sure as to that; a great change took place after the Walcheren expedition. With regard to those arrangements, a Board was established, at the head of which was Sir James Macgregor; the jurisdiction with regard to the army was vested in that Board, and that of the navy was vested in the Victualling Board, at the head of which is Sir William Burnett.

1242. Are you aware that the Commissioners of military inquiry, in the year 1810, condemned the practice of selecting the medical officers of the army, as had been done for some time previous, principally from amongst the fellows and licentiates of the College?—I was not aware of it; but I can perfectly understand that a great deal has been corrected with regard to every department of the army and navy within the last 20 or 30 years.

1243. Has the College, independently of any application made to it by the Government, thought it part of its duty to take any steps in order to investigate matters relating to medical police?—I am not aware; it has occasionally, upon the prevalence of great epidemics, appointed committees to investigate their nature; but I do not exactly know what medical police means.

1244. For example, all that relates to quarantine?—They were examined before a committee similar to this upon that subject.

1245. Have they been in the habit, of late years, of making representations upon that subject to the Government?—I do not think any occurrences have taken place in which the Government did not, in the first instance, apply to the College.

1246. Before the Vaccine Board was established by the Government, did the College of Physicians issue any publications, in order to guide the opinion of the public upon the subject?—I know nothing with regard to that; I apprehend they were in communication with the Government as to the propriety of establishing a Board, when it was sufficiently ascertained that there was either a preventive power or an absolute destruction of small-pox by that mode of proceeding.

1247. During the period when the College had the appointment of the commissioners of lunatic hospitals, did they publish any selections from the reports of the commissioners, on the state and improved treatment of lunatic hospitals?—A great deal was done by their inspection, compared with what had been done before; not so much, perhaps, as what has been done since. The Act was an Act of excessive secrecy, and it was a clog to any communication before the public upon the subject of their proceedings.

1248. It might have been a clog to their mentioning any names; but as it

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gave them great insight into the management of lunatic houses, did it not put it into their power to communicate to the public a great deal of useful information upon that subject?—They were only there, not so much as physicians, but as medical inspectors, the same as the present lunatic commissioners. The present lunatic commissioners would have considerable difficulty in publishing a great deal concerning even particular cases, which may come to their knowledge, and which may be curious in themselves, in lunatic asylums. The first Act which empowered the College to act was one of great secrecy: the book was to be kept in a certain place, and only to be accessible to certain persons, and they had no power to punish; because if they had published the names of delinquents that kept houses ill, they would have been liable upon the subject, according to the opinion of the law officers, to action for libel.

1249. The Jacksonian prize, offered by the College of Surgeons, has been the means of producing several important works upon surgery; for example, Mr. Lawrence's work on Hernia, Mr. Brodie's work on Joints, Mr. Swan's on the Nerves, Mr. James's on Inflammation, and several others; has the College of Physicians ever thought of offering prizes for treatises on medical subjects?—I never heard it contemplated; but it must be borne in mind that the College of Surgeons is a rich corporation, and that the College of Physicians had to build the house which they live in; and, till they paid their debt, they were not in a situation to hold out to the public any reward whatever. But there are foundation lectures at the College annually, which have produced many valuable treatises, which were afterwards published; for instance, it was in the Lumleian lectures Harvey first developed his views of the blood, and in the Gulstonian lectures Dr. Bancroft gave his doctrines of yellow fever; Dr. Cook's publication on nervous diseases were Croonean lectures, and Dr. Elliottson's "Diseases of the Heart" were Lumleian lectures.

1250. Were you secretary to the first Board of Health?—I was.

1251. Do you know why that Board was dissolved?—I do not know what was in the breasts of the Lords of the Privy Council; but it was clear it was a Board that could not go on, after the disease came to this country. It would be impossible that a Board so constructed could last beyond what was necessary for the purposes of watching the disease and collecting authentic information.

1252. Were not the members of the Board confined to the fellows of the College?—Except one, Sir William Burnett.

1253. Were there not many licentiates in the College who had had great experience in the treatment of the disease?—I am not aware that there were. There were a great many gentlemen from India examined; for it was my duty to take down those examinations before the Board, and the discrepancy of opinion that existed among those gentlemen would have made a considerable difficulty in establishing a Board of such persons.

1254. Had there been among the licentiates any gentlemen who had personally witnessed the disease, do not you think it would have been expedient to have included in the Board some proportion of those gentlemen?—I think it would; but I am not aware that there were any such persons, that had actual cognizance of the disease among the licentiates. Two gentlemen were sent by the Government to St. Petersburg, and, when they returned, they very properly formed part of a Board of Health, to consider the treatment of the disease which they had recently witnessed.

1255. A memorial has been presented to the College by the medical graduates or under graduates of the English universities, against the proposed alteration of the bye-laws; did you support such memorial in the College?—Some of those gentlemen applied to me to know whether it was true, as they had heard, that those bye-laws were to be abandoned; and to represent, that if this were to be done, they thought there should be no interference with what might be called, though not strictly, their vested rights. They had gone to the university upon the faith of the existing bye-laws, and had gone to great expense; and they thought the new laws, whatever they were, should not have a retrospective view. I recommended them to wait upon the president; which they did, and he immediately acquiesced in their petitioning. Of course, I supported that which I considered to be just.

1256. Was this memorial amongst the circumstances which influenced the College of Physicians in adjourning the consideration of the proposed alterations?—I rather think that the adjournment took place first.

1257. Considering

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1257. Considering the College as a body to which the public look for the sanctioning of medical practitioners, do not you think that, under any circumstances, the power of examining ought to be reserved to the College?—I think, certainly.

1258. Would it not be to destroy, in a great measure, the utility of the College, if that power were taken from them?—I should see no use in the College at all if that were taken from them.

1259. You stated that you thought a Central Board would still be desirable, even in the event of the Universities or other schools taking sufficient care of medical education; would the existence of such an independent Board of examiners be the best security which could be taken for the Universities exerting themselves to afford a good medical education?—I think, certainly; each should be a check upon the other.

1260. Ought this Central Board of examiners to be a publishing Board?—I think, certainly not; if they choose to publish what they know, it is all very well; but I think the two functions are totally separate.

1261. Does not the College, as at present constituted, recognise two classes of licentiates; those licensed to practise in London, and the extra licentiates?—Yes.

1262. Is not a different qualification required, in several respects, for an extra licentiate practising in the country, and a licentiate practising in London?—They are examined by the elects, instead of being examined by the censors; they are generally elderly persons, and the examination is thought sufficient for persons who have been in practice a considerable time, and who come up here only to show that they wish to belong to the College, in order to obtain a kind of "*prestige*" which exists in the public mind as to being members of the college.

1263. In fact, they are not required to have resided at any university?—Certainly not.

1264. Are there not some extra licentiates, who have no degree at all?—Certainly.

1265. Then there is not only a different mode of examination, but there is also a difference in the qualification?—Certainly, I understand it to be so.

1266. Is that distinction calculated to convey to the public an impression that the College are less solicitous as to the qualification of physicians practising in the country, than of those practising in London?—I think, at the first observation, it would appear so; but the number is very small, and that mode of examination is included in the charter; and it is a very grave question, how far any bye-laws passed by the College could change the constitution established by the charter.

1267. But the constitution of the college, as it exists at present, does recognise that distinction?—It does.

1268. You have said that it is desirable that such an examining Board should be composed of persons of the very highest qualifications; is the present constitution of the College such as is most calculated to secure that the body should be composed of persons of the very highest qualifications?—I think it is.

1269. Does the present constitution of the College recognise any other principle than that of merit in the choice and selection which it makes of its members?—Certainly not; a high qualification is the principle upon which it goes, and of course the merit derived from that high qualification.

1270. Is it your opinion, that before the College of Physicians is constituted a Central Board for the examination of practitioners, it should undergo any considerable changes in its present constitution?—I think an alteration should be made with regard to allowing a larger admission from the licentiates; and there might be another alteration to which I alluded, which in my opinion would be desirable, although it is not the general opinion of the college; I mean the law with regard to the exclusion of midwifery.

1271. Have not one or two of the dissenters who are now in the College, seceded from the Church of England since the time of their admission?—I do not know that; the dissenters that I alluded to were conscientious dissenters from the Church of England previous to their admission.

1272. In the printed scheme for a medical curriculum of study, it does not appear that clinical lectures are included in the course?—I know it was intended to be comprehended, and it must have been omitted by mistake. On consideration, I remember the College having demanded three years' hospital attendance, and

E. J. Seymour, Esq. as clinical lectures and observations are delivered in all hospitals, the new regulation comprehended them as matters of course.
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Veneris, 21^o die Martii, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Thomas Waterfield, Esquire, M. D., called in; and Examined.

- Thomas Waterfield, Esq. M.D.*
 1274. YOU are a Fellow and Censor of the College of Physicians?—I am.
 1275. In which of the Universities were you educated?—At Cambridge.
 1276. In what year did you graduate?—In the year 1824.
 1277. When did you take your licence ad practicandum at Cambridge?—At the end of the year 1826.
 1278. On taking your licence ad practicandum, did you immediately come to London for the purpose of becoming an inceptor candidate?—Yes; I was admitted an inceptor candidate in the following June.
 1279. Did you study medicine anywhere else?—Yes; I studied two years and a quarter at St. Thomas's and Guy's Hospitals; three months I spent at an Eye Infirmary; then I went to Edinburgh for a year, and afterwards to Cambridge for the time required; and I returned again to Edinburgh for a session.
 1280. Did you graduate in arts first?—No, in physic.
 1281. Graduating in physic, were you required to undergo the previous examination, or little go?—No, that had not then been established; it came into operation the next term after I took my degree.
 1282. Were you required by the tutor of the College to attend the classical and mathematical lectures of the College?—No, I was not; but the reason of that was, there was a favour granted to the fellow commoners of the College where I was, and at two or three other colleges.
 1283. A favour of what nature?—Not attending chapel so much as the pensioners and the other students, and not being compelled to attend all the lectures.
 1284. Which were the lectures from which you were exempted?—We had our choice.
 1285. It was not as a student in physic, but as a fellow commoner, you were exempted from attending the College lectures?—That, together with my going at a later period of life to Cambridge. There were several gentlemen there similarly circumstanced, who had come from the army.
 1286. What was the College?—Christ's College.
 1287. At what age did you enter at Cambridge?—Nearer 30 than 20.
 1288. Were there any very young men, students in physic, at the time you were at Cambridge?—Not at my College.
 1289. Were there at other colleges?—Yes.
 1290. Were they required to attend the College lectures in classics and mathematics?—All of them.
 1291. Was that during the whole of the three years and a quarter of their status pupillaris, or merely at the beginning of it?—During the whole time they were in attendance at the College, keeping their terms.
 1292. Were they required to apply to the study of mathematics and mathematical philosophy with the same degree of diligence as those who intended graduating in arts?—Certainly, with respect to regularity of attendance.
 1293. Is that the general practice at Cambridge, in regard to students in medicine?—The students I knew at Cambridge, during the time I was there, underwent that education.
 1294. Were those students who had entered in arts, or had entered in physic, in the first instance?—That I cannot reply to distinctly, because we have the privilege to declare, within a certain number of terms, whether we intend to go out in physic or in arts; and whether they so declared, or at what time, I have no knowledge.

1295. Suppose

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1295. Suppose that persons entering in arts, in the first instance, had declared their intention, before the expiration of the three years and a quarter, to proceed in physic, would they then have been exempted from further attendance upon the lectures in classics and mathematics?—Certainly not.

1296. Is there such a distinction as entering in arts?—No; those who intend to graduate in arts do not declare such intention; but those who intend to proceed in medicine are obliged to give due notice of it.

1297. At what period are students expected to declare whether they mean to proceed in arts, in law, or in medicine?—They do not declare at all, if they intend to proceed in arts. They enter the College, and attend the lectures, and keep their terms, and are then supposed to be qualified to take any degree; but if they declare that they prefer to go out in medicine or law, that must be declared within a given time, or their terms are not counted to them in those faculties.

1298. What is that given time?—I think within a year, or the third term.

1299. Are you prepared to state, that at not only Christ's College, but at the other colleges of Cambridge, a student, having declared his intention to proceed in medicine, will be required, during the whole period of the three years and a quarter, to attend the College lectures in classics and mathematics?—He is under the direction of his tutor: if his tutor requires it of him, he cannot exempt himself.

1300. Is it usual in tutors to require students in medicine to attend the mathematical and classical lectures, during the whole of the period of three years and a quarter?—It is universal now; it was not so when I was there.

1301. How long have you been censor of the College?—Since the end of October last.

1302. How many licentiates have appeared at the censor's board, since you were appointed censor?—Three have been admitted.

1303. What is the average duration of the examination by the censors of each person wishing to become an inceptor candidate or licentiate?—About 25 minutes, perhaps; but it varies very much, according to the readiness of the men in giving their answers. Some half an hour, others up to thirty, or five and thirty minutes.

1304. In case a candidate appears to be somewhat less a proficient than could be wished, do you protract the examination?—Yes, we exercise that patience which is due to him.

1305. Since you have been a censor, has any person wishing to become a licentiate been examined in Greek?—Yes.

1306. How many?—One.

1307. Do you believe that to be a singular instance, or have you heard of more applicants than that one, being examined in Greek?—One only has accepted the offer; but the offer was made to all of them.

1308. Was it a voluntary offer on his part, or did the censors ask all the persons who presented themselves, whether they were desirous or not to be examined in Greek?—The president asked them all.

1309. Is this the first year that the president has ever made such an offer to the licentiates?—I am not acquainted with any other instances than those I have witnessed.

1310. Who were the censors in the year preceding yourself?—Dr. Macmichael, Dr. Southey, Dr. Hume and Dr. Holland.

1311. Unless prevented by illness, it is the duty of all the censors and the president to attend that examination?—Yes, it is indispensable.

1312. Can they proceed with an examination in case, from illness, one or more of the censors is prevented attending?—No; the meeting is adjourned.

1313. What was the nature and duration of the licentiate's examination in Greek?—Two or three aphorisms of Hippocrates were desired to be translated into Latin, the book being opened accidentally.

1314. No further examination?—No; it may be taken also from Galen or Aretæus.

1315. Some passage that he is not aware of is taken?—Yes, some passage that he cannot be aware of.

1316. Which is the usual mode of examining persons applying to become inceptor candidates; is a paper of printed extracts laid before them, or is the book of the original author opened in their presence?—It is opened by accident.

1317. Is the applicant required to translate *vivâ voce*?—Yes, wherever the president thinks proper to open the book.

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1318. He is not examined critically as to his knowledge of Greek, as to the primitive use of the words that occur in the passage to be translated?—Certainly not.

1319. If he makes a decent translation into Latin of the passage, that would be sufficient?—If his other examinations are approved of.

1320. Is he required to expound medically the bearing of the passage he is required to translate?—Yes, he does that in Latin; the president asks him to expound the nature of the disease, after he has made the translation.

1321. As far as the knowledge of Greek required of those who aim to be candidates goes, is it greater than is possessed by most diligent young men when they leave school?—I should think not; but Hippocrates and Aretæus are not books that young men at school are very likely to read.

1322. As far as the Greek of the passage goes?—Not, as far as I can judge.

1323. Have you been, since you became an inceptor candidate, a practising physician in London?—I am appointed to an institution.

1324. Suppose that one of the senior licentiates should, under the seven years' bye-law, pursuant to a vote of the College, present himself to be examined for the fellowship at one of the greater comitia, should you, a junior, think yourself justified in examining him, a senior, respecting his knowledge of practical medicine?—Yes.

1325. Should you think it decorous in very junior members of the College to interrogate a senior licentiate, of many years' standing and great practice, respecting his knowledge of practical medicine?—I do not see any impropriety in it; there are many persons in practice in London who have acquired a large practice without any very great attainments.

1326. Suppose him to be another Dr. Fothergill who, when of mature age and great practice, wished to find admission into the College; would it be decorous in the junior fellows of the College to interrogate one greatly their senior, as to his knowledge of practical physic?—I am not aware that they are forced to do so.

1327. The question is, whether you would think it decorous?—If it be their duty, it is decorous. Of course, if it is not their duty they would withhold from it, and leave it to their seniors.

1328. It being in their power, but not being compulsory, should you think it decorous?—Yes, I think it might be proper, so long as such a law exists, to ask some question; but the inquiries would probably be judiciously exercised towards a gentleman of the character described. A Dr. Fothergill could not be excepted from the rule; because other persons, who had as good a practice, and who were highly estimated by their patients, but with far less acquirements, might claim a similar indulgence.

1329. You understand that under the seven years' bye-law, the examination of a licentiate takes place, not as other examinations do, before the president and censors, but before the body of the College at the comitia majora. It is, therefore, optional on the part of each fellow present to put questions, or not, as he pleases; would it not be decorous in the juniors to leave the seniors to conduct the examination?—I think it would be decorous to examine, if they felt it to be their duty.

1330. Do you think it would be the duty of each individual fellow at such meeting to put questions to the licentiate?—That depends upon the law, whether they are forced to do it. I think there is nothing indecorous in their performing that which is their duty under the law.

[*The Bye-law was read to the Witness.*]

1331. It appears from the bye-law that he is to be examined by the president (or, in his absence, by the vice-president) and the fellows, at three of the greater comitia; and then he may be elected by ballot?—That does not imply that each of the fellows is to examine him; the words of the law give that impression to me, that the junior fellows are not bound to examine, but that they may examine if they think fit.

1332. That being the case, would you think it decorous in any of the junior fellows who happen to be present to examine a licentiate greatly their senior, who presents himself to be examined by the meeting?—I should think they would show the courtesy not to do it; but as to its being indecorous, I cannot agree in thinking that it would be so. There are many junior persons in other situations of life, who administer laws even to their seniors.

1333. Suppose one of the junior fellows to be aware, from some circumstance, that the licentiate was deficient in any respect, would you think it indecorous for the fellow to ask the licentiate any question which occurred?—Certainly not.

1334. Do not you think a gentleman, of age to be qualified for admission into the College as a fellow, even supposing him to be a junior fellow, should be able

to judge for himself with regard to the point of decorum, in reference to putting questions to the candidate under such circumstances?—Yes, because he must be 30 years of age, taking the average of such men.

1335. As to Dr. Pearson, for instance, of 80 years of age, who proposed to be examined, the College having granted its consent that he should be so. It would have been the duty of the meeting thoroughly to inform themselves, of course, that he really had a sufficient knowledge of the practice of medicine?—Certainly, it would.

1336. In that case, do you think a junior fellow, just admitted into the College, should examine him?—I cannot make an exception as to Dr. Pearson, or any other doctor; if we were to pass over the law, another person might come, having the same pretensions as to age, claiming the same privilege, but very inferior in point of qualification.

1337. Do you think the law is expedient which would make it the duty of a junior thus to examine into the practical knowledge and ability of a person greatly his senior?—Certainly not.

1338. It is not the duty of a junior in all such cases to examine?—Certainly not; it is not like the Censors' Board; they are obliged to examine; but in the Comitia Majora, I apprehend that it is not compulsory under the terms of the law.

1339. Do you not think it is likely that Dr. Pearson would have been treated with all courtesy by the College?—Most assuredly; the College is composed of gentlemen.

1340. In the case of the exercise of your duties as censor, does it frequently happen that physicians who have been practising for many years in the country, change their residence, come to practise in London, and for that purpose require a licence from the College?—I have no knowledge upon that subject.

1341. May not, in such a case, the inconvenience occur, of a junior censor having to examine into the practical knowledge and ability of a physician, who has been practising for 20 years in the country?—Such a case may happen.

1342. Would it not place a junior censor in a somewhat awkward position?—No, I do not think it does.

1343. You mean that as it is made a duty on the part of the junior, it should give rise to no awkwardness of feeling on his part?—I think a junior fellow cannot possibly avoid the performance of his duty; and he has no occasion to think there is any impropriety in the performance of it.

1344. Are you aware that there are such cases, where physicians, now in the College, have come up to be examined before the Censors' Board in London, after practising in the country, and being physicians to large county infirmaries for 20 years and upwards?—I have no personal knowledge of any such fact.

1345. As censor, have you examined the apothecaries' and druggists' shops in London?—Yes, I have, once.

1346. How many hours did it occupy?—About six hours.

1347. In those six hours how many shops were visited?—Twelve or fourteen.

1348. The Committee are informed that those examinations take place about three times a year?—So I am informed, but not periodically; those examinations are made at uncertain, varying periods.

1349. You examine the shops of druggists as well as of apothecaries?—Yes.

1350. On what principle are the shops selected, the examination of which is to take place: are they taken at random, or are such examined as the censors have reason to suspect or may be informed, are using fraudulent drugs?—They are taken very much by the recommendation of the two wardens of the Apothecaries' Company, who attend on the occasion; but we take some of the most important druggists, some of the most eminent, and some of the meanest.

1351. The examination of each shop would last about 20 minutes perhaps?—It depends upon the drugs; if we find them imperfect, we remonstrate with the persons having the sale, and tell them the duty which the College will have to perform, if they are found delinquents at a future time.

1352. Do you think, from what you have seen, that such an examination can deter from selling fraudulent drugs those who are disposed to impose upon the public?—No; I cannot think that it is sufficient for that.

1353. To what extent does the examination go; state the mode of examining a druggist's shop?—We call for those articles which are most important to be made perfect.

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1354. As what, for instance?—Such as preparations of opium or mercury; those medicines most frequently used in compounding prescriptions.

1355. Do you call for the most expensive?—Yes, some of them.

1356. Do you call for some of the most costly oils?—No; I do not think we call for anything but what is in our Pharmacopeia, and I do not believe there are many such in it.

1357. Is oil of cloves in the Pharmacopeia?—Yes, but not in any formula.

1358. Is not that a very costly oil?—No; I think not as a medicine.

1359. It sells by the ounce?—Yes; but it is only given by the drop.

1360. Are you aware that that is an article very likely to be adulterated?—Yes, but I do not think it a very costly medicine.

1361. What means do the College take to ascertain the purity of the drugs they examine?—They judge by inspection, and where any chemical tests are required, they test them, if they think proper to do so.

1362. During your examination have chemical tests been carried by the examiners, for the purpose of testing articles?—No; but I must beg to observe that the day on which we visited the shops happened to be one of those foggy days we have had occasionally, so much so that, in the midst of our duty, we were obliged to resort to lamp light, or to be satisfied with such lights as we could get.

1363. With regard to some of the most costly articles, and those most liable to be adulterated, such as quinine, what was the nature of your examination?—That article does not at present appear in our Pharmacopeia.

1364. Is it to be included in the new edition of the Pharmacopeia?—Yes, certainly.

1365. Have you ever gone through the study of pharmacy yourself?—Yes, a good deal of it.

1366. And the materia medica?—Yes, a great deal of that too.

1367. The leading drugs, those most used in medicine, you can distinguish at sight probably?—Yes, certainly.

1368. As censors, is it not your business to look to the observance of the statutes of the College?—Yes.

1369. As censor, have you heard of any physician, fellow, licentiate or unlicensed person, who practises physic within the precinct of London, making a bargain with a druggist for being allowed a per-centage on prescriptions?—I am not acquainted with any such practices.

1370. There is a statute in the chapter “De Conversatione Morali,” which expressly prohibits any such practice?—There is.

1371. In the same chapter there is this statute, “Nullus deniquè medicus, sive socius, sive candidatus, sive permissus, consilium ineat in civitate Londino et intra septem miliaria in circuitu ejusdem de rebus medico propriis, nisi cum aliquo è sociorum vel candidatorum ordine, vel è permissorum numero; sub pœnâ quinque librarum quotiescunque hujusce delicti à præsidente et censoribus, aut eorum majore parte convictus fuerit.” During the period of your being censor, has any one been convicted under this statute, of consulting with an unlicensed and irregular practitioner?—Certainly not.

1372. Is it the practice of the College to enforce this statute?—I never heard of such a thing.

1373. It may be considered dormant?—I should conceive so.

1374. Is it a common practice for licentiates of the College to consult with unlicensed practitioners?—I should think not; that they would refuse to do it, if they knew that they were unlicensed.

1375. Do you not think the object of the president, in making the offer to examine candidates for a license in Greek, if they should wish to be so examined, is to obtain that acquaintance with their attainments which may be of use to him on future occasions, in the exercise of the discretion allowed him in proposing annually a licentiate to be admitted a fellow?—Certainly.

1376. Did he state that to be his object at the time of proposing it?—No; but he directed that such a note should be made of it, that it might be referred to at a future period.

1377. He stated that to the censors?—He did.

1378. In the distribution of any patronage which comes within the gift of the president, do you think any difference is made between the fellows and the licentiates of the College?—I am not aware of any such instance.

1379. The question does not refer to patronage; such as certain lectureships,
confined

confined to the fellows of the College, but to any other patronage that may be placed at his disposal, as for instance, seats at boards for special purposes, appointed at the instance of Government. In these cases do you think that the choice is confined rather to the fellows than to the licentiates?—I have no knowledge of any such fact.

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Pelham Warren, Esq., M. D., called in ; and Examined.

1380. YOU are a Fellow of the College of Physicians?—I am.

1381. Do you hold any office in the College?—I am one of the elects of the College of Physicians.

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1382. What are the offices you have held at various periods in the College?—I have been censor of the College; that is the only office.

1383. You are aware of the early connexion of the College of Physicians with the two Universities, and how closely it has been maintained?—I am.

1384. What do you consider to have been the effect of that connexion on the credit and respectability of the medical profession?—My own opinion is, that that connexion has maintained the medical profession in a higher state in this country than it has attained in any others.

1385. Do you consider that any changes have taken place lately, either in the condition of society, or with regard to the means of education, which render it unnecessary that that connexion should be longer maintained?—That is a question upon which it is not very easy to give an opinion; but if I am asked my private opinion, I should say, the maintenance of that connexion is necessary and useful; but that some abatement of the privileges might be allowed with security.

1386. Do you think that a better general security could be devised for the manners, and morals, and general education it becomes a physician to possess, than is afforded by a degree at Oxford or Cambridge?—I hardly think I am capable of answering so large a question.

1387. You consider that some security is desirable, before the candidate is admitted to the fellowship of the College, with regard to those points of manners, and morals, and general education?—Unquestionably, for the advantage of the profession and the public in general.

1388. Do you think a better security could be devised, than is possessed?—I am not prepared to offer any; but I cannot say that there may not be.

1389. Do you consider that the existing connexion has constituted the principal cause of the elevation of the medical profession in England, compared with its position in other countries?—That is my opinion.

1390. Do you consider that as the cause?—I do not say the sole cause; but one of the great causes.

1391. In order to the attainment of such a degree, and of a complete professional education afterwards, considerable time and expense being required, is it not desirable that an inducement should be held out to the medical student to employ the time and incur the expense for such purposes?—Unquestionably; unless some encouragement be given to such degrees by a superior advantage, such education will not be pursued, an account of its expense and the length of time required.

1392. Are you not of opinion that such an inducement is actually held out, in the ordinary conditions under which a fellowship in the College is granted?—I am.

1393. Do you think that a better scheme could be devised for admission to the fellowship, than that these conditions, (that is to say, that of a degree at an English university, and the undergoing a strict medical examination) should be required of the ordinary candidate?—I consider the present plan as a very adequate plan for the security of the College and the encouragement of these medical degrees. If I am asked, whether it may be abated in some degree with security, I have answered that question before, by saying that some abatement of the privilege might be allowed.

1394. What do you mean by the privileges of which you have spoken?—The privileges are these; that a person who has a degree at one of the English universities, on passing his examination, receives his license, and is placed immediately in the order of candidates for the fellowship.

1395. What is the abatement of that privilege which you would recommend?—It appears to me that the privilege might be abated thus far, that the order of candidates might be abolished, and the Oxford and Cambridge graduates, admitted into the order of licentiates, be eligible for a fellowship earlier than other graduates.

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1396. Not admitted immediately into the fellowship?—No, they are not admitted into the fellowship by being admitted into the order of candidates; they undergo an election afterwards.

1397. From what you know of the College, do you conceive there would be any unwillingness on its part to adopt any changes suggested under any recommendations of this Committee, with a view to the advantage of the profession and the public?—I really cannot answer for so large a body.

1398. Do you think they would be predisposed favourably to receive any recommendation from this Committee?—I think they would be disposed to act liberally.

1399. Do you think that the state and constitution of the College is such, as that it would require a legislative enactment, for the sake of the public, to alter that state and constitution of the College?—I am of opinion, not.

1400. Does not the utility of the College to the public consist much more in the sanction they are enabled to give the practitioner of medicine (by which the public have the means of distinguishing those who are qualified) than in any power with which they are invested of compulsory interference with the unqualified practitioner? I think so, unquestionably.

1401. Therefore if they were deprived of the power of examining, and required only to register the testimonials of other examining bodies, would not the effect be to diminish exceedingly their usefulness?—I believe it would take very much from the character of those examinations.

1402. Is not the effect of their power of examining, to improve and check the previous examinations at the universities and schools of medicine?—I do not know how far it may operate as an improvement; but it operates as a great check for the security of this town against the admission of improper persons, who have passed the universities.

1403. If the final examination for a medical licence were to be made before professors and teachers at universities and schools, might there not be a risk of that examination being of too theoretical a nature; and is it not extremely desirable that a further examination should be had before men engaged in active practice; and could such men be better selected than from among the fellows of the College resident in London?—The practical examination is that which alone is useful for the purpose of ascertaining the knowledge of a practitioner, and for the security of the public; perhaps, as a fellow of the College, I ought not to answer the other question so distinctly, as I may feel it.

1404. What in your opinion would be the effect of reducing the three branches of the profession, medicine, pharmacy and surgery, to one faculty?—My opinion is, that it would be the downfall of all three; that it would reduce those which are professions now to a mere trade, and would be very fatal to the character of the whole medical profession, and very injurious to the public.

1405. Supposing one standard of qualification to be required for all classes of practitioners; what do you consider would be the effect?—The effect must be this; there could not be a sufficient supply of medical men for the public; because if there was but one standard of qualification, and it was a high one, few persons would be able to pass that standard; if it was a low standard, it would be useless.

1406. Do you not apprehend, it would reduce the profession to a low level?—Yes, in knowledge to a low level. If a low standard qualified persons to practise, there would not be much encouragement to learn more than was required by that standard.

1407. You were acquainted with the circumstances under which Dr. Pearson wished to be examined by the College, to be admitted to a fellowship?—I was.

1408. Supposing him to have been actually examined by the College, do you think he would have been exposed to any indecorous behaviour by the fellows, either senior or junior?—I am quite persuaded he would not.

1409. Are the privileges of which you have spoken as being allowed to degrees taken in the English universities of Oxford and Cambridge, allowed to degrees taken in the university of Dublin?—They are also allowed to degrees taken in the university of Dublin, on incorporation with the universities of Oxford and Cambridge.

1410. That is, on taking the *ad eundem* degree?—Yes.

1411. Do you see a good reason for that?—The reason for it is this, I apprehend: that having no knowledge ourselves of the College in Ireland, we have taken
the

the testimony of one of our universities of the education of those gentlemen, who are educated on the same plan.

1412. Do you consider it necessary to rely on the testimony of others respecting the proficiency of the students of Dublin, now that the state of education in that university is sufficiently well known?—It is a minute thing, that might be altered; and it is a thing the College would alter probably, if it was represented.

1413. Has not Dublin, for some years past, been one of the most celebrated schools of medicine, and do not a considerable number of English students go there on that very account?—Yes.

1414. Are you aware what are the formalities that are gone through upon the incorporation of a Dublin medical graduate into either of the English universities?—I am not.

1415. Is he required to undergo at the English university an examination as to his medical proficiency?—Whether there is any recent law of the University upon that subject, I really am not certain; I have heard a rumour that there is such a thing; but I do not know it of my own knowledge.

1416. Supposing that there is not such an examination; is not the mere effect of incorporation at an English university, to subject the Dublin graduate who wishes to pass to the College of Physicians, through the medium of the English universities, to the expense of certain fees?—Taking for granted that the education in the university of Dublin is the same with the education in the university of Oxford or Cambridge, and equally good, certainly that is the effect; but we consider ourselves as bound to take that assurance, which we could not have otherwise than through the English universities.

1417. If the object of your subjecting the Dublin graduates to pass through the English universities is to obtain an assurance of their medical proficiency, ought you not first to inquire whether the English universities take any means of assuring themselves of the medical proficiency of the Dublin graduate, at the time of incorporating them by an *ad eundem* degree?—I am not very intimately acquainted with all those circumstances; therefore I may answer wrong, and lead the Committee astray; but this is taken upon the faith of the professors of those universities, who, I imagine, receive some assurance from the university in Dublin of the competency of the person; but I am not acquainted with those details.

1418. If it rests upon the faith of the assurance of the Dublin professors, why should not the College of Physicians directly receive those assurances from the Dublin professors, instead of receiving them through the sieve of the English universities?—I do not see any great objection to that.

1419. The effect then of requiring incorporation in the English universities is to subject the medical graduates of Dublin, of the Protestant religion, to the expense of paying the fees of the English universities; but supposing there are medical graduates of Dublin of the Catholic faith, is not the effect of requiring incorporation at the English universities, to exclude them from admission to the fellowship of the College of Physicians?—The Catholics, under the existing law, must pass into the order of licentiates.

1420. They can pass into the College therefore from the order of licentiates in the usual mode of proposing licentiates?—They have not the advantage of passing into the order of candidates.

1421. Therefore the Catholic medical graduate of the Dublin University is prevented from finding admission into the College of Physicians, through the medium of the English universities?—Yes.

1422. The Dublin medical graduate therefore, if he wishes to find admission to the fellowship of the College, must enter, either under the law which enables the president to propose a licentiate for admission, or under the law which allows a fellow to propose a licentiate to be examined with a view to admission?—Yes.

1423. He is excluded from the order of candidates?—Yes.

1424. Does it depend on the necessity of his taking the *ad eundem* degree in the English universities?—The necessity of incorporation.

1425. You have stated as the ground on which you require from Dublin graduates a certificate of incorporation into an English university, that the majority of your body being English, and consequently not having any knowledge directly of Trinity College, Dublin, you stand in need of some such evidence as that of incorporation to satisfy you of the competency of the parties?—Yes.

1426. Are you aware of the following distinction between Dublin and an English university,

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university, that a close and continuous residence within the walls of a college is generally required in the one, but is not required in the other; and does not that furnish a motive for the College of Physicians in London giving greater credence to the testimony of an English university respecting the habits of its medical graduates, than it might be disposed to give to the testimony of Trinity College, Dublin, respecting the habits of the medical graduates of that college?—Where no residence is required, I cannot understand how the persons in the university can give any character of individuals at all.

1427. How then has an ad eundem degree, taken at Oxford or Cambridge, been considered as a security for residence having taken place in the College of Dublin?—It is an imperfect one.

1428. You look no further than the ad eundem degree at Oxford or Cambridge, conceiving that the authorities there will not grant such degrees but on satisfactory grounds?—I cannot be sure of this statement or this opinion; for I have very seldom served the office of censor of the College, and I dare say many of the fellows can give better testimony on such a subject.

1429. In a former answer, you alluded to a rumour of some new examination at Oxford?—Whether at Oxford or Cambridge I cannot recollect; but I remember to have heard of some floating report that such a thing was adopted.

1430. Are not the graduates of Trinity College, Dublin, actually subjected to an examination at Cambridge?—I cannot speak positively to the point.

1431. Is it not necessary, in order to take a medical degree at the University of Dublin, to attend a course of lectures, which would require about three years' residence there?—I am not acquainted with the forms of the University of Dublin at all.

1432. You have stated that you think the inducement of some advantage ought to be held out to persons who pursue the profession of physician; and that such an inducement is now held out; what inducement is that you speak of?—The inducement to go to the English universities is, the advantage of being admitted into the order of candidates for the fellowship, immediately on passing examination; that is, at the end of 10 years from the first studying in the university.

1433. You think that is such a reward, as to hold out a premium to medical men for obtaining the qualification?—I think so.

1434. Is it the honour of the situation, or what is it attaching to the fellowship that constitutes the premium?—There are no pecuniary advantages; there are no greater emoluments in the one situation than the other; perhaps it might be called a feather.

1435. But is it not considered in the profession a post of honour?—It is considered as a station in the governing body; that is the body out of whom the examiners are chosen.

1436. And as such, is it not an object sought after in the profession?—By some.

1437. Your former answer implies, that it is such an inducement, as leads men to incur the additional expense and spend the time requisite to gain them admission into the College?—I am of that opinion; I refer to the greater expense of education in the English universities, and the longer time required, before any emolument can be derived from that education.

1438. You think that by raising the standard of qualification of a certain number of those who follow the profession, its tendency is to raise the character of the profession generally?—That is my opinion.

1439. If this object is sought after as a mark of honour in the profession, would it not be desirable to hold it out, not only to those who have been educated at the English universities, but also to others educated elsewhere, who are possessed of superior qualifications, either moral or depending on a superior medical education?—It is so held out.

1440. Is it not so held out to a very limited degree?—The degree is not large certainly; but it has a very good effect.

1441. What is that good effect?—The good effect is the encouragement to persons who wish to come into the College, to exercise the utmost honour, the highest character, the utmost integrity, and the greatest benevolence; to deal perfectly fairly and honourably in the whole conduct of their profession.

1442. There are two laws under which licentiates might find admission to the fellowship, the one on the recommendation of a fellow, the other on the recommendation of the president. You are aware that, on the recommendation of a
fellow,

fellow, not a single licentiate has ever been admitted into the College?—I am aware of that; but I am aware that in one instance it was the fault of the licentiate himself; in another instance the individual unfortunately died.

1443. In which case was it the fault of the licentiate himself?—Fault is too strong a term; it was a case in which I myself suggested to the individual that he should be proposed to the comitia majora for examination; I do not know for what reason, but he refused it; I considered it to be a much greater honour for him to come into the fellowship upon the examination, than upon the nomination; but he thought otherwise, and he was afterwards nominated by the president.

1444. This is a case where he was not even proposed for examination?—He refused it.

1445. Do you not think it is a better principle of admission into the College, to be proposed by a fellow, than the president?—I think so, in principle I think so; the College have no reason to find fault with any of the nominations of the president; he has selected, most judiciously and without favour, persons according to their ability.

1446. If any attempt were made to reduce all medical practitioners to one level, could it possibly be carried into effect. Would not the wants of the different classes of society necessarily, and independently of any legislation, create various classes of practitioners, some more highly educated and some less, according to the wants and tastes of those different classes?—It is a very large subject to enter upon, and almost requiring the discussion of a pamphlet. My own opinion is, that the less legislation there is upon such matters the better, because the practice of the medical art is a domestic practice, and will be regulated by the wants and conveniences of the public.

1447. You have stated, that the medical profession is in a higher state in this country than in other countries. In what respect is it so?—What I believe is, that the character of physicians in this country is higher; and the character of surgeons too. They are better received in society; they are more learned and better informed men; and in consequence of those qualifications, fill a station which practitioners abroad do not usually attain.

1448. Is it in respect of their manners and morals you think them superior, or in respect of their knowledge of the profession they practise?—I would answer “yes” to both, as far as I can speak of foreigners; which is only by report.

1449. Must not the character as to manners and morals of the members of the medical profession, be very much influenced by the character as to manners and morals of the society for which they practise?—Some such influence may prevail; but I should apprehend that no well-educated physician, or any physician of character, would ever descend to the morals and manners of the lower order of people.

1450. Will a person be called on to practise for the wealthier classes of the community, unless he possesses the manners and morals usually required to be possessed by those who mix with that class of society?—If the question refers to physicians, I should say “no;” because I consider that that class of society look up to a physician as a superior person, and expect superior manners from him.

1451. Do you not attribute that higher state of manners and morals which you consider as belonging to the physicians of this country, to the manners and morals of society in which they are called to exercise their practice?—Unquestionably; there will be action and reaction there.

1452. You cannot attribute it solely to their having been educated at the English universities?—I attribute the cultivation of the high character of physicians to the encouragement given to a high education, and exacted by the College of Physicians from its institution up to the present time.

1453. Do you think this high standard of manners and morals which it is desirable for physicians to possess, is confined to those physicians who have been educated at the English universities?—Certainly not, because we admit many licentiates into the College as being possessed of them.

1454. Does not a large proportion of the licentiates of the College possess the standard of manners and morals which you think requisite?—Really, as a professional man, I should give no opinion of my brethren.

1455. But as you have given an opinion of those who have passed through the English universities, you are requested to give your opinion of those as a class who have not passed through the English universities?—I have given no opinion of any persons; I have given an opinion of the usefulness of that education.

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1456. Do the physicians who have been educated at the English universities exclusively possess this high standard of manners and morals which you think requisite?—If the question means whether there are any others who possess those, certainly I think there are very well conducted men in all branches of the profession.

1457. Is there a large proportion of the licentiates who possess this requisite standard of manners and morals?—It is not in my power from my acquaintance among that body to answer that question; but I would beg the Committee to recollect that the question is, how far you can abate the privilege of the English degrees, and maintain sufficient encouragement for parents sending their sons to study at those universities, preparatory to their studying physic; it is that species of education which we require for the fellowship.

1458. The education at the English universities you consider as not ensuring any high standard of acquirement in the medical sciences; but as ensuring a high standard of manners and morals?—A high standard of general education and of general information; for that we give the persons, so educated, this privilege; for their medical proficiency, we give them the licence; and we judge of the granting this medical licence, not by the place where they have studied, but by the knowledge they bring forward on examination.

1459. If it is desirable that physicians should have this high standard of manners, morals, general education, and general information, would it not be a more reasonable system to make the possessing that standard the condition of admission into the College, than to confine the admission almost exclusively to those who have been educated at the English universities?—Is the question whether there should not be a general examination for all such persons as to their general knowledge independent of their medical knowledge?

1460. Provided you think that can be ascertained in all cases by examination?—We should have a proof of the degree of education, and an examination also.

1461. Whatever tests are supposed reasonable for ascertaining those points, would it not be better for the College, by applying such tests, to inform itself whether the candidates possessed them or not, than to set up an artificial criterion of their possession of them, namely, their having been educated at the English universities?—There is an examination which they pass different from the rest, they have an examination in the Greek language.

1462. If that is considered as the readiest test, why should not it be put to other persons, wheresoever educated, seeking admission into the order of candidates. Have you any other qualifications which you think might be ascertained by examination?—Supposing there was to be a standard qualification required for examination which all persons should undergo, that must be an examination by professors and so forth, to ascertain the qualifications of the individuals educated. From the universities of Cambridge and Oxford we receive individuals upon the faith of the professors who examine them; and there are regular examinations which students there must have gone through, which are the proofs of their qualifications; we know of those things in those universities, and do not know of the conduct of the other universities; and therefore we give more credit to that which is under our own eye, than to that which we can know only by hearsay.

1463. Is it not a very low standard of classical and mathematical attainment which will enable a person to obtain a degree in arts at an English university?—For the bachelor's degree in arts it has been so, but I understand that that is very much altered in the present day.

1464. Is not that standard, however it may be improved since your time, one which can be easily attained at other universities than those of Oxford or Cambridge?—Such a thing may be possible; but we are not obliged to receive the person who passes by that standard; we do not give any one the right to be admitted; only the right of being a candidate; his admission into our body depends upon our opinion of his character.

1465. In examining him in Greek, do you require that those who have taken a low degree, and not an honour, shall be examined more strictly than those who have taken a higher degree?—I really do not know what the usage of the Censors' Board is, at the present time; it is above 20 years since I have been in it.

1466. Do you mean that the having passed through the English universities does imply that a man possesses high qualifications either in classical literature, or mathematics, or natural philosophy?—I would not say that passing through any university of any kind is a test; but it is a presumption.

1467. A fair

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1467. A fair presumption?—I do not say a fair presumption; I should think in many instances it is a fair presumption.

1468. You mean in the general?—Yes.

1469. The having passed through an English university affords a presumption of such an education, as may be easily attained at some other university?—I do not know, never having been educated at any other than Cambridge.

1470. You do not mean to exclude the University of Dublin when you speak of the English universities?—No; I include that body; the education is of the same kind, as far as we understand; as far as we are certified by the English universities.

1471. That is, that the necessity of an ad eundem degree at Oxford or Cambridge to a graduate from the Dublin University, is more a matter of form than of substance?—That is my private opinion.

1472. Are you aware that, although residence within the walls is not required in order to obtain a degree in arts in Dublin University, for every term that is kept there, the under graduate must pass a distinct examination?—I do not know that fact.

1473. Is there any advantage, in your judgment, in obliging a party who has been examined at the universities before professors, conversant with perhaps only the theory of medicine, being subsequently examined by a board, consisting of men high in practice?—I think unquestionably; an examination is of little use, unless it relates strictly to the practice of physic, and is entered on by practical men.

1474. Does a degree, obtained in either university of England, entitle the graduate to practise in London, or within seven miles thereof?—No.

1475. Every person presenting to the College of Physicians such a degree, is therefore exactly in the same position as the person not presenting such degree, namely, unable to practise except under licence of the college?—Unquestionably.

1476. That is merely as regards his becoming a licentiate?—He is unable to practise physic in London or within seven miles of it, unless he has obtained a college licence by the Act of Henry 8.

1477. Looking at the universities as schools of medicine, in what light do you regard them?—I do not know what their present state is.

1478. In your time what was it?—There was very little instruction, except in anatomy, at that time.

1479. What was that date?—I left Cambridge in the year 1798.

1480. Do you not know that it is the habit of those who go to the English universities with the intention of following the medical profession, to pursue their principal medical studies in other places, after they quit the universities?—Yes.

1481. What schools do you believe they principally frequent at present?—I fancy there are more students in London now, than there used to be; but London has always been a place much frequented by students in every branch of the art, on account of the facility of hospitals.

1482. Has not the medical instruction at Cambridge undergone very considerable improvement in recent years?—I really cannot say anything on that subject.

1483. The Scotch universities are much more important as medical schools than the English, are they not?—There is more medical education in Edinburgh.

1484. Independently of general education, does not Edinburgh possess the means of giving a better medical education than the English universities?—As far as I know of the University of Edinburgh, there are more professors and more lecturers upon all points relating to physic, than there are in the English universities.

1485. Is not there an hospital on a greater scale?—There is an hospital on a large scale; but I am not acquainted with Edinburgh.

1486. Is not that a very essential part of the system of medical tuition?—Unquestionably; but it is to be observed, that an hospital that will hold 100 patients, will afford plenty of instruction to students in the groundwork of physic and surgery.

1487. Is there not some inconsistency in making education at universities which possess small means of teaching medicine, the *sine qua non* for admission to the College of Physicians; and in depriving those who have studied at other universities which have ample means of teaching medicine of the privilege of entering into the said College?—I can only say, what I repeated before, that for the medical education we grant the licence; and for the learned education of the universities, we grant the privilege of being sooner admitted into the fellowship.

1488. Would it not be better to institute an examination of all persons who presented

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presented themselves, wheresoever educated, whether they possessed the requisite qualifications?—I have a great question as to such a plan answering.

1489. If it would answer, would it not be more just?—As an abstract proposition, that answers itself.

1490. Have the College of Physicians good means of examining into a man's morals and manners and into his general education?—The College of Physicians are considered as the body to overlook the physicians of the kingdom; and the censors are the persons who are to take notice of any misconduct; in a large town, like this, it is not very easy that every person practising should have come under the purview of the College; they cannot examine them as to their morals.

1491. So that what you consider a necessary part of a physician's qualifications, is to be ascertained rather by previous character and conduct, than by what might appear in the course of an examination?—It must in some degree.

1492. Do you consider a degree taken at one of the English universities, or at the University of Dublin, a better criterion of a liberal and enlightened general education, not confining your view to a medical education, than any other which occurs to you?—I was speaking of general education.

1493. Are you aware what are the qualifications required in the University of Dublin for a degree in medicine?—I am not.

1494. With regard to any requisite standard for manners, is it found necessary in the army to confine those at the head of the army, in the Commander-in-Chief's office, to persons who have been educated at Oxford or Cambridge?—We have nothing to do with that; the College of Physicians does not interfere with that.

1495. Is it found necessary that the inns of court should restrict the choice of those who are to be called to the bar principally to those who have been educated in the English universities?—I believe not; but I really do not know.

1496. Do you know what are the advantages allowed to English university graduates coming to the bar?—I do not.

1497. Do you know that there is any board appointed by the inns of court, composed almost exclusively of the members of the English universities, to judge of the qualifications of those who are called to the bar?—I do not know that there is any such board; and I do not know that there is not.

1498. Is not the bar a profession in which the highest honour and integrity are required, good morals, and good education?—But the bar is a profession which is before the public; and every one can judge of the individual as he produces himself; the profession of physic is a domestic art, and is practised *coram non judicibus*.

1499. What is the mode of electing into the College of Physicians; through a censor's board, is it not?—To have a censor's board to examine, and to declare to the public who are qualified.

1500. Might there not be a censor's board equally well qualified, even though a greater facility of admission into the College were given to those not educated at an English university?—Very possibly there might; but there are always enough fellows in the College, out of whom to elect this board; so that no one serves in this board two years together.

1501. Who are the parties to be under the supervision of the censor's board; are they not as well the licentiates as the fellows of the College?—Yes.

1502. Is it not probable that the government of such a board would be more palatable to the body to be governed, were it partly composed of persons chosen from one of the two classes that constitute the body to be governed?—The censor's board have no power to act without the consent of the College; their situation is to watch, and examine, and report; they were formerly a court of record, for punishment; but that has been abolished.

1503. In your former answer you supposed there was some authority or power vested in the censor's board, which authority or power you thought of great advantage to the governance of the profession?—I do not apprehend that I said it was a great advantage, or gave any opinion upon that point.

1504. You thought it of advantage there should be a governing board, to supervise the profession, considering that the members of the profession were not before the public, but had to practise in the interior of families?—I meant to show that, of the College generally, the censors are the officers particularly employed.

1505. Then whether you take it as the censors, or the body of the College, who are to supervise the professors, do you not think it essential to the good government of a body, that the party governing shall not form a distinct and separate class

class from the body of men to be governed?—That is a political question which may be applicable to corporations, as far as I know; but I should doubt whether such a measure would be very successful, as applied to the profession of physic.

1506. Would it not contribute to the harmony, which is so desirable between the governing body and the body to be governed?—At present I know of no great discord among the upper classes of the profession; and I know that, in practice, a licentiate and a fellow meet on equal terms, with the greatest harmony and good humour.

1507. You are not aware that there has been a large proportion of licentiates who have petitioned Parliament for an alteration of the bye-laws?—I cannot suppose that in a body of 240 persons some will not be discontented.

1508. The licentiates resident in London are 136; are you aware that two petitions have been presented to Parliament, signed by so large a proportion of that number as 50* and upwards, praying for an alteration?—I remember to have read such a petition in the newspaper, presented, I think, by Lord Durham.

1509. There were two other petitions presented to the House of Commons identical in their prayer; one in this, and one in the last Session; do you not think that so large a proportion signing a petition argues that there is dissatisfaction with the present statutes?—On the part of those 50; I should carry it no further.

1510. Do you not think that many may be kept back from signing a petition from various causes, even though they do not express that dissatisfaction by means of a petition?—I am not aware of any such thing; I cannot answer to that.

1511. Do you think it probable that the discontent extends beyond the number who have actually petitioned?—I can only answer that as an abstract proposition; I cannot answer it from any knowledge.

1512. Will you state your opinion upon it?—The question is, whether it is likely that there are more than 50 who are discontented.

1513. More than those who have actually signed the petition, who are not satisfied with the present bye-laws?—I really can scarcely answer that question. I have no knowledge but from the newspaper even of those 50.

1514. Do you not think it probable that many besides those who have actually signed the petition are not contented with the present state of the bye-laws?—I do not see how I can possibly answer that question.

1515. The question is asked not as matter of fact, but as matter of opinion?—I conclude that where there are 50 discontented out of 136, there may possibly be more; but that is all I can say.

1516. Is there any reason you can assign why if there were 50 the other should not have signed?—None.

1517. Are you aware of any counter petition to that signed by licentiates?—No, I am not.

James Arthur Wilson, Esq. M. D. called in; and Examined.

1518. ARE you a fellow of the College?—I am.

1519. Where did you graduate?—At Oxford.

1520. What honours did you obtain at Oxford?—I obtained the first class in classics, and the first in mathematics.

1521. You were one of Dr. Radcliffe's travelling fellows?—I was.

1522. What were the emoluments attaching to that fellowship?—Three hundred a year certain, with about 10*l.* a year rent for rooms.

1523. For how many years?—Ten years.

1524. What are the conditions of the endowment?—The conditions of the will are merely that the physician should pass five of the ten years during which he holds the appointment "beyond the seas," for his "maintenance and better education."

1525. Do you mean medical education?—General and medical, I conceive.

1526. Have you visited the Continental schools of medicine?—Some of them.

1527. Which have you visited?—Paris, Berlin, and Vienna. I had previously been abroad. I had been in Italy for a year, previous to my appointment to the fellowship.

1528. How long is it since you returned from visiting the Continental schools?—It

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—It must be nearly ten years now, or between ten and eleven, as far as my recollection carries me, since I was in Berlin : I was in Paris for a long period subsequently.

1529. When were you admitted candidate or inceptor candidate at the College of Physicians?—About 10 years ago.

1530. Since that period, have you principally practised in London?—In Paris and in London.

1531. How long have you practised as a physician in London?—Since my return from the Continent ; about six years and a half.

1532. Can you make any comparison between the foreign and English schools of medicine, in respect of medicine only?—It would be a very limited comparison that I could make ; I resided for the greater part of my five years in Paris, as a married person with my family. I had but a slight acquaintance with the details of teaching in the foreign schools of medicine. I knew more some years back than I do now. I can hardly charge my memory with the details of teaching in the foreign schools of medicine.

1533. Did you form an acquaintance with those who practised medicine at Paris or elsewhere?—With some, a professional acquaintance.

1534. What opinion did you form of the manners and education of the physicians in Paris, compared with physicians in this country?—That is a very general and difficult question. I should say that the manners of the physicians whom I met on business in Paris, were very polished and very good ; as much so as the manners of those in other classes of society, whom I met as gentlemen and educated persons. I have in my recollection two or three—Fouquier, Laennec, I would mention particularly—I met them frequently ; I was highly pleased with their manners.

1535. On an average, should you say that the physicians at Paris were men of high moral character?—I have no reason to give any opinion to the contrary. My acquaintance was professional ; I had no intimate acquaintance with any physician in Paris.

1536. Comparing them as a class with physicians in this country, should you say that they were inferior?—I should not say that the Paris physicians were inferior to those in London—those whom I had an opportunity of meeting.

1537. In making the comparison, the best way will be to take those at the two great capitals of the two countries?—That is the comparison I make.

1538. In point of general education, what should you say?—I have scarcely the means of judging ; I should say, that the education of London physicians was, perhaps, more classical and more general, as far as I know : but I should answer with great diffidence ; my acquaintance with the physicians of Paris was almost entirely professional. With the result of their education, with their manners, and behaviour, I had every reason to be perfectly satisfied, as far as my observation went.

1539. In respect of science and natural philosophy, should you say that, generally speaking, they were the superiors or the equals of those in London?—I have scarcely the means of replying with any precision. I should say, as reflecting physicians, as physicians anxious to establish principles, the physicians of Paris were fully equal to those of London ; in their desire to establish principles, and in the pains they take to do so.

1540. The question alluded not to their medical education, but their knowledge of science generally?—I cannot answer that question.

1541. You did not observe any deficiency in that respect?—I did not.

1542. As to their knowledge of the various branches of medicine, what should you say?—That they are very competent ; are very painstaking, both in the theoretical and in the practical part of medicine ; very painstaking, as clinical physicians.

1543. Do not the great hospitals of Paris offer great advantages to the study of clinical medicine?—They do.

1544. Does a foreign physician, residing at Paris, obtain ready access to the hospitals?—Quite so ; I never met with any difficulty.

1545. Would a foreign physician be allowed to visit the hospitals without paying a fee?—I never met with any difficulty of the kind myself ; and I have been told by young English students, of whom I saw many there, that with respect to the hospitals, no fees are required. For attendance on the lectures, I believe, it would be expected.

1546. If they enter themselves regularly as students, it might be expected, perhaps,

perhaps, that there would be a fee; but a foreign physician, residing at Paris, meets with every facility?—Yes, with every facility.

1547. As practical physicians how should you compare them to the English?—That is again a very difficult question. We are all under the influence more or less of prejudices, even in science. Their style is certainly different from ours; I think they attach more importance to little matters, generally speaking, than we do, but I think they are to the full as painstaking and as zealous as ourselves. There was a great change, when I was in Paris, beginning in medicine; a change which will approximate the physicians of the two countries more closely.

1548. As to their knowledge of anatomy, how should you compare them?—I believe them to be good anatomists, generally speaking.

1549. By no means inferior, in that respect, to English physicians?—As physicians, certainly not.

1550. Should you say they are superior to the present race of English physicians in anatomy?—I believe not to the younger division of English physicians, who are paying a great deal more attention to anatomy than was formerly the case.

1551. Are you a teacher in anatomy?—I am.

1552. Where are you a teacher?—In the school situated No. 1, Grosvenor-place, adjoining St. George's-hospital.

1553. How long have you been a teacher there?—This is the fourth year I have taught anatomy.

1554. Do you know any other fellows of the College, who are teachers of anatomy?—No fellows, I think: but there is a candidate, or inceptor-candidate, Dr. Tod; who is teaching anatomy.

1555. Do you know where he is teaching it?—I think at the Aldersgate-street school. On recollection, I beg to state that a fellow of the College, Dr. Kidd, likewise teaches anatomy at Oxford.

1556. Do you think any alterations in the statutes or constitution of the College of Physicians desirable?—Yes, I do.

1557. State the nature of the changes you think desirable?—As I have frequently stated, I should think it desirable to get rid of the class of candidates and inceptor-candidates, as confined to physicians graduating at Oxford and Cambridge exclusively.

1558. Do you mean by that answer, that provided the persons seeking admission were in point of knowledge equally qualified, they should have equal facility to enter the College, wheresoever educated?—Yes, if we could establish an equal qualification of general education, as well as of medical attainments.

1559. What are the alterations you would recommend?—I would wish, in the first instance, to get rid of those two exclusive classes, classes into which physicians, not educated in Oxford or Cambridge, cannot be admitted under the present statutes. I would wish to render all physicians who had been approved by the College as fit to practise under its licence, eligible after a time, and on the same footing, to the fellowship; that sooner or later, all should become equally eligible by ballot to the fellowship. I mean, after a sufficient period of probation, to which principle of probation I should attach great importance.

1560. What is the longer period of probation to which you would subject those not educated at the English universities?—If the period of probation were sufficiently long, say four or five years, and at the end of that time, the physicians still practising under the eye of the College, were approved as persons proper by character and attainments for admission into the fellowship, I, in my own private wish, would not have *any* difference made.

1561. You think it should be made so long as to be a sufficient period of probation for both?—I do.

1562. Did you not propose in the College of Physicians some changes in their constitution, before the question of medical reform was agitated?—I did.

1563. What was the nature of your propositions?—The nature of my first proposition was, for the appointment of a committee, to inquire into the bye-laws relating to the qualifications of candidates and inceptor-candidates: to the best of my recollection, the resolution was worded in that way.

1564. About what time was that proposition made?—The notice to the president that the resolution would be moved, applying for a comitia majora to determine upon the resolution of appointing a committee, was given on the 24th of December 1832, to the best of my recollection.

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1565. Was there any other proposition you brought forward?—The comitia majora were held in pursuance of the notice, at the beginning of January last year; and the resolution for a committee was negatived.

1566. Did you bring forward any other proposition?—I brought forward a proposition on the 1st of April* last year, which I will read: “Dr. J. A. Wilson intends to propose a resolution that it is expedient to reconsider the bye-laws relating to the qualifications of candidates and of inceptor-candidates, with a view to their alteration or repeal,” extending the former motion.

1567. What was the result?—The resolution was negatived.

1568. Was it negatived by a large majority?—Not a very large majority.

1569. Can you state what the numbers were upon the two divisions?—To the best of my recollection, the numbers on the first division were, 19 against the resolution, and 14 for it: it was a large minority. On the second, I think it was 15 minority, and 23 majority; but I am not quite certain. I may be perhaps allowed to say here, that it might be supposed I was divulging what were held “*secreta Collegii*,” but in the view I take of our statute upon that subject, I do not hold that anything that took place on those occasions is secret. It was not reserved as secret†, therefore I do not hold it to be secret. I at the same time should not have spoken upon this subject, had I not been questioned upon it before this Committee.

1570. Were the grounds stated upon which the propositions were rejected?—There was, I believe, one fellow only who opposed the motion formally on the first occasion: on the second occasion, no formal opposition was made.

1571. No reasons given but merely a vote taken?—Just so, to the best of my recollection.

1572. Are those the only two occasions on which you have made a proposition for reforming the College statutes?—No, there was a third occasion, in the first week in November last year; the notice to the president having been given early in or about the middle of October.

1573. What proposition did you then bring forward?—To the same effect as the last; I omitted the terms “with a view to their alteration or repeal.”

1574. What was the fate of the third proposition?—It was passed, almost unanimously.

1575. Has the committee that was appointed made a report?—Yes, it has.

1576. Is the printed paper, headed “*De Sociis*,” the result of their deliberations?—Yes.

1577. Is that the paper you refer to (*it being shown to the witness*)?—It is.

1578. In what manner has the report of that committee been received by the College?—The report was very well received, on the occasion on which it was presented, by the first comitia majora. We had a second meeting as well, a second general meeting, on which no great opposition was offered to it.

1579. Has it been read a first and second time?—It was merely received by the comitia first held, but not taken into consideration; it was laid on the table.

1580. Have the propositions been put to the vote at all?—They have.

1581. On how many occasions?—I believe they passed, in the amended form, entirely upon one occasion.

1582. That was the first reading?—Yes.

1583. In the case of any new statute, it must pass twice; but in the case of repealing any statute, it must pass three times?—Yes, there must be three comitia.

1584. Do you consider the proposed new statute as partly a statute for repealing, and partly for enacting?—Principally for repealing.

1585. That would require three readings?—Yes.

1586. How many readings did this pass?—It passed one reading; the abrogation was decided on by a comitia majora, held for the purpose.

1587. What was its subsequent fate?—It was opposed on the general principle on the subsequent occasion, and it was finally determined, that the abrogation should stand over till the comitia majora ordinaria, held in the present month, and which are announced for Monday next.

1588. Did you bring forward those several propositions, from being of opinion that they were required by the present state of the College and profession, or merely

* Harvey's birth-day.

† “*Secreti nomine dictum.*”

merely to conciliate the licentiates?—I had a wider view than that of conciliating the licentiates; I wished to establish, as far as my view of the College went, a great medical body; which would afford a board of health for the public, and would be generally of use to the entire kingdom. I considered the conciliation of the licentiates as absolutely necessary *in limine*; as the first step, that there should be less exclusion of licentiates than there had been.

1589. From your former answer are the Committee to infer, that you think the College of Physicians as now constructed, is constructed on too narrow a base?—I do, for the present circumstances of the times.

1590. Is it found according to the present constitution of the College, that it is inconveniently numerous at its meetings for the purpose of deliberation?—I think that at present its numbers are just wrong; it is too large, and too small: it is too large for an active executive body, proceeding in sequence from one measure to another, and it is too small again, as not including a large number of physicians, perfectly competent to take part in the business of the College, who are necessarily excluded by the operation of the present bye-laws: too small for popularity and for general influence on the profession.

1591. Supposing that opportunities are given to enlarge it, in the way contemplated by the report of the committee of the College; should you see any difficulty in governing it, by an executive council, chosen somewhat in the same manner as the council of the Royal Society or other learned societies of that kind are chosen?—I think it might be governed by standing committees.

1592. Those committees giving their attention to particular departments?—Yes.

1593. In that way you anticipate no inconvenience from the enlargement of the body?—No; except the inconvenience to which all large, deliberative bodies are subjected, in diversity of opinion. There would be occasionally a little hitch in the progress of business; that would be felt probably as in the other large bodies of men.

1594. Is not the convenience of conciliating large classes of men, by giving them, on the principle of representation, admission into the governing body, generally supposed to be more than an equivalent for the inconvenience attendant on the delays of deliberation?—Yes.

1595. In this case do you anticipate that would be the case?—I believe it to be impossible for us to go on with the large body of licentiates opposed to our principles of government.

Lunæ, 24^o die Martii, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

James Arthur Wilson, Esq. M.D., again called in; and further Examined.

Dr. *Wilson*.—May I be allowed, before I am subjected to further examination, to give a little more specific information upon certain points on which I was questioned the other day. I find that I was appointed to the Radcliffe Fellowship in 1821. I was admitted a candidate in the College of Physicians in 1824. I was asked if any discussion took place upon the 1st of April, the second occasion on which I brought forward my resolution that it was expedient to reconsider the bye-laws. My recollection failed me at the time; I remember that the learned Professor of Chemistry from Oxford, who was at that time in town, made some remarks which, I think, tended very much to the credit of himself and the University of which he is a member: he stated to us that there was a great wish at Oxford that the medical education should be rendered more complete, and that measures were in progress to that effect. I was asked if I would admit all licentiates equally to the fellowship of the College, after a certain time of probation. I am not sure whether that question applied to the College as it now exists, or to the possibility of an extension of the licence. In either case I would say, that I would not admit to the fellowship every licentiate. With no disparagement at all to that branch of the profession, having the highest possible opinion of its usefulness, I would not admit a physician actually practising midwifery, to the fellowship.

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1596. Do you mean that under every circumstance you would exclude him?— I would not have him eligible to the fellowship. I would not withhold from him the licence of the College to practise physic, and to combine the manual part of midwifery with it; but I would not render him eligible, while he was engaged as an operating, practising man-midwife, to the fellowship of the College. I would beg leave also, on the supposition of the licence of the College being extended, to state, that I would not admit a member of the council of the College of Surgeons, of the governing body, to the fellowship of the College of Physicians. Though I am aware that there is a statute now excluding members of the College of Surgeons from practising physic, under our College licence, I should have no objection to allow operating surgeons to practise physic, with a diploma from the College of Physicians; but I would not admit them to the governing body of the College of Physicians, should they belong at the same time to the governing body of the College of Surgeons.

1597. If they merely should have a diploma from the College of Surgeons, you would not oblige them to renounce that college before they were admitted to the fellowship of the College of Physicians?—Certainly not; since we are told, under one of the Acts for extending our privileges, the 32 Henry 8, that the practice of physic includes that of surgery. I would not admit physicians dispensing their own medicines to the fellowship of the College of Physicians; I should not object at all to giving them the college diploma for practice, but I would not admit them to the governing body of the College of Physicians.

1598. Why do you think a physician practising midwifery should be excluded from the fellowship?—It may be a prejudice; but, in the first instance, I should say that the governing body of the College of Physicians, were it to allow of such admissions, would rather lose consequence in public estimation. I would also submit, the possible inconvenience of a physician practising midwifery being elected to the office of censor; and being liable, which might very often happen, to be called away to attend on a labour. If the president was absent, (for it is possible that the physician-accoucheur might become president in time,) and sent an excuse to the comitia majora, that he could not attend, because he was called to attend Mrs. such a one in labour, I believe the effect would not be at all conducive to the dignity of the College; and the censors might be absent in the same way; and the business of the College would thus be liable to constant interruptions. I should have no objection to admitting those gentlemen (having the highest possible respect for them on every account,) as fellows, after they had renounced the busy, manual part of that branch of the profession.

1599. At the meetings of the College, at the comitia majora, do discussions frequently arise?—Latterly.

1600. Do those discussions relate to medical science or to medical politics?—Of late to medical politics.

1601. What is the nature of the discussions that are designated by medical politics?—The discussions of such resolutions as I placed before the Committee the other day; all that relates to the discipline and government of the College.

1602. Do these discussions tend, in any way, to disturb the harmony of the College?—I should say not, assuredly not, the private harmony of the College, as far as I can speak from my own experience.

1603. If discussions of that kind were abstained from altogether, would it tend to preserve that harmony in a greater degree?—At present discussions are forced upon us by circumstances; I do not see how they can be avoided.

1604. Do not discussions of this kind tend, in general, to promote good-will more effectually than if there be an abstinence from all discussions whatever?—I hardly know how to answer that question; I should say that no discussion tended to promote good-will.

1605. If there were no means of expressing opinions which may be adverse to the opinion of the governing body of the College, would being condemned to silence on those points tend to promote harmony in the College?—No.

1606. Is it found that the number who assemble at the comitia majora is inconveniently large for discussion?—Not for conducting the discussions.

1607. Is it too large for a deliberative assembly?—No, in my opinion not.

1608. Are the changes which you think advisable in the present constitution of the College principally embodied in the paper headed “De Sociis,” that has been referred to before; and if not, state what further changes you think would be advisable?—I think the general principle of this paper is good, that of rendering

all physicians practising under the licence of the College eligible in a certain time. As I stated the other day, I should be glad, in my private opinion, to admit all physicians, with the restrictions which I have mentioned to-day, all physicians practising under the College licence; to render them eligible after one and the same certain and sufficient period of probation; which is not the case in this paper. I think the difference of time here is too great between the Oxford and Cambridge physicians and the physicians of other universities.

1609. What do you mean by a period of probation?—A period answering to that which is now passed by the candidates under the name of candidates; I would have them, in fact, candidates. I think the period of probation here, for certain of the licentiate physicians, is too long, and that I have stated in the College. The longest period here is seven years. I believe that in five years, or perhaps in a shorter time, we could judge sufficiently of the medical attainments and general character of a physician practising with our licence under our own eyes; we should have sufficient time to form our opinion of his fitness for the fellowship.

1610. The principal object of the probation being to ascertain the respectability of the party?—In my opinion. Again, I have an objection to the admission of the doctors of Dublin University on more favourable terms than the physicians of other universities, who have been admitted to examination for their licence. Again, I object altogether (and these objections I have stated at length at the college) to the way in which the candidates and licentiate physicians, on completing the period of their probation, are to be selected and elected into the body of the fellows. I would have, with the exception I have already mentioned, every licentiate physician (and I moved a resolution to that effect in the college), after a long and sufficient probation, say five years, or any time that might be considered sufficient, brought forward in rotation, proposed for admission to the fellowship, and balloted for as a matter of course. I would wish, on many accounts, to have the entire body of the physicians in this town really represented in the College; and to avoid all heart-burnings and jealousies, and possible canvassing among friends, for the purposes of election, I would wish, as much as possible, to do away with all analogy between the College of Physicians and the clubs in the neighbourhood of the College.

1611. What clubs do you allude to?—The clubs generally of the town. I should wish to do away with all exclusive distinction of the fellows that was not founded on medical attainments and general character.

1612. Does the statute still exist requiring a person, before he becomes a candidate or fellow, to call upon the president and each of the fellows resident in London and seven miles round it?—It does; before he applies to be examined as candidate or inceptor candidate.

1613. Do not you think that statute bears too much the appearance of private solicitation?—I hardly think that; it is a courtesy.

1614. Is it not unnecessary?—It is unnecessary, and it is almost in practice obsolete. I occasionally receive cards of that kind, but not from all those who apply for examination.

1615. Then it is not considered a marked omission, if the party does not call?—It is not by me: perhaps I may state another reason for my objection to this plan of selection and ballot, that I would wish to avoid by all possible means the chance of attaching stigma by exclusion to any competent physician who was not selected and elected. Under the plan here proposed, it seems to me that a licentiate might be passed over by the College, from mere circumstances of manner, from his not putting himself sufficiently forward; from not meeting with the fellows of the College in the neighbouring clubs, or in general society. I would wish to avoid the possibility of a man of retiring habits (supposing him to be a physician of good attainments and character, and competent to execute the offices of the College) being injured by rejection even for one year, or, as it might be, for a series of years, with no fault on his part. Again, I object to a sentence I find here, which objection I remember to have made in the college: “*Præcipimus sociis ut denunciarent Collegio unumquemque permissum, qui, sive per alium sive per se, aliquo modo ambitus causa ad eos accesserit; qui si hujus delicti convictus fuerit, statuimus et ordinamus eum in societatem nostram intra duos integros annos non eligi posse; similemque pœnam illi irrogamus, toties quoties hoc modo deliquerit.*” I object to this, principally on account of the effect which I think it would have at present with the great body of the licentiates, as attaching more importance to the admission into the fellowship than they are willing to admit. I

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object to it more in expression than on principle. I quite agree with the principle, that no canvassing should be allowed; but I think it would be better that that should be the understood feeling on the part of the College. I have no doubt from the high honourable feeling that prevails in the College, that no canvassing of this kind would be allowed. Again, I object to the statute for the M. D. of Dublin who cannot be incorporated at Oxford or Cambridge: "Cum nonnulli sint Medicinæ Doctores ab Academia Dublinensi profecti, quibus injiciunt scrupulum dogmata Ecclesiæ Anglicanæ, ideoque in Academiâ vel Oxoniensi vel Cantabrigiensi incorporari non possunt, statuimus ut unusquisque eorum (qui fidem dederit comitiis minoribus se nullam aliam ab causam incorporationem suam in iis academiis non petiisse) eligi possit in societatem nostram, postquam fuit duos integros annos in numero permissorum." I object to that on the principle, in the first instance, of interfering in any possible way with the religious opinions of persons applying for the college fellowship. I again object to it, because an additional year of probation would still be imposed by the College upon a doctor of medicine declaring himself thus publicly dissentient from the English church. I have no objection to make to the other alterations in the statutes proposed in this paper. I believe that many more regulations and statutes would be necessary for bringing the College into full activity as a body. I think that the library and museum of the College should be thrown open; that we could not do without larger funds; but I think we should consider well how we can acquire these funds, and make our establishment more useful to ourselves and to the public.

1616. You approve of the principle of there being a body in London to confer medical degrees?—I do, on principle.

1617. Do you mean to make any reservation of your approval?—No, I have hardly considered it sufficiently at present.

1618. Do you think that if that power were vested in any body, it would be well vested in the College of Physicians?—I do in (if I may so express it) a reformed College of Physicians. I think it very desirable that, with the great facilities of education now existing in London, we should be able to confer a degree upon those who have been educated under our own eyes, whose education we knew to be comprehensive, to be not only medical, but comprehending general, scientific and literary attainments; that we should be able to admit them into our fellowship, conferring a degree previously, without obliging such men to leave London to go to other universities for the purpose of acquiring what after all would be a mere *nominis umbra*, as compared with the education.

1619. Would you approve of vesting such a power in the College of Physicians, as at present constituted, and without its undergoing very material alteration?—No, I would not.

1620. You would have the licentiates balloted for on the question that they be admitted into the fellowship, each regularly in his turn, after a probation of five years, without any examination?—Without any further examination.

1621. Did you not state that you were somewhat apprehensive that the rejection of the licentiates under such a system, might be exceedingly injurious to them: how do you propose to remove that difficulty?—I do not think there would be the slightest chance of a licentiate well qualified being rejected by the majority of fellows on a ballot, supposing he were in every other respect qualified, by general character and medical attainments, to be admitted to the College.

1622. You do not propose any mode of removing the evil of rejection in case it might happen?—I do not know whether in law a person so rejected would have his remedy; but I do not contemplate the possibility of it, from what I know of the constitution of the College and the sentiments of physicians generally.

1623. Is the principle of election into a corporate body, subject to no other condition than the vote, that is, the favour, in fact, of that body, a good principle of election to be applied to the College of Physicians?—The College of Physicians I consider a very different corporate body from all other corporate bodies that occur to me at this moment; it is a body of highly educated men. I would not call it a principle of favour; I think it would be a principle of selection and discrimination, as to the attainments and general character of the person placed on the ballot. I think it would be a very good principle in a body of educated men such as the body of physicians are.

1624. Would the ballot be secret?—It would.

1625. Do you contemplate any previous examination before the ballot?—The licentiate would have been examined when he applied for his licence to practise; and

and there is little doubt of the examination being rendered stricter than it hitherto has been. He would have been examined sufficiently as to his medical attainments, and he would have given sufficient testimonials as to his character, or else he would not have been suffered to hold the College licence.

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1626. As that examination might take place at a considerable distance of time in advance of the period at which he would be balloted for, might not an individual who underwent rather an imperfect examination in the first instance, have acquired additional knowledge, either by study or by practice, which might entitle him to higher consideration than he could attain, if he relied only upon the first examination?—I would not submit him to another examination. During the three, four or five years of probation he would have been acquiring the best of all knowledge for a physician, practical knowledge in his profession; and he would have been associating with mankind generally, and would be more competent to be admitted to offices of trust in the College.

1627. According to the system you suggest, is there not this difficulty, that the persons who would have to vote, would have no means of knowing accurately the precise state of attainment of the individual, at the time that they were going to decide the question, whether they would admit him or not?—They could have no precise information as to his attainments in particular departments of medicine; but they would have a record of his examination at the time he was admitted as a licentiate of the College; and they would have his five years of general, medical, and moral conduct before them.

1628. And you think that would be sufficient?—I do.

1629. Do you object to the statute for the M. D. of Dublin, that it is too wide, or that it is too narrow?—That it is too narrow as compared with that relating to the Dublin physician incorporated at Oxford and Cambridge, and applying for his licence under such act of incorporation.

1630. You have stated that a gentleman practising midwifery, if he were elected censor, or president, or to any other office in the College, would be liable to be called away from his duties at the College, to attend a labour: is not the president, or censor, or any other officer in the College, now liable to be called away for any common illness?—Certainly.

1631. Then your objection to the admission of men-midwives is, not in consequence of their being liable to be called away at a moment's notice, but because of their being called away for what you consider an inferior branch of the art?—I would rather object to their admissibility as censor and president, from the increased frequency of such liability to be called away. A president of the College of Physicians practising midwifery, would in all probability be very much employed in that department; and he would be liable to interruptions every day in the year; perhaps to many interruptions in the same day.

1632. You think then that a gentleman practising that branch of the art, is more liable to be called away at a moment's notice than another physician?—Very much more; he could not defer an hour; which in many other cases of illness a physician might do.

1633. Your plan was understood to imply a deliberative assembly of the whole body of the College, much larger than at present; whilst the executive is to be entrusted to a standing committee?—Under the present charter, the executive must be entrusted to the officers as they stand, to the president and four censors.

1634. You referred to an occasional hitch that might take place in the working of that plan. What did you particularly anticipate?—I did not anticipate a hitch on any particular business. Difficulties, I suppose, would occasionally arise, as they do now; but I think the College would gain this advantage, that it would have more influence out of doors.

1635. Do you not consider the College to be an institution for the purpose of regulating the practice of physic for the sake of the public, rather than of conferring honours on all who might be deemed able practitioners?—I should say that both objects might be answered by the College of Physicians; both objects are desirable.

1636. It appears that the Edinburgh graduate has at present an advantage over the English student, in being admitted to a lucrative practice of the profession at the end of four years?—I believe so.

1637. How long a period must elapse from the matriculation of a student at Oxford or Cambridge, before he is allowed to practise the profession?—He cannot practise the profession at Oxford, till he has become a bachelor of medicine.

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I observe that I was admitted bachelor of medicine in the year 1819, and that to the best of my recollection was in seven years after my matriculation.

1638. Is that the shortest period in which a degree of bachelor of medicine can be obtained?—Yes, on passing through arts.

1639. Would there be any objection to a physician, practising midwifery, becoming a fellow, although he were not eligible to the offices of the College?—I am very unwilling to give an answer to that question: I should have not myself any less respect for him, but I am afraid that, with the public generally, the body of fellows would not be raised in their estimation, should they consist of practising midwives as well as physicians in the common sense of the word.

John Elliotson, Esq. M.D., called in; and Examined.

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1640. YOU are Physician to St. Thomas's Hospital, and Professor of the Practice of Medicine to the London University?—I am.

1641. Are you also President of the Medico Chirurgical Society?—I am.

1642. Where did you graduate?—At Cambridge.

1643. Did you previously graduate at any other university?—At Edinburgh.

1644. Did you become a licentiate in London before you graduated at Cambridge?—Yes.

1645. You went through the usual period of medical study in the first instance at Edinburgh?—Yes, three years; and I was some years in London also, at St. Thomas's and Guy's Hospitals.

1646. Did you study the arts at Edinburgh?—Not in the university; I made a point of devoting three or four hours a day to studies not medical; but not in the university, except that I attended Professor Playfair's lectures on natural philosophy.

1647. But before you graduated at Edinburgh, had you a competent knowledge of classical learning and natural philosophy?—As much as the ordinary run of well-educated persons, I believe.

1648. Will you state what your reasons were, after you became licentiate of the College, and were at liberty to practise medicine freely in London, for proceeding to Cambridge, in order to find admission as a fellow to the College of Physicians?—I had two reasons. In the first place, I wished to reside in an English university; and, in the next place, I wished to become a fellow of the College; a fellow being considered a higher sort of person than a licentiate.

1649. Are there not rules and regulations belonging to some of the London hospitals, which render it necessary that those who wish to be appointed physicians to those hospitals, should become fellows of the College?—I have heard of this within these few days; but I was not aware of it before.

1650. Was that the motive which induced you, or was it the superior consideration which, you thought, attached to a physician who was a fellow of the College?—I imagined that fellows were, upon the whole, thought more of than licentiates.

1651. How long did you reside at Cambridge?—Three years.

1652. Being rather more advanced than those who usually go there, and being already a licentiate to practise in London, was any course of study required of you while you were at Cambridge?—I was left to study as I pleased. I associated with the tutor of the college and the fellows, and I studied in my own way; I was a fellow-commoner there, and necessarily associated with the fellows.

1653. It was not required of you that you should attend the college lectures in classics or in mathematics?—It was not required, because I had read the books used in college over and over again.

1654. Was it required of you that you should attend any lectures upon the medical sciences?—Certainly not, for there were none given, excepting some popular lectures by Sir Busick Harwood on physiology, in which he used to show the process of incubation by having one and twenty eggs of different ages, so as to see them crack; and the most pleasing and popular physiological points he thus illustrated. Like most of the fellow-commoners of my college, I was well acquainted with Sir Busick Harwood; and for this reason only I attended his lectures.

1655. The attending his lectures was not compulsory for your obtaining a medical degree?—Not at all; it was quite voluntary.

1656. Will you state what medical studies were then required of you in order to obtain a medical degree at Cambridge?—None at all; I attended voluntarily the lectures of Professor Smyth, upon modern history; of Professor Edward Daniel Clarke, on mineralogy, and some others.

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1657. In short you took the opportunity of improving yourself in various branches of study?—Yes, and I read pretty hard; I used to read about eight hours a day.

1658. You first took a bachelor's degree; in what time did you obtain a bachelor's degree?—In the sixth year.

1659. You did not take it till about three years after you had resided?—No, two years, and something more, after my residence was completed.

1660. On what occasion were you examined by the medical professor?—When I was going to take my bachelor's degree. I read a thesis which I had composed in Latin. I read it aloud to him in public, and he brought two or three objections against it in Latin, syllogistically, which I answered in the same language and manner, and then, I think, he read a paper, and I had to oppose or defend it, I forget which.

1661. Was the examination, after reading your thesis, severe?—There was no examination at all, so far as I recollect; he brought objections to my paper in a syllogistic form, and I replied syllogistically in Latin, and then we changed sides; he read his paper, and I believe I opposed it.

1662. Was the examination you underwent any sort of test of your proficiency in medical studies?—I do not know; I suppose very slight medical knowledge would have been sufficient to answer the arguments adduced against me. I believe the case is altered now. I believe that the present professor, Dr. Haviland, has improved the thing exceedingly, and that there is a most respectable examination; such questions as it would be a credit to any man to answer.

1663. But the former course of examination had continued from a very distant period down to the period when you were examined?—So I understood. But it is very different now. I believe that the examination is now in the highest degree respectable.

1664. Did you also obtain a licentia ad practicandum at Cambridge?—No, I did not apply for it.

1665. After taking your degree at Cambridge, and then applying to be admitted into the order of candidates of the College of Physicians, were you required to undergo another examination?—Just the same as if I had never been to the college before. The only difference was, that in the first examinations they put Celsus and Sydenham before me to construe; in the examinations for the candidateship, they put Hippocrates and Aretæus.

1666. How long did your first examination for the licentiateship last?—The examination usually lasts about 20 minutes, I think; sometimes longer. If a man answers very slowly, it may last a long time.

1667. Was each of the three examinations of the College equally severe?—I think they were about equally so.

1668. Do you consider it a strict examination?—It is not a very extensive or profound examination; but if a man is very ignorant, he cannot pass even that; and it is very soon discovered what he is, by the questions that are asked. It is not an extensive or a severe examination.

1669. Are many of the subjects on which it is generally considered requisite that a medical man should be informed, omitted altogether from the examination?—Yes, there is no great examination, nothing worth the name of examination, in chemistry or botany.

1670. What is the nature of the examination in pharmacy?—You are questioned respecting the preparations of the Pharmacopœia; how much of the active ingredient such a powder or tincture contains; what is its composition; and if it is a chemical preparation, what chemical changes occur in forming it.

1671. Is it such an examination as a person of moderate talents and application would be able to pass?—Yes, if a person is master of himself, not nervous; but a nervous person may not be able to answer a question. I have known a man not able to say whether he was of Oxford or Cambridge. But if a person is not nervous, it would be very discreditable not to pass it.

1672. At the time you passed your second examination, in order to become candidate, were you assistant physician to St. Thomas's Hospital?—Yes.

1673. Will you state the amount of the stamp duties you were required to pay upon obtaining the different instruments from the College for becoming a licentiate, and a candidate, and a fellow?—I do not know what I paid in any instance. I think that you cannot become a fellow without paying about 90 *l.* altogether.

1674. What were the leading motives which induced you, being already a licentiate, to wish to become a fellow?—Every body said that it was a better thing

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to be a fellow than to be a licentiate. That the fellows altogether thought more of themselves than the licentiates, and that it was much pleasanter to be upon a par with them.

1675. Did you find, after becoming a fellow, that it was attended with any increased personal advantage, or that it increased your employment in your profession?—No, I do not think it contributes to the increased employment of a man. I think that any advantages that may arise from it out of the College, depend upon the person himself, just as the circumstance of being a physician to an hospital may be of no advantage whatever; but men may make it of the greatest advantage if they choose to work hard. An hospital may be the means of bringing them before the public; and so with respect to a fellowship, it is possible that it may be made something of. If a person distinguishes himself, and is also a fellow into the bargain, I think he is thought more of by the profession.

1676. Whenever the College has been consulted by the Government, and committees have been formed by the College to investigate the subject referred to them, has it not been their practice to compose the committee or board of the fellows of the College, almost to the entire exclusion of the licentiates?—I do not know. I never was nominated upon a board. I do not know that any but fellows are put upon them: that has been my impression.

1677. Would not the being placed upon such a board bring a physician rather into notice, and tend to promote his advantage in practice?—Certainly; it brings him before the public, and it gives him occupation: that is one of the advantages of being a fellow; and there is another slight advantage, that a person, by being a fellow, is almost sure to receive back all the money that he has spent for his admission into the College: because, for example, he becomes a censor; and a censor a second time; and, if the president thinks well of him, he gives lectures. Now I, myself, have received 74 *l.* from the College for lectures, and that went very far towards the 90 *l.*, which was about the sum, I believe, I spent for my admission.

1678. What is the salary of a censor?—When I was censor I received 40 *l.*; and I was told at the time, that the two senior censors, in consideration of receiving 100 *l.* from the Vaccine Board, had given up their salary; so that the junior censors might receive 40 *l.* instead of 20 *l.*

1679. Do you think that salary more than repays the duties attached to the office?—No. It is no repayment at all. I had to examine 21 people in the year, three times each, except two, and to go round to the apothecaries' and druggists' shops for three days. I do not think the sum equal to the trouble.

1680. But taking those various small pieces of patronage into account, is there not some advantage attending belonging to the College, rather than being a licentiate?—Yes; and then after a certain number of years, you become a senior censor, and perhaps give lectures again in the College.

1681. Have you seen the petition, signed by upwards of 70 licentiates of the College, that was presented to the Legislature?—I read it in print.

1682. Are the grievances therein complained of a just cause of complaint?—Yes, I think the licentiates have reason to complain.

1683. Are the grievances such as it would be expedient to redress?—Certainly.

1684. What are the leading grievances of which the licentiates have to complain?—They think they have received as good a medical education as the fellows, and, many of them, as good a general education: and they fancy that the mere circumstance of having been educated in Scotland or abroad, should not prevent them from having the same consideration as those who have been educated at Oxford or Cambridge.

1685. You, having witnessed the medical education both at Edinburgh and at Cambridge, and having resided for three years at Cambridge, will you state whether you think the medical education at Edinburgh is inferior or superior to that at Cambridge?—There was no medical education at Cambridge in my day, at all.

1686. With regard to the moral habits of the students at Edinburgh and at Cambridge, do you think that there is any inferiority on the part of the Edinburgh students?—Not the least.

1687. As to any other qualification arising from superior knowledge of classical literature, mathematics, or natural philosophy, are the Cambridge graduates superior to those who generally take medical degrees at Edinburgh University?—I should say generally they were; of course among those who have been educated at Edinburgh

burgh there are some more distinguished than some among the number of those who have graduated at Oxford and Cambridge.

1688. Does not Edinburgh possess great facilities for teaching natural philosophy and the sciences?—Very great.

1689. And also for teaching classical literature?—Yes. In my day there was Dalziel, professor of Greek, and Leslie, professor of mathematics; Playfair, professor of natural philosophy, and Dugald Stewart, professor of mental philosophy and political economy; all among the first men of the age.

1690. So that if the University of Edinburgh were to require that a medical student, on entering upon his medical studies, should previously undergo an examination as to his proficiency in classical learning and the sciences, you consider that the education at Edinburgh, taking together the preliminary education and the strictly medical studies, would be in no way inferior to the education at Cambridge?—Certainly not.

1691. Even since the improved system of medical study that has taken place at Cambridge?—Yes. I do not know exactly what improved system has taken place at Cambridge, but I am sure it cannot be equal to that of Edinburgh, where there are courses of six months duration given, and great clinical instruction, both medical and surgical; I should think Cambridge cannot be compared with Edinburgh in this respect.

1692. If the students who take the degree of Doctor of Medicine at Edinburgh had been previously subjected to an examination in classics and in the sciences, would they be so far upon a par with the graduates of Cambridge, that it would be highly unjust to subject them to any greater difficulty in finding admission into the fellowship of the College of Physicians than the graduates of Cambridge?—Provided the examination was such as to secure a very considerable degree of knowledge in those subjects,—such as would ensure previous study. Because it can make no difference where a man obtains his information, provided he has it.

1693. Provided the examination were such as to ensure that they really had studied those subjects, you think it would be very unjust to place them in an inferior situation to the graduates of Oxford and Cambridge?—To make a difference, simply on account of the difference of the latitude of the places of study, I think would be most barbarous, not to say unjust.

1694. Do you approve of the present bye-laws of the College of Physicians, which regulate the admission into the fellowship?—No. I think it would be well to revise them.

1695. What alterations do you think they principally require?—I think that any graduate who can pass such an examination as a fellow ought to undergo, should become a fellow, provided we are satisfied that he is as respectable a man as any other.

1696. You think there should be a certain standard of qualification as to general, and as to medical knowledge; and that provided he possess those, and is also of a good moral character, no distinction ought to be made wheresoever he may happen to have been educated?—Certainly: no distinction.

1697. Do the alterations which you think the bye-laws require, principally relate to the admission into the College; or do the statutes which regulate the internal system of government in the College, also require alteration?—I think the whole requires alteration. There are, however, some things in the internal regulation of the College, which require alteration, but which cannot be altered without a new charter. It is no fault of the statutes of the College at all, that such things exist.

1698. Do you think the principle of self-election which prevails in the office of the elects, and in the choice of the president from among those elects, is a part of the constitution which requires revision?—It appears to me to be barbarous,—not at all calculated for the present age.

1699. Have you taken any part in the discussions in the College, respecting the improving of those bye-laws?—A little. I was not present when Dr. Wilson made his first motion for a committee to inquire into the propriety of altering the bye-laws. But the second time he proposed it, I was present, and I voted on the side of Dr. Wilson, in the minority of 14, for a committee: and, not long ago, I received a note from Dr. Wilson saying that he was going to make the same motion again, and asking me if I had any objection to second it: I wrote word that I would second it with pleasure, and accordingly I attended and seconded it; but, before that, I had never taken any share in the discussions.

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1700. Have you been present at any of the discussions which took place at the comitia majora of the College?—Yes. I attended the committee at first. I did not attend the latter meetings, because I was continually engaged, and because I did not think that what the committee was proposing would answer.

1701. To what do the discussions principally relate that take place at the College? to the discipline of the College and of the profession? or to points of medical science?—To discipline and the regulation of the profession. They are principally business meetings, not scientific meetings. There sometimes may be a scientific matter considered, as when any application has been made by the Government for information upon any point; but such things are usually referred to committees. The meetings of committees may be scientific of course, when they have to answer questions of health, proposed to them by Government; but I never heard any scientific discussion in the College, or was on a scientific committee.

1702. Are the affairs of the College conducted in a manner that you approve of?—Sometimes they are, and sometimes they are not. As things are put to the vote, and there are generally votes on each side, of course there must be difference of opinion.

1703. Are they conducted in a way that you think is beneficial to the profession and to the public?—I think a great deal more good might be done for the profession and the public too. That again is a matter of opinion.

1704. What do you conceive to be the reason why, under the seven years' by-law, no licentiate has, from the time of its passing to the present time, ever been admitted?—I should think it is enough to frighten most men, to stand the chance of being examined by a whole College; not by a few individuals, but by an assembly. A licentiate would have to submit to examination from every fellow in the room before the whole body, and he would stand the chance of being examined by men who were much his juniors, perhaps who had been his pupils; it is too terrific, I think.

1705. Does not a physician, after being in practice for many years, forget many of those subjects, which a student, at the time of his quitting the university, is required to know?—No doubt of it.

1706. That he retains the substance, but casts away the scaffolding?—No doubt of it. Young men are often accurately acquainted with anatomy when they begin practice, and, after a few years, are no longer minute anatomists; and if they become operators, they are obliged to dissect frequently. I know many surgeons, who dissect a body every year.

1707. Were you personally acquainted with Dr. Wells?—I do not know that I ever spoke to him. I used to meet him at Sir Joseph Banks's, on Sunday evenings.

1708. Have you sufficient knowledge of his writings and character generally, to have formed an opinion, in what estimation he was and deserved to be held?—Yes. I have read all his writings: most of them more than once.

1709. What opinion have you formed of his professional character?—I consider him one of the best physicians that we have had of late years. I do not know how he was at the bedside, in point of practice; but as to a full knowledge of his profession, I am satisfied that no one in modern times in this country has been superior to him.

1710. What opinion have you formed of him as a natural philosopher?—The very highest.

1711. At the time that he applied for admission into the College of Physicians, besides being a fellow of the Royal Society, and physician to St. Thomas's Hospital, had he not written a paper of some celebrity, upon the subject of double vision, in the Philosophical Transactions?—It was in the Philosophical Transactions, printed in 1792; and Sir Charles Bell has followed in the same track lately; but Dr. Wells had investigated the subject with great acuteness before.

1712. Was not Dr. Wells a person, who, if admitted into the College of Physicians or into any other body, would have done honour to it?—Certainly; I presume it must have been considered so by the Royal Society. He was constantly with the president.

1713. Are there many licentiates now on the list who would do honour to any medical college into which they were admitted?—Certainly.

1714. Of the licentiates admitted into the College since you have been fellow, have all been admitted on the recommendation of the president?—I never heard of

of one recommended by a fellow in my time, excepting Dr. Pearson, who I believe was upwards of 80, and died before he was admitted.

1715. Is the mode of admission, on the recommendation of the president, an expedient mode of introducing licentiates into the College?—I think not.

1716. What objections are there to it?—In the first place, it must subject the president, I should think, to some embarrassment. He might be anxious to do his duty, and perhaps be very much beset by different interests; and, in the next place, I think it much better that a number of men should have the power of selecting than one. One may not be alive to all the merits of individuals, and may have his prepossessions.

1717. Is it calculated to make the licentiates somewhat more subservient to the president than it is desirable they should be?—I do not know that this is the fact: but judging from human nature, not calling them licentiates, but men, I should fancy so.

1718. In case of the presentation of a petition to the Legislature, complaining of the conduct of the College of Physicians, judging of the motives that usually operate upon human nature, do you think such a bye-law likely to deter men from signing such a petition?—Not considering the individuals as physicians, or attached to our College at all, but speaking of them simply as men, I suppose that must be the tendency; unless they thought the College was not likely to continue long without some alteration. Then many might take courage.

1719. Are you aware of any instance of any one being deterred by that consideration?—No; I am merely speaking in the abstract.

1720. Does it subject the president to the imputation, whether deservedly or not, of recommending, or withholding his recommendation, capriciously?—I think it tends to subject him to that, even quite undeservedly.

1721. Do you think the president does deserve the imputation in any instances that have occurred?—No; I speak quite in the abstract.

1722. Was any licentiate recommended by the president last year?—I believe not.

1723. Has any licentiate been recommended for admission into the College this year?—I understand that Dr. Wilson Philip has been recommended to either the comitia, majora or minora.

1724. Can you see any reason why Dr. Wilson Philip did not deserve to be recommended to the College as well last year as he does this year?—I know of none.

1725. As a physiologist, was he not as well known to the medical world last year as he is this year?—I should think perfectly as well.

1726. Has he suffered any hardship by having his recommendation deferred for a year?—No; I do not know whether it is any great hardship not to be a fellow for a year or two.

1727. Is not this one of the cases that subjects the president to the imputation of a capricious exercise of his power?—I think it may; I do not know that it has done so, but I am speaking of the general tendency of the thing.

1728. Does not the bye-law require that he should be a licentiate for 10 years?—I believe so.

1729. Do you know how long Dr. Wilson Philip has been a licentiate?—Above 12 years.

1730. Was any reason assigned why no licentiate was recommended by the president last year?—The president did not think he could do it conscientiously, I presume, or he would have done it. Dr. Wilson Philip has published something very lately; I have not seen it, but I have been told it is only a recapitulation of what he had published before.

1731. Was it the custom of former presidents, since that bye-law has been enacted, to recommend a licentiate annually?—I think it is only since the presidency of Sir Henry Hallford that the president has had the power of recommending a licentiate every year; formerly it was only once in two years. I consider that the College has made advances in the course of years, and that this is one instance of improvement.

1732. Are you aware that the bye-law which declared that the president might recommend a licentiate, *alternis annis*, was altered to *quotannis*, on the 2d March 1827?—It was altered a few years ago.

1733. Was the power exercised to its full extent under the former presidents?—I do not think it had been exercised for some years.

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1734. It appears that in 1823, 1824, 1825 and 1826, the power was exercised every alternate year?—That is since Sir Henry Hallford became president; but before his presidency, I think it was scarcely ever done. Before his time there had not one been elected, on the president's nomination, for 15 years.

1735. Did you at any time give lectures on any branch of medicine at St. Thomas's, or at any private school?—Yes, I gave a course of lectures on forensic medicine, at Mr. Grainger's, and a course on materia medica and therapeutics; and then I became full physician at St. Thomas's; and a few years afterwards began lecturing there on the practice of medicine and on clinical medicine.

1736. Were there any particular reasons that induced you to discontinue your lectures at Mr. Grainger's school?—Yes. When I was elected assistant physician to St. Thomas's Hospital, there were no medical lectures delivered there—only surgical lectures and anatomical. Those lectures were given by one surgeon of St. Thomas's, Mr. Cline, and his son; and by one surgeon of Guy's, Sir Astley Cooper: so that the surgical school of the two hospitals was one. There was a medical school at Guy's Hospital, but the medical school was not in common to the two hospitals, as the surgical school at St. Thomas's was. No physician of St. Thomas's was allowed to lecture in Guy's Hospital; and no physician, singularly enough, was allowed to lecture in St. Thomas's, lest he should interfere with the school at Guy's: and this exclusion was carried so far, that, I believe, when Dr. Wells once applied for permission to give clinical lectures in St. Thomas's, he was not allowed.

1737. What particular reasons induced you to discontinue giving lectures at Mr. Grainger's?—I had been five years assistant at St. Thomas's Hospital without emolument, direct or indirect, and of course they could not disturb me, as I had done my duty. But there was a vacancy in the full physicianship, and to that the assistant physician is always elected. But still he is subject to an election, and as certain persons were very much displeased at my having lectured in opposition to Guy's Hospital, they raised a great hubbub, and prevailed upon a number of the members of the committee, one day present, to tell me that I should not have their support; in fact, that I should have very little chance of being appointed physician, if I continued lecturing out of doors. Our treasurer told me that the school was of the *united* hospitals,—although, in truth, there was no medical school at all at St. Thomas's. And so I gave up lecturing at Mr. Grainger's.

1738. Then, at the time you were lecturing at Mr. Grainger's, no lectures on medicine were given at St. Thomas's?—None.

1739. When did you first begin to give clinical lectures?—Some time afterwards. I had consented to discontinue my lectures at Mr. Grainger's, and I had no sooner done this, than many governors who had heard of the proceedings, were very indignant, when they met. I had been compelled to give even a written promise to members of the committee that I would not lecture out of doors: and this was torn to pieces at the general court of the governors, and the treasurer was desired to tell me, that my obligation was annulled—that I was free to lecture in any place I chose—that I was free as air—those were his words. I was elected full physician, and soon afterwards there were some disputes between the treasurers of the two hospitals, which ended in the establishment of a medical school at St. Thomas's, and then of course I was allowed to lecture in the hospital, and I gave clinical lectures, as well as a course on the principles and practice of medicine.

1740. Before that time were any clinical lectures given in London?—I believe so: at least I have read of Dr. Billings giving some at the London Hospital: but I do not know.

1741. Were you on the Education committee of the College of Physicians? - No.

1742. When the Education committee presented its report, recommending a curriculum of medical study to which all licentiates should be required to conform, were any reasons given for omitting a course of clinical lectures in that curriculum?—I was not at the College upon that occasion, and I do not know anything about it.

1743. Were you a candidate for the Chair of Medicine in the King's College?—I was.

1744. Did you succeed in your application?—No; I sent in an application, but I have never heard anything respecting it to this day. I have had no answer yet.

1745. What opinion do you entertain of the expediency of allowing any particular

cular school of medicine in the metropolis to have the power of conferring medical degrees?—I should think it very objectionable to give to any one particular school a monopoly.

1746. Either to the King's College, or to the London University?—Certainly.

1747. Do you think that this power should be vested in the College of Physicians?—Certainly not.

1748. Do you confine that answer to the College of Physicians, as it now exists; or would you entrust to it that power, if it were reformed?—Under no circumstances should I think it advisable.

1749. Will you state why no such power should be entrusted, first to any particular school of medicine in London; nor secondly, to the College of Physicians?—I do not think any one medical school has a right to have advantages secured to it above another: But that is not an objection to any university, either King's College or the London University, granting certain degrees; because a person who takes a degree in medicine, ought in my opinion previously to take a degree in arts; and the want of this rule is a great objection, I conceive, to some of the Scotch degrees. Perhaps it must be in such a place as King's College or the London University, that a previous degree must be taken; and therefore I hope that one or both of those will have the power of granting degrees in arts: but when it comes to the medical degree, very likely a board composed of examiners from different schools might be advisable. I would not do anything that could give an undue advantage to the London University or to King's College, any more than to any hospital.

1750. You think it would be expedient that there should be a general board in London, having the power to confer medical degrees; but you do not think that board should be composed exclusively of persons attached to any particular school of medicine?—No: and I think that those who go before a board, ought not to have been necessarily educated at a particular institution, but whether a man comes from St. Thomas's Hospital, or from St. Bartholomew's, or from King's College, or anywhere else, for his examination, if he can pass it, he ought to have his medical degree, provided he have taken his degree in arts.

1751. Why do you think the power of conferring medical degrees should not be vested in the College of Physicians?—I think the College of Physicians, while it exists, ought to be above all bodies that grant degrees; that it ought to be able to stop any one that has passed any other place, without deserving it. At all universities, there are men who get through and obtain degrees, without deserving them: This will happen, and the use of the College of Physicians is to check the universities,—to examine men a second time, and to make their qualifications certain. I believe that in many countries, the students first of all take their degrees in the respective universities, but, before they practise, are obliged to present themselves to a supreme body, for a second examination: and that, I conceive, is the purpose of the College of Physicians.

1752. Suppose a degree given at the College did not necessarily imply a licence to practise?—Then the College would be acting in two capacities, giving degrees like the universities, and re-examining men who had already obtained degrees in universities. But I think the use of the College of Physicians is to give a licence to practise, the man having previously obtained a degree somewhere else.

1753. May not a good medical education be had in London?—Certainly.

1754. Is it not an inconvenience, that a medical student should be compelled to go to a distant university, merely to comply with the form of obtaining a degree?—So much so, that I hope London will have the power of granting degrees, to save them that journey.

1755. If the College of Physicians had the power of granting, as well medical degrees as licences to practise, might it not be subject to the imputation, in granting licences, of favouring its own graduates?—There would be that objection, and I think it ought to examine none but graduates from other places.

1756. Are you decidedly of opinion, that the College of Physicians, before giving a licence to practise, should subject those who come before it, to examination?—I think so, because, when I was censor, I saw men of different universities, who had satisfied the professors of those universities, pass in very different ways; and some not at all.

1757. What means should the College take to satisfy itself, that those who come before it, have received not only a good medical education, but also that preliminary education, which you have stated you think desirable?—It must have

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a knowledge of all that is going on in the universities from which men come; and, in some cases, it may be contented with knowing, that in universities from which a man comes, there are excellent regulations and strict discipline; and in other cases, where a man comes from an university which they have not reason to think so highly of, they might subject him to a scientific and literary examination; they might have the option of doing it always.

1758. Does not this difficulty now attend any university, in endeavouring to enforce by examination a superior course, either of preliminary, or of strictly medical study; that there are other universities that will confer degrees upon students less qualified, and therefore at a cheaper rate?—Certainly. At this moment, I believe, that England is becoming inundated with degrees from Heidelberg; which, I am told, may be procured by a friend, who is travelling that way; as they might formerly be obtained from certain universities in Scotland.

1759. Ought the licence of the College to be merely a title of honour, and certificate to the world that the party licensed has really received a competent medical education; or ought it to convey to its possessors an exclusive title to practise as physicians within the precinct of London; which title those who practise within that precinct should be required to possess; and which all that do not possess should be excluded from so practising?—I think there should be a licence from the College of Physicians, or from some supreme body. I think there ought to be a body or bodies to license all practitioners.

1760. That none should be allowed to practise within the precinct of London as physicians but those who possess a certificate from the body appointed to grant certificates?—I think so, because persons will employ the most ignorant. A man who is very ignorant may obtain a large practice.

1761. Has it been found practicable to exclude irregular practitioners from practising?—It is not done.

1762. Considering the number of qualifications which entitle persons to practise physic, either as surgeons, apothecaries, or even druggists, where is the utility of excluding from medical practice those physicians who have not received a licence from the College?—Certainly it is infinitely more injurious to exclude a physician who has not a licence, if ignorant persons are allowed to practise.

1763. If he is refused a licence from the College, may he not practise physic under another title?—Yes, he may practise as a physician. He has only to say that he is an accoucheur-physician, and he is not touched. Of course I think it very ridiculous for a physician, who has not the licence of the College, but who is a well-informed man, to be prohibited from practice; when a set of ignorant people are allowed to practise to the right and left; people who have never been educated at all; and I think it is a great pity that this is not altered.

1764. Therefore, if any punishment attached to a physician practising without a licence, do you think the punishment should attach, not to his practising physic, but to his false assumption of the title of physician?—I think an ignorant man ought to be punished for attempting to practise what he does not understand.

1765. Supposing that, besides surgeons and apothecaries, druggists are able, without subjecting themselves to punishment, to practise physic; what is the use of punishing a man for practising physic, who has the knowledge requisite for a physician, though not the licence of the College?—It shows that the whole system wants reform.

1766. What is the nature of the examination which those applying to the College for a licence should undergo; should that examination be practical?—It ought to be both theoretical and practical.

1767. Should the College, after the manner of some foreign universities, require the applicant to prove, by his being able to dissect, that he really understands anatomy?—I do not know whether that would be strictly necessary, or whether by means of fine anatomical plates and models he might not give a demonstration as well. Certainly, the examination should be as practical as possible, in practical points.

1768. To what degree of strictness is the examination in pharmacy pushed of those who come before the censors?—Merely what I mentioned; the preparations in the Pharmacopœia and the chemical changes that take place in them.

1769. Is it sufficiently strict?—I do not think the examination is sufficiently strict; I think it would be much better if it were more demonstrative. As in anatomy, I would have at least models and plates, so in materia medica I would have specimens placed before the candidates, and desire them to give a demonstration. Great improvements have been made, but there is room for infinitely more.

1770. Have

1770. Have you visited any foreign schools of medicine, or had much intercourse with persons practising physic in foreign countries?—A great deal.

1771. Did you ever study abroad?—No, I never studied. I have visited the hospitals of Germany and Italy, in making summer tours.

1772. What is your opinion of the physicians, on any part of the continent that you have visited, as compared with physicians in this country?—I have found them always quite as well informed.

1773. Have you found them as well informed on general topics, and as well educated?—Quite.

1774. Have you observed in them any inferiority?—None.

1775. In medical education, do you consider them inferior?—Not at all. The young German physicians who come over here, are amazingly well acquainted with all our English medical literature, and they quote all our English books; Sir Astley Cooper's and Mr. Abernethy's, for instance, they know almost by heart.

1776. Does that remark apply to those who come from Heidelberg?—Yes. Those who go regularly through at Heidelberg are well informed. Heidelberg has some very eminent professors. There is Tiedeman in anatomy, and Gmelin in chemistry, who are most distinguished persons.

1777. Are there any points of difference which you have observed between the continental physicians and those of this country?—I am not aware of any.

1778. Is not the acquaintance of the German physicians with the medical literature of this country, a testimony in favour of the state of medical science in this country?—Certainly. The state of medical science in this country is thought very highly of upon the continent. The volumes of the Medico Chirurgical Society are read all over the continent.

1779. In what estimation do they hold Oxford and Cambridge as schools of medicine?—I never heard them mentioned.

1780. You stated that it would be desirable to vest the power of granting medical degrees in some body or bodies in London; ought the power of examining for those degrees to be vested in the teachers of medicine themselves, or in an independent board?—In our universities it is vested in the teachers themselves; and I am not aware that any inconvenience arises from it. But there can be no harm in vesting the power in other persons, or in a joint body consisting of teachers and of others, so as to obviate any objection that might arise. I conceive that, if every candidate could demand a public examination, it would be a very great advantage. If that were the case, I think there would be no objection even to teachers themselves granting the degrees; not that I should desire it, for myself.

1781. Have you been appointed a member of any public boards connected with the College of Physicians?—No, I have not.

1782. Are you on the Pharmacopeia committee?—No.

1783. When was the last edition of the Pharmacopeia published?—I should think about 10 years ago.

1784. Are iodine, or quinine or prussic acid to be found in that edition?—No.

1785. Is it not greatly in arrear of the present materia medica?—Certainly it is.

1786. Is there not a new edition in progress?—It has been in progress a long time. I believe it is at present delayed, on account of the College wishing to publish one in conjunction with Edinburgh; and I think that I heard it would have appeared a year or two ago, but that the communications with Edinburgh cause procrastination.

1787. Do you know what those delays have arisen out of?—Simply that there are two bodies at a distance, consulting together.

1788. What opinion do you entertain of the present mode of remunerating general practitioners, rather by the cost of medicine than by charge for attendance?—I should think it would be much pleasanter for them to be paid for their attendance.

1789. Does not the present mode subject parties to the imputation of unnecessarily increasing the quantity of medicine?—It subjects them to that imputation certainly, whether deservedly or not.

1790. What was the date of the last volume of the Transactions which the College published?—1820.

1791. Is not the College declared by its statutes to be a publishing body?—Certainly.

1792. In the 14th chapter, *De Actis Literariis*, is it not stated that one of the

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objects of the College is to publish collections of papers on medical subjects written by the members of their own society?—Certainly, or by others.

1793. Did not the College in a memorial delivered in to the Privy Council in or about the year 1812 or 1813, when opposing the application for a charter from the Medico-Chirurgical Society, lay exclusive claim to all the papers on medical subjects written by the fellows and licentiates of that College?—It does not lay an exclusive claim to them; but it says, that papers by the fellows and licentiates may be read by the College, and that if there is a society chartered, the College will be deprived of them.

1794. Was not one of the grounds of their opposition to the charter then claimed, that disadvantage would arise to the College of Physicians from taking away from it those papers which would, were it not for the Medico Chirurgical Society, come to the College of Physicians?—Certainly it says that such a charter would be injurious to the interests of the College.

1795. Did not the College publish some volumes of Transactions after the date of that letter?—I think it published three. It has published six volumes altogether; three many years ago, and three in recent times.

1796. The College of Physicians is by its statutes a publishing body, and in fact it has published six volumes?—Certainly, a publishing body. I believe it published one immediately after this memorial in 1813, and then again in 1815, and for the last time in 1820.

1797. Is there the same necessity for the College publishing medical works during the present state of medical literature, as there was when that statute referring to such publications was made?—The Medical Society thinks so, and it goes on publishing every year.

1798. How many volumes of Medical Transactions had the Medical Society published at the time when the College of Physicians gave those reasons for opposing the grant of the charter?—I think about three.

1799. Do you approve of the present division of the profession into the three classes, of physicians, surgeons and apothecaries?—I see no objection to it.

1800. Does a surgeon confine his practice generally to surgery?—No, I believe he generally takes all he can get; there are some exceptions, but there are numbers who prescribe for anybody that comes before them; conceiving of course that they understand the case completely, and are adepts in the art of treating it.

1801. Does not a large proportion of the cases in surgical practice require medical treatment?—No man is worthy of the name of a surgeon that does not understand more or less of medicine.

1802. Inasmuch as many surgical cases require purely medical treatment, does not that circumstance give ample opportunity to any surgeons who think proper, to extend their practice to purely medical cases?—If a case requires purely medical treatment, it is not a surgical case; and the medical knowledge a surgeon obtains in surgical cases must be a very moderate portion of what an able physician ought to possess.

1803. Was there any rule of this kind at St. Thomas's Hospital; that the physician should take care of the medical treatment, and the surgeon of the surgical treatment of the same patient?—Yes, and there is still, I believe. When I was elected, the surgeon could not prescribe anything without the sanction of the physician.

1804. Does any inconvenience arise out of this?—We never interfere with the patients of each other, but disregard the rule. We call in each other in consultation, but we never interfere with each other.

1805. If a surgeon has charge of a surgical case at the hospital, it rests with him whether he will call in the physician or not?—Certainly.

1806. Does the College meet with a willing obedience from the profession, over the government of which it either does or is supposed to preside?—I think not; from there being a petition so largely signed.

1807. To what causes do you attribute this unwilling obedience that is paid to the College?—I presume, in the first place, because many persons are not admitted into the College who are considered perfectly well qualified, and this merely on account of their not having been educated at certain places; and in the next place, because there is not that protection given to the public and to the profession which the College is destined to give; for instance, one physician has paid a sum of money, submitted to examination, and become a licentiate, while another who has
not

not paid his money, nor become a licentiate, practises just as freely as if he had a license.

1808. Is any trace of the principle of exclusion from the college of which you disapprove, to be found in the charter?—Perhaps I ought to be ashamed to say, that I never read the charter. When I was censor I had a book of the statutes sent me, which I read through, but my knowledge is confined to it.

1809. When you served the office of censor, did you consider that you had any right to examine a licentiate in Greek?—It was never done; we have no right to do it. In my censorship, we examined 19 for a licence, and two for a fellowship, but no licentiate was examined in Greek. The statute gives us authority to examine them in Latin only, and in two Latin books only.

1810. It would be irregular therefore, according to the present statutes, to examine a person offering himself for a licentiate, in Greek?—Yes, and I conceive in any other Latin book than Celsus and Sydenham.

1811. That is to say, unless he offered to be examined in the other book?—Yes; but the College, I presume, would not think of going beyond the statute.

1812. Are you aware that an offer has been made in any instance?—I heard a report that a candidate offered to construe Greek.

1813. Was that a single case?—So I have understood; and I recollect when Sir Henry Hallford, not long ago, said, that he thought he should put the licentiates on in Greek, some fellow and myself remarked, that we did not think he could by the statutes. The words of the statute are, “*Præterea, in singulis examinationibus, locum e Celso vel e Sydenhami operibus Anglice reddat.*”

1814. Do you approve of the statute that requires persons on becoming licentiates, to renounce their connection with the College of Surgeons or Company of Apothecaries?—It is an old fashioned thing; I should not approve of it.

1815. Is the exclusion from the college of those who practise midwifery and pharmacy expedient?—I do not object respecting midwifery; but perhaps it would be desirable, for the purpose of keeping the bodies more distinct, that persons practising pharmacy should not be admitted, as long as there are separate bodies. I think it would be hard to call upon a man to give up any office in the Apothecaries Company or in the College of Surgeons, or the chance of holding office; but I do not think he should be allowed to come into the College of Physicians, and at the same time practise as the member of another.

1816. Has it been the practice of the College to consider the having ever practised as an apothecary, a disqualification for admission into the fellowship, *nisi gravi aliqua de causa*?—Yes.

1817. Is that a proper form of a statute, which leaves it to the College to make an exception whenever they please; ought it not to be peremptory one way or the other?—I do not know that a man is at all the worse for having been an apothecary.

1818. Would it not be better to have no statute at all upon the subject, than one that allows the fellows to make exceptions whenever they please?—I think so; because sometimes a person may be proposed, with respect to whom the fellows may not know what is the *gravis causa*.

1819. May not the *gravis causa* arise?—Certainly; if a graduate can pass a suitable examination, and is unobjectionable in character, I think he ought to be admitted a fellow, with, at present, the limitation I have mentioned; but there is now no examination, if the president pleases to propose him.

1820. If the fellows are allowed under the statute to elect any person they please, who has practised as an apothecary, where is the use of having any excepting statute of this kind whatever?—I do not see any use in it: but this statute is particularly objectionable, because it classes two or three descriptions of persons together, those who have practised midwifery, those who have been apothecaries, and those who have used some secret medicine,—been quacks, in fact; and I think it is very hard to class the other two with quacks.

1821. During the period of your service as censor, you attended the search at the apothecaries' shops; did you search the druggists as well as the apothecaries?—Yes.

1822. Is that search efficient for preventing their using adulterated wares?—It is very limited. I believe we can only search in the city, and therefore it is almost a farce.

1823. Even with regard to the search in the city, do they examine such a number of shops, and those shops with such minuteness of search, as to deter intentional

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evil doers from going on in their evil deeds, if so inclined?—When I was censor the search was minute enough. We went into a great number of shops on three different days. We began at Apothecaries Hall, and found fault with something; we discovered globules of mercury in the unguentum hydrargyri. The business was done very impartially; but as to the general use of it, I have my doubts.

1824. What is the reason of your doubts?—It is confined solely to the city; and then it is well known that the College goes at a certain time only of the year, when there is not so much business; and I do not think the shops were any the better, the next year, for having been examined and found fault with the year before. We made a note whether a shop was good or bad, and whether this drug or that was good or bad; and I heard from those who had been round to the same shops before, that a bad shop had been bad in his time; in short, I think it is of no use.

1825. But you think that the defect arises from the limited nature of the power?—Not only so; but men that are really respectable, will keep good drugs for the sake of their patients; and if they are rogues, will still keep bad articles, notwithstanding the chance of a limited exposure once in a few years. The thing is exceedingly unpleasant to both parties; we were scolded in some instances, as though the law was our fault.

1826. Did you make any bonfire in the street of the articles condemned?—No.

1827. Has the throwing the drugs into the street, or burning them, been done of late years?—I believe they have been thrown into the street.

1828. Have the censors, in general, that accurate knowledge of pharmacy, that they are competent persons to excise this jurisdiction?—They ought to have; many are physicians to hospitals, or lecturers on *Materia Medica*. Besides, we have always two of the wardens of the Apothecaries Company with us to smell and taste for us, and to call in, in difficult cases.

1829. Are there any further alterations, not adverted to in your former answers, which you think it would be expedient to make in the constitution of the college?—I think it might altogether be altered. I think the system of the elects is very bad; there are eight fellows who fill up the vacancies among themselves, and who appoint the president from among themselves. We should very likely have the same president, if the body were to elect; but if he were elected by ourselves, we should feel more cordially.

1830. In case the number of admissions into the college were increased, by admitting those who had studied at other universities besides Oxford and Cambridge, should you see any difficulty in governing the body, from its becoming too numerous?—None at all.

1831. Might it not be governed by a council or by committees, in the same manner that other societies, such as the Royal Society, are governed?—Yes.

1832. Would there not be more cordiality in the body, if that mode of election and that mode of government were adopted?—Much more.

1833. If the number of admissions were increased, would there not be more hardship felt, on the part of those excluded?—I would not have any graduates excluded that could pass a proper examination, and were respectable in character. I think there should be but one sort of examination, and whoever could pass that, and could prove that he was a respectable man, should be eligible to the fellowship; so as to have no order of licentiates at all; none but candidates and fellows.

1834. You would have but one standard of qualification for the whole body?—But one; and I would endeavour to raise all to that, because I am quite sure that, however high that standard is, the body of physicians will come up to it.

1835. And you think, if it were left open impartially to all who could pass the examination, it would be satisfactory to the Profession, even although the standard of qualification were raised high?—Yes, however high it might be raised.

1836. Would that standard embrace a general education as well as a medical one?—Certainly; I believe that is shown in regard to the Apothecaries Company. There was a time when the young men could not have passed the examination that they pass now; but the Company have raised the standard higher and higher, and the young men have come up to it.

1837. But you would leave it to be ascertained by the College without reference to the university degree?—Yes, unless they know that the university can be depended upon.

1838. What universities can be depended upon for general education?—I believe Oxford and Cambridge.

1839. Do you believe the same with regard to Edinburgh?—I believe that in taking a medical degree at Edinburgh, men are not required to take a degree in arts. J. Elliotson, M.D.

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1840. Should there be any exclusion of a person who has received a general education at home, provided he is possessed of medical qualifications?—Certainly not; until the universities are compelled to give degrees of all kinds to those who apply, and can pass the examinations, whether they have resided or not: but I would compel the universities to give degrees to all who can pass the examinations, where-soever they may have been educated, and then the College of Physicians should require a degree both in arts and physic.

1841. Is it not the duty of the College to provide the means of ascertaining the proficiency of any person that presents himself, and although there may be some difficulty in ascertaining this, yet, would it not be far better than adopting the principle of confining the fellowships to those who have studied at universities?—Certainly, at present.

1842. Would you have the same period of probation for all?—I should think that if a man can pass his examination well, both general or medical, and is put upon the list, and remains there a certain time, that would be a sufficient probation.

1843. If the task of ascertaining the general education of the candidates were given to the College, would not that be an invidious office, and one which might give rise to discontent on the part of those that might be excluded?—I do not know. I think the College ought to ascertain, somehow or other, the general acquirements of the candidate. I do not know why that should lead to discontent more than an examination into his medical qualifications.

Archibald Billing, M.D., called in; and Examined.

1844. YOU are Physician to the London Hospital?—I am.

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1845. Where did you graduate?—In Trinity College, Dublin, in the first instance, and subsequently at Oxford.

1846. Of what country are you a native?—Ireland.

1847. What residence, course of education, or formalities were you required to go through in order to be incorporated at Oxford?—I entered my name at St. Alban's Hall, and the following day I went into the senate house to perform certain acts of reading over some syllogisms. I took some oaths of allegiance and so forth; and then the Vice-chancellor of the University went through a short form, by which I was declared an Oxford doctor of medicine.

1848. What medical examination was there?—None whatever.

1849. Was any testimonial or proof of moral qualifications required?—There was a form which is called *bene decessit*, from Dublin; but that was all, besides my diploma.

1850. So that, as far as any test of moral qualifications went, it depended entirely upon the testimony of the *bene decessit* from Dublin?—Entirely. I had a private letter of introduction to the head of St. Alban's Hall.

1851. Is it possible to obtain a *bene decessit* from Trinity College, Dublin, without the person has conducted himself unexceptionably well?—I believe not.

1852. Is the *bene decessit* more strict at Dublin than it is at the two English Universities?—That I know nothing of.

1853. Is it a common thing to refuse a *bene decessit* in Dublin?—I never heard an instance of its being refused; it is only for medical decrees that it is required.

1854. From what you observed of the Dublin Medical School during your studies there, what opinion do you entertain of Dublin as a school of medicine?—As a school of medicine, I think it is equal to any of the schools I have visited in Edinburgh or elsewhere.

1855. Is the curriculum of study required for a medical degree at Dublin, an efficient one?—Yes, it is.

1856. In what year did you enter at Oxford?—In 1818.

1857. Had you any opportunity, while at Oxford, of making inquiries, and informing yourself what was the state of that University as a medical school?—I was not 24 hours in Oxford.

1858. Has the regulation which requires the graduates of Dublin to go to Oxford or Cambridge, before they can obtain admission to the College of Physicians, any

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other effect than that of subjecting the party to expense and inconvenience?—Certainly not; it is of no use whatever.

1859. Have you visited foreign schools of medicine?—Yes.

1860. In point of general education, independently of medical education, are the foreign physicians inferior to the English physicians?—I think not.

1861. What foreign schools have you principally visited?—Paris, Rome and Vienna I know most of; I have visited others.

1862. In point of medical education, do you consider the physicians of Paris, Rome or Vienna, inferior to the English physicians?—In Italy there are two sects; and I think part of them are inferior, because they follow a very old system. I think the followers of the new doctrine are equal to ours, and very industrious and practical; the others are more satisfied with book knowledge. At Vienna the school is in a high state of perfection, and at Paris too; I should say that I think some of the Italian physicians are as highly instructed; but there is a distinction among them.

1863. Then if you make any exceptions of the foreign physicians, that exception applies to the Italian?—To a sect of the Italian.

1864. What rank in society do the physicians hold in Paris and Vienna, and those parts of Italy to which you referred?—They do not hold the same rank in society, I believe, that they do in England, except in Paris. In other countries they are considered as bourgeois; perhaps in Vienna they stand well; but in Italy, I think inferior to the other two.

1865. Can you give a reason why they rank lower in society?—Merely because persons of any rank in life, the noblesse, do not like to attach themselves to medicine; it is not the fashion.

1866. Have you endeavoured to effect any alterations in the constitution and bye-laws of the College of Physicians?—I have ventured to make some recommendations.

1867. Did you submit to the consideration of the fellows of the College any propositions to that effect?—I have spoken in the College when the matter was discussed on the report of the Education committee.

1868. Did you address any letter to the College upon the subject?—The letter alluded to was not written to the College as a body, it was written to the resident fellows of the College as individuals; and I believe would not have come under the cognizance of this Committee, had it not been produced in the College, and made the subject of a motion; in consequence of which it was mentioned on the minutes.

1869. Can you produce that letter?—In the summons which I received to attend here, I was desired to bring it; but I have to apologize for the style of the letter, because it was intended for private communication; and I should apologize also for an assertion in it, in which I am not borne out; I asserted in that letter that several Dissenters had been admitted into the College; I rather doubt whether I was correct in that; for, upon inquiry within the last 24 hours, I have been informed that the persons to whom I alluded, had been known to have gone to church before they were elected fellows.

1870. Have the goodness to deliver in the letter?—

[*The same was delivered in, and read, as follows:*]

LETTER addressed to each of the FELLOWS resident in *London* who attend the Comitia.

AT the comitia majora, on the 4th instant, I was induced to make some observations on the existing distinctions between candidates and licentiates, in consequence of which Dr. Wilson was called upon to bring forward, at the comitia majora on the 12th, a proposition which he was understood to have had for some time in contemplation. I regret that he was forced forward before he had time to prepare himself to his own satisfaction: as, however, he obtained an attentive hearing, I now take leave to follow up the subject, and have recourse to this mode of communication, which may be perused at leisure, as the time was too far exhausted at the last comitia to have attempted to continue the discussion; and I hope by the next, to induce the fellows to take into consideration some of the existing bye-laws; for, however the technicalities of law may have hitherto shut the gates of the college against men of talent and acquirements, who sought admission as matter of right, it is not desirable that this state of things should continue.

It is easy to confute the false allegations which have been made against the college, such as, that all who are admitted fellows must be of the Church of England. It is true that, with graduates of Oxford and Cambridge, this will be the case by the rules of their universities; but when a member of any other university is made fellow, no question is put to him by the College concerning his religion, and several Dissenters have been made fellows of the college. But the constant allusions to the deficiency of the medical schools of Oxford and Cambridge are not unfounded, as our fellows, when students, have never depended solely upon them; but, after the required residence of three years and a half, do not fail to visit London, Edinburgh, Dublin, Paris, or other schools, to complete their medical education, and then return to their University to take their degrees; but the classical and scientific education of the University, superadded to medical acquirements, presupposes such an independence in the disposal of time and fortune, as will insure the combination of the gentleman and man of science with the skilful physician: however, as the same species of education will now, by the recommendation of the Education committee, be required of the licentiate, it puts him on a footing to aspire to the fellowship, without its being necessary that he should have had recourse to the same place for its attainment. I would here ask, how did Dr. Cooke differ in talents and accomplishments at the time he was refused admission into the college by law, from Dr. Cooke when shortly after he was admitted by favour? On the other hand, it must be notorious that a licentiate, whilst actually engaged in practice in London, may be formally keeping terms at Cambridge or Oxford, so as to become thereby eligible to the fellowship. I will now state the Resolutions which I have to propose to the College, in addition to those brought forward and approved by the Education committee:

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1. That every member of the College shall, upon his first admission, be denominated licentiate.
2. That the age of admission be 24.
3. That no licentiate shall be balloted for as a fellow until he has been seven years a licentiate.
4. That the examination for licentiate, for those who aspire to become fellows, shall be the same as has heretofore been for candidate, including examination in the Greek of Aretæus, Sophocles and Thucydides, with the addition proposed by the Education committee of a fourth examination in English.

And that, previous to any of the present licentiates being balloted for as fellow, he shall be examined in Greek as above, except when admitted by the proposition of the President, according to the established custom, or to please the King, or for any equally good reason.

5. That physicians who wish to obtain merely a licence from the College may be examined as licentiates have hitherto been.

When I heard that the Education committee had proposed, and saw that the president supported the proposition, to recognize men as physicians who were highly qualified, though not possessing the form of M. D., I hailed it as a light of liberty breaking in; but immediately followed a resolution to draw more strictly the line of demarcation between fellows and licentiates, at the moment of declaring that no degree at all is necessary to becoming a good physician, resolving to exclude from the College of Physicians the graduates of every university in the world, except Oxford and Cambridge.

Physicians without university degrees will not be duly appreciated, unless they be eligible to the fellowship; therefore I cannot think it just to highly educated licentiates to have persons thrust amongst them who would be considered of an inferior grade, no more than I consider it just that they themselves should be excluded from being examined as candidates.

From the torpor which has pervaded the fellows of the college upon these subjects, I was not aware, until after I had broached my opinions at the penultimate comitia majora, that I should find such ready support, and that too amongst men not ignorant of the affairs of the college, several of more experience than myself, in the vigour of judgment, and who have studied the business. But why have they held back? Why do some of high talent and principles even absent themselves from the college altogether? Is it from despair? Is it from that feeling which made some of the most respectable in the college, both for standing, talents and character, hold such language as this to me, "I agree with you, but it is of no use, it is a rotten concern?" If there be a few rotten timbers in the good ship, let us overhaul and refit her; I can no longer hold back my opinion, as I have tacitly blamed and mistrusted others for doing so. Some years ago I might have feared to advocate change, (not to prejudice by calling it improvement,) lest I could have been mistaken for a disappointed malcontent; now I cannot be misunderstood, for were I not independent by inheritance, I am so by the success, beyond my expectations, which I have had in my profession, I do not with mock modesty say beyond my deserts, for no man who has worked so hard as I have done in his profession, for three and twenty years, but deserves success, though some, alas! are not so fortunate.

In writing to my colleagues, to recommend a more liberal policy, I do not venture to dictate to them, nor even require the adoption of my opinions, but beseech them, for our

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common interest and honour, to think on the subject, and to suggest some improvement. I respect the licentiates, but it is not therefore alone that I would plead their cause; it is because I promised on joining the college that I would endeavour to promote its honour, which promise is unnecessary to the mind of one who feels he must be compromised in the disgrace of the body to which he belongs. My opinion is, that the College would be more powerful as a body, and thereby more useful to its members, as well as the public, if it enrolled the talent of the licentiates. At present the College is weak; it has not power to protect its junior members; it has not power to punish the grossest quacks; I had almost said that it has only power to controul its own fellows, but it has not even that; it has not power to expel a member who disgraces it, and himself.

The College has not power to prevent men from practising without licence. But it may be answered, we see that the more respectable physicians do become licentiates; this, however, is not either from the value of the licence, towards gaining the confidence of the public, nor from any direct power of the college; but on account of one of its factitious props, which may not last. It is because the hospitals and dispensaries in general require of their physicians to be members of the college, which has doubtless prevented many men of talent from practising without licence, in defiance of the college.

What more can be necessary than a thorough examination, and after seven years acquaintance, the admission by ballot; the ballot is a test of the power of character; and when I speak of the eligibility of Oxford or Cambridge men, or others, as a right, it will still be subject to the ballot. In recommending that all members should be put at first into the same rank, that of licentiates, I have no idea that the ballot would be used as a subterfuge for keeping back any deserving licentiate, although he were not a member of one of the English Universities; nor do I contemplate the possibility of any one acceding to the recommendation with that impression.

The subjection to a ballot exerts a salutary influence on the moral character of individuals, whereas our present plan has rather a baneful tendency, the effect of disabilities generally being to render persons less careful to preserve a character, when they know it is not a certain passport to promotion; and the very limited admission of the licentiates hitherto, does not by any means warrant them in relying on conduct and fitness alone, as sufficient to insure their election to the fellowship in any moderate time, calculating the ordinary duration of life. Let me not be misunderstood, I speak of the tendency of disabilities; not that I have observed any such actual effect to be produced; on the contrary, I have as much respect for the licentiates generally as for the fellows.

Bedford-place, 23 Jan. 1833.

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1871. In what manner was the letter treated by the College?—The letter was intended only as a private communication, upon which no one could take any steps, and merely to prepare the minds of the gentlemen in a better manner than I could do amidst the warm discussions that took place. But the thing might have become public before this; for at an evening conversazione of the College, one of the fellows told me openly, surrounded by visitors, that he meant to make a specific motion at the comitia majora to pass a vote of censure upon me for writing this letter to the fellows; and that motion was made accordingly by him in the College; which produced a very warm discussion, and a division, in which I happened to have a majority.

1872. You have stated that the discussions are warm; are they warm upon other questions?—Connected with reform.

1873. Is there a body in the College who are zealous in their endeavours to promote reform?—I think there is a small body.

1874. You have stated in that letter that one of the circumstances which tend to support the College, “is because the hospitals and dispensaries in general require of their physicians to be members of the College, which has doubtless prevented many men of talent from practising without licence, in defiance of the College;” by members, do you mean fellows?—I used the word members as a general term referring to the licentiates.

1875. Do you mean thereby that the fellows of the College obtain, in their practice, any essential advantage over the licentiates?—Some of the hospitals exclude licentiates altogether, I believe.

1876. Did you ever hear of any communication made by the College to an hospital in recommendation of a fellow?—Never.

1877. From what you have observed of the mode of conducting the business of the College, do you think it is calculated to inspire the public with confidence in their proceedings, or to command the respect of the great body of the profession?—I think not.

1878. What are the points in the conducting the business of the College to which you object?—The exclusion of men of talent, who must have a hold upon the public mind; and consequently the public must judge ill of the College for excluding them. *Arch. Billing, M.D.*
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1879. Does this give rise to so much dissatisfaction, that no willing obedience is paid to the wishes or commands of the College?—I judge by what is before the public, and I concur with what I see and what I hear, stating that it is the case. There are petitions sent in by a number of respectable individuals.

1880. Do you also disapprove of the constitution of the College, as regards the mode of election?—Yes.

1881. Does that mode of self-election produce the same effect in the College of Physicians that it is supposed to do in other corporate bodies where such a mode of election exists, namely, that it tends to promote dissatisfaction?—I am satisfied it does; it does with myself at least.

1882. If the power of conferring medical degrees were intrusted to the College, do you think it would be of service to the public, as the College is now constituted?—No.

1883. In case those reforms were introduced into the College which you consider advisable, would it then be a body to which it would be desirable to intrust the power of conferring medical degrees?—I doubt it.

1884. Will you state your reasons?—I think that the examination ought to be more general than it is by the College; I think that every man who practises in the medical profession, ought to be examined in his knowledge of surgery and midwifery, as well as medicine. I think every man ought to know every branch.

1885. Is he examined in pharmacy in a way to ascertain fully whether the person applying possesses that knowledge or not?—I have said I am not satisfied with the examination; but I think the examination in pharmacy is proportionably good along with the other branches.

1886. Would you think it desirable to remove the disqualification arising out of practising as an apothecary or man-midwife?—I should not object to a man having previously practised either surgery or general practice; but when he chooses to become a member of the College of Physicians, I think he ought to profess himself to be a pure physician, a consulting physician.

1887. You think he ought to have a knowledge of midwifery, but that it would not be proper to admit into the College of Physicians a person who extended his practice to midwifery?—I myself would not object to a fellow practising midwifery, provided he showed himself highly qualified otherwise, no more than I should to his keeping a madhouse.

1888. If another Dr. William Hunter, for instance, were to appear, should you think it proper to exclude him, on account of his practising midwifery, from admission into the college?—Certainly not; according to the character I have heard of him, I would not object to it.

1889. Do you think it expedient that there should be a power vested in some Board or body in London to confer medical degrees?—I think there ought to be a body to give a man a diploma, to make him a physician. A degree at the university I think is of little consequence; but I would not dub him a Doctor, if he had not been at an university, though on second thoughts, I scarcely know what else you could nominate him.

1890. As there are great facilities for studying medicine in all its branches in London, would it not be desirable that there should be in London a body to grant medical degrees, without subjecting a party who there studies medicine to the necessity of going to Edinburgh, or Dublin, or some other university for the purpose of obtaining a medical degree?—Certainly.

1891. Ought the examination which a person would then pass for obtaining a degree of doctor of physic in London, to qualify him also to practise in London; or should there be a separate examination by the College or some other body, when a person solicited the privilege of practising physic in London?—I would have only one examining body, one head of the profession, and that not any of the existing corporations; that head of the profession should confer a diploma on the man educated in London, or whatever school a man possessing a degree came from; they should see that he was qualified, and assign him his proper station in the profession.

1892. Would you have two examinations, namely, one at the time when he
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claimed the degree of doctor, and one when he claimed the licence to practise; or would one be sufficient?—One would be enough for a man educated in London; but of course those that came from other parts must be examined as to their competency; but I would not have a body that extended only to London and seven miles round; it should extend all over the kingdom; people's lives are of quite as much consequence in the country as in London.

1893. Do you mean that the power of the Universities to confer the degree of doctor of medicine should cease, or that they should possess it in common with the new Board in London?—I would have the Board in London, with reference to medical qualifications, a national head of the profession; and I would not admit the Oxford or Cambridge graduate to practise medicine in any part of the kingdom, unless he was admitted to the examination of that head of the profession, whatever it was called. I would not subject a man who was educated in London, to the absurdity of being examined twice over for the same object.

1894. What should be the constitution of the Board, empowered to give either a degree or a licence to practise?—A deputation from the College of Physicians and from the College of Surgeons.

1895. Why would it be desirable to include in this board a certain number of the College of Surgeons?—Because I do not think that any man can be a great physician unless he has studied surgery.

1896. May he not be called upon at moments of emergency to perform an operation in surgery?—Certainly, at a moment's notice; five minutes delay might cause the loss of life.

1897. You think a person is imperfectly educated as a physician, who cannot perform at least the minor operations of surgery?—I think so.

1898. Up to a certain period in the education of a physician and of a surgeon, ought they not to have gone through a course of very similar studies?—I think they are inseparable.

1899. Although after going through a certain period of study, the surgeon may apply himself more exclusively to acquiring manual dexterity in surgery, and the physician to studying more particularly medicine, do you think that up to a certain point the studies should run *pari passu*?—Yes, and that point should be the moment of their examination.

1900. So that at the period of their examination, they should be qualified to pass either into the rank of surgeons, or into the rank of physicians?—I think they ought; I think there might be a certain degree of exception made. If a man has declared his intention to practise pure surgery or pure medicine, perhaps the board might remit some of the minute knowledge which is necessary for the extensive practice of the other department; but that is questionable in my opinion.

1901. Do you think the fellows who have been graduates of the English and Irish Universities are equally successful in being appointed members of the different medical boards connected with the college?—I am not aware of any distinction.

1902. Is it or is it not your opinion that, as a class, the English physicians do hold a superior rank in this country to the rank they hold in any other country?—I think they are generally more respected in society; I think it is a greater passport to a man to good company.

1903. Should you be inclined to say the same thing of the general practitioners of this country or not?—I am not aware of there being general practitioners abroad; or rather they are all general practitioners. In some places, for instance, in a great part of Germany, men practise both medicine and surgery; and they do so in Italy, and also some persons in Paris; but they are not apothecaries, (*pharmaciens*), which are equivalent to our chemists and druggists. I do not call our general practitioners apothecaries.

Martis, 25^o die Martii, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

George Burrows, M. D., called in; and Examined.

G. Burrows, M.D.

25 March 1834.

1904. YOU are a Fellow of the College of Physicians?—I am.
1905. Are you a Fellow of Caius College, Cambridge?—I am.
1906. Had you a Tancred scholarship?—Yes.
1907. Did you graduate in arts?—I did.
1908. In what year did you take your bachelor of arts degree?—In 1825.
1909. In what year did you take your first medical degree?—In the spring of 1826 I took the degree of bachelor of medicine.
1910. Did you undergo a medical examination in taking that degree of bachelor of medicine?—I did.
1911. Have any material changes taken place in the nature of that examination since you took your bachelor's degree?—Yes; very material changes have taken place.
1912. What was the nature of the examination you underwent in 1826?—The examination was conducted by the Regius Professor of Physic, Dr. Haviland: it consisted of passages selected from Aretæus, the Aphorisms of Hippocrates, and the works of Celsus, which were required to be translated into English; and likewise of a paper of questions on anatomy, physiology, pathology, and the preparations of the Pharmacopeia of the London College of Physicians.
1913. Were you examined in chemistry?—Not upon that occasion.
1914. Was that examination *vivâ voce*, or by written papers?—By written papers entirely.
1915. How long did it last?—We had a paper of questions put to us, and I think we were allowed three hours to make the translations and to give the answers to the questions; and we did as much as we could in that time.
1916. How many persons were examined along with you?—I am not sure whether there were three or four.
1917. Have you kept the examination paper?—We were not allowed to take it away; it was returned to the Professor with the answers to the questions.
1918. Are you able from your memory to speak to the nature of those questions?—I could not mention the questions; I do not remember what the precise questions were.

[*A Paper was shown to the Witness.*]

1919. Will you look over over this paper, professing to be copied from an examination paper at one of the examinations for medical degrees at Cambridge, and state whether the questions which you had to answer were somewhat of the character of the questions contained in that paper?—This is a much more extensive examination than I underwent at that time.
1920. Striking out the chemistry, in which you say you were not examined, would it still be a more extensive examination than you underwent?—Yes; in botany particularly; I think there were not above two or three questions in botany.
1921. Is it more extensive in most of the subjects?—It is generally more extensive; the nature of the questions is nearly the same, but generally more extensive.
1922. You were not examined by any other professor than the Regius Professor of Medicine?—Not upon that occasion.
1923. Was there any other university examination that you went through?—Yes; three years afterwards I applied for a licence to practise at the University.
1924. Did you keep an act also?—At the time of taking my bachelor's degree.
1925. What was the nature of the examination you went through in keeping that act?—I was required to write a Latin thesis on a given subject in medicine of my own choice, subject to the approval of the professor; and I had to appear on a given day in the schools, and to read the thesis aloud; and after

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I had read it, the professor brought various arguments against different parts of it, which arguments I had to bring answers to.

1926. Upon that occasion the questions were put *vivá voce*?—The questions were put *vivá voce*.

1927. Did the objections and the questions relate to other matters than the thesis?—The objections were to the thesis; but that was followed by questions relating to other matters.

1928. What was the nature of the matters alluded to in those questions?—They were simply practical questions upon the nature of diseases; principally upon the symptoms of diseases.

1929. And the treatment of diseases?—Not at that time.

1930. Then those two were the only examinations that you went through, at the time of taking your bachelor's degree?—Those were the only two.

1931. In addition to the examination, was any certificate of your having attended any particular courses of lectures required?—I had to produce a certificate of having attended one course of the lectures of the Regius Professor of Physic, upon pathology and the practice of physic.

1932. Were you required to produce testimonials of having attended any other lectures?—Not any other.

1933. Not the lectures on anatomy or chemistry?—No.

1934. Nor of attendance on clinical lectures?—No.

1935. Were certificates of attendance at Addenbrooke's Hospital required?—No. I beg to observe that that degree gave me no power to practise.

1936. You were examined at Cambridge three years afterwards, before becoming a licentiate in medicine?—Yes, for a licence to practise.

1937. What was the nature of the examination upon that occasion?—It was an examination very similar to the former one; only it had a more practical tendency; and it entered also into chemistry, but not very deeply.

1938. Was it conducted in the same manner?—Exactly in the same manner, with this addition, that another doctor in physic of the university asked me a few questions *vivá voce*.

1939. Were any other candidates for a degree or licence examined upon that occasion?—I think there were one or two.

1940. Were the papers you had to answer upon your examination for a licence to practise the same papers that the candidates for the degree of bachelor in medicine had to answer at the same time?—I have no recollection upon the subject; but I think not.

1941. Was your examination different in character from the examination which the candidates for the bachelor's degree underwent?—Yes.

1942. What certificates were required upon that occasion?—Not any; nothing more than that I was a bachelor of medicine of two years standing.

1943. Was there more than one day's examination on the occasion of your taking your bachelor of medicine degree?—No; the examination lasted only about three hours; but I think it was upon the second day afterwards that I went into the schools, and went through the act.

1944. Was there more than one day's examination for your licence to practise?—No, only one.

1945. Was that the last examination that you underwent at the university?—It was.

1946. In what year was it?—In 1829.

1947. When you took your doctor's degree, was there any examination?—There was no examination. I had to read a thesis, and to keep an act, and an opponency.

1948. Is that a mere matter of form?—It can hardly be called a mere matter of form; because I had to write a Latin thesis upon a medical subject, which I submitted to the professor for his approval.

1949. That might be written for you?—Certainly.

1950. Is that accompanied by any *vivá voce* examination?—I do not think there was any examination; but there were some objections brought against it, in a syllogistic form; which arguments were necessary to be taken off, as it is called; and I think that terminated the ceremony altogether.

1951. By the statutes, before taking the degree of doctor of medicine, you are required to keep two acts; but you may compound for one?—I believe that is the case; you pay a fine.

1952. Then

1952. Then this course of examination, that you have described, is all that, in your time, was required by the University, previous to taking a doctor's degree?—It was all that was required for one that had taken a degree in arts first.

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1953. A degree in arts does not involve any medical question whatever?—Not any whatever.

1954. What lectures on any branch of medical service did you attend in the university, during the time you were an undergraduate, before you took your bachelor's degree?—I attended the lectures of the Professor on Chemistry, and the lectures on experimental philosophy, two courses of each.

1955. How many lectures did those courses consist of?—It may be 20 or 30 in each; of course it depends upon the length of the term.

1956. The lectures on experimental philosophy were Professor Farish's?—Yes.

1957. Then between your bachelor of art's degree, and your degree of bachelor in medicine, what lectures did you attend in the University of Cambridge?—I attended Professor Haviland's lectures on medicine and pathology, which I was bound to attend; and a course of lectures by Professor Cumming on chemistry. In the university, I attended only those.

1958. What other lectures on any branch of medical science in the university might you have attended had you thought fit to do so?—There was a course of lectures on anatomy given by Professor Clark; but I did not attend those. I had attended to several courses of lectures on anatomy and physiology by Mr. Abernethy, at St. Bartholomew's Hospital, previous to going to Cambridge, and therefore I did not think it necessary to attend those elementary lectures. There were also lectures on botany by Professor Henslow, which I did not attend.

1959. Was one of your reasons for not attending the lectures of Professor Clark, that you had attended a more extensive course of anatomical lectures elsewhere?—That was one of my reasons; but I had others.

1960. Then, in order to attain the requisite knowledge to pass your examination for the degree of bachelor of medicine, you resorted to some other school of medicine than the University of Cambridge?—Yes, certainly.

1961. Was that necessary, or was it a matter of choice?—I considered it was absolutely necessary.

1962. Could you have passed your degree with credit to yourself, if you had not gone elsewhere to study medicine?—I think I could have passed it with more credit, but with less satisfaction to myself. I mean to say, that knowledge of that kind which is not practical, can be easily crammed in from books and drawings; whereas the knowledge that is most useful, is best obtained in hospitals and dissecting rooms.

1963. Does a medical examination at Cambridge afford a sufficient test of the student having acquired a proper amount of professional knowledge?—I think at the present moment it is a very good test. I think a man who could answer such questions as were just shown to me, must have a very excellent knowledge of the elementary parts of his profession.

1964. Was that your opinion of the examination you underwent yourself?—I thought the first examination was quite severe enough, because a bachelor's degree gave me no power to practise my profession; but the second examination, I thought, ought to have been more extensive, in order to entitle me to have the privileges conferred by the licence.

1965. Do you think that the having undergone the discipline of the university during the usual period of an undergraduate's residence, is a safe test of the moral character of the person who applies for a medical degree?—I certainly think the mere fact of residence is not a test of moral character; I think it relates more to a man's good education, as to his knowledge of classics and mathematics, than it does to his moral character.

1966. Do you think that in judging of the moral character of a young man, his having obtained a considerable knowledge in a branch of education requiring considerable study, is a better test of his moral character than his having spent a certain number of years under what is called the restraint of the discipline of the College?—I certainly think that the higher a man's education is, and the more his mind has been devoted to study, the greater the chances are that his moral character will be better.

1967. Do you consider that established habits of study are a proof that the individual cannot have acquired immoral habits; are they not inconsistent with

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immoral habits?—I think it is a very strong presumption in his favour; but I do not think the two are incompatible.

1968. Was it necessary in your time that a man, in order to qualify himself for taking a degree in medicine, should have undergone a course of intense study?—Certainly not.

1969. Was it necessary in your time that, in order to have taken a degree in arts, he should have undergone a course of intense study?—That depended upon what kind of a degree he aimed at; for my own degree it did require intense study; for a common degree, certainly not.

1970. How many books in Euclid were required for a common degree?—I do not know; but very little was required. I think it was common arithmetic, algebra as far as quadratic equations, the six first books of Euclid, Paley's Moral Philosophy, and Locke on the Human Understanding.

1971. Do you think that the study that was necessary for the acquirement of such an extent of knowledge as you have described, is practically consistent with the acquisition and practice of immoral habits?—To that extent, quite; that is a sort of knowledge that a person of ordinary capacity could acquire in one year.

1972. Do you think that the discipline of the University, independently of study, supplies a guarantee of moral habits?—Not entirely.

1973. Are you aware whether it was usual for a person who intended to take a common degree, not to study the subjects necessary in order to acquire that degree, until a few months before the examination?—I do not know any man who could have ventured to have postponed all study of those subjects which he would be required to have studied, till within the last few months, unless he had acquired some knowledge at a previous time, and then he might have done it; and I knew many cases of that description.

1974. Is there any thing else you wish to state to the Committee?—I wish to state upon this occasion that I am one of those fellows who, ever since my admission into the College of Physicians, has been extremely anxious that a reform should take place. I feel that, as the College of Physicians is now constituted, it is neither capable of protecting the public from improper persons practising, nor is it capable of protecting those who are admitted into the College in their rights; and then I consider it is established upon far too exclusive principles, not admitting very able men from other places than from the two English Universities.

1975. You think it is so constituted that it does not lead to harmony between the various classes of physicians; and that it does not lead to a willing obedience being paid to its recommendations on the part of the various branches of the profession?—I think those are the results, from the present constitution of the College of Physicians.

1976. And the consequence is, that it does not command that respect which it is desirable should be paid to it by the public?—With respect to the medical public, that is the case; but with respect to the public generally, I think they are hardly capable of judging.

John Clendinning, M.D., called in; and Examined.

J. Clendinning, M.D.

1977. YOU are a Fellow of the College of Physicians?—I am.

1978. Were you a graduate at the Dublin University?—I was.

1979. Did you take an ad eundem degree at Oxford?—Yes, in arts. I graduated as A. M. in Dublin.

1980. Did you take a medical degree in Dublin?—No.

1981. Did you take a degree of medicine at Oxford?—Yes.

1982. When did you graduate at Oxford?—In 1827.

1983. What was the nature of the examination you underwent in medicine, previous to taking your degree at Oxford?—I underwent no examination; there was a form of disputation, but no *viva voce* examination.

1984. Were there any written questions on medical subjects, that you were required to answer?—I do not recollect any thing of that kind.

1985. Were there any lectures on medical subjects, that you were required to have attended?—None; I was asked for no certificate.

1986. What passed between the professor of physic and yourself previous to your obtaining your degree?—I was introduced to the professor, with a certificate as a graduate in medicine; and, I imagine, he took the Edinburgh diploma as

a sufficient

a sufficient certificate of medical knowledge; and therefore he considered any particular examination unnecessary. *J. Clendinning, M.D.*

1987. Was any certificate of your moral character and habits required by the professor of physic at Oxford previous to your passing?—None whatever. 25 March 1834.

1988. Did you keep an act in physic?—Yes.

1989. Was that a mere form?—I think it may be considered a mere form.

1990. Did you read a Latin thesis?—Yes.

1991. Were you examined by the professor upon the subject of the thesis?—The professor was not present.

1992. Who was present?—The gentleman beadle.

1993. Did he examine you in physic?—He was the only officer of the university present.

1994. It was a mere ceremony. Was not it considered so?—Yes.

1995. Was the thesis written especially for that occasion?—I suppose I ought to state that I did not write the thesis; it was written for me, and produced, and I read it, and the counterpart was read by the beadle.

1996. Would it not have been a waste of time, when the mere beadle was to be present to hear it read, for a gentleman to take the trouble to write a thesis for the occasion?—That was my impression, and I did not attempt to write one.

1997. Have you taken any part in the late proceedings in the College of Physicians in favour of reform?—Some part.

1998. What part have you taken?—More particularly in favour of the graduates of Dublin, and the Dissenters generally, and of Ireland more particularly.

1999. You think that facility should be given for their admission into the College, without their passing through the wicket of the two English Universities?—I think so.

2000. What are the changes you would recommend in the present constitution of the college or the statutes?—If I should answer that question in all the latitude in which I might understand it, I should propose very large changes in the College.

2001. Will you state what those changes are?—In the first place, for example, I should abolish the body of the elects, and make the president, as well as other officers, elected by the body at large, as the censors, &c. now are. Another change I should propose, if the present boundary is to remain, between the fellowship as the governing body, and the licentiates as the governed body; viz. I think the licentiates should have some controul over the election of the fellows; if not the entire power of electing, yet at least the power of nomination, leaving to the fellows to ballot out of a list or lists they might send in; that is, upon the supposition that the present fellowship is to continue a distinct body from the body of licentiates—and there are several others.

2002. Do you approve of the bye-laws which, if not in their letter at least in their operation, confine the admission into the College in a great degree to the graduates of the two Universities?—No, I entirely disapprove of them.

2003. Have you had any opportunity of forming an opinion of Dublin as a school of medicine?—I studied there one year.

2004. Was that before or after taking your bachelor's degree of medicine at Oxford?—It was before.

2005. What opinion have you formed of it as a school of medicine?—It is an excellent school.

2006. Is it inferior to any school in the three kingdoms?—I think not.

2007. Are you aware of the nature of the school of anatomy in Dublin?—It is excellent.

2008. Is there any reason in your opinion why the medical graduates of Dublin should not at once find admission into the College of Physicians, without passing through the medium of one of the two English Universities?—I see no reason.

John Sims, M.D., called in; and Examined.

2009. YOU are a Licentiate of the College of Physicians?—I am.

2010. You are Physician to St. Mary-le-bone Infirmary?—Yes.

2011. Is not the St. Mary-le-bone Infirmary upon a great scale?—It is.

2312. How many beds has it?—Upwards of 300.

2013. In fact, it is larger than several of the hospitals?—It is larger than some of the hospitals; some recent additions have been made in others which have extended them.

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2014. Your office is one of considerable trust?—I consider it so.
2015. Where did you take your degree?—At Edinburgh.
2016. In what year did you take your degree?—In 1818.
2017. When did you receive your licence from the College of Physicians?—In 1819.
2018. What was the nature of the examination you underwent for that licence?—I underwent three *vivâ voce* examinations; and previous to the first, a small portion of Celsus or Sydenham was given me to construe.
2019. Did you consider those examinations strict?—I did not consider them strict.
2020. Did you think them sufficiently strict to enable the examiners to inform themselves whether the examinee really had a sufficient knowledge of physic to entitle him to practise?—I think the examination might be considered rather a negative test than an affirmative one; it might prove that he knew something of medicine, but it would fail to prove that he knew much.
2021. Will you explain the nature of the examination?—The first examination was physiological, consisting of several questions on anatomy and physiology; this lasted about 20 minutes. The second examination was pathological, consisting of an inquiry into the history of disease, or the history of any specific form of disease; this lasted about 15 minutes.
2022. In the pathological examination were the morbid anatomical symptoms, in cases of any particular diseases, the subject of examination?—I do not recollect whether that was the case during my examination; I think not, to the best of my recollection.
2023. What was the nature of the examination in therapeutics?—It consisted of various questions relating to the application of remedies to disease, and the nature and composition of those remedies; and it involved descriptive pharmacy and materia medica.
2024. Was it sufficiently extensive to enable the examiners to judge whether the party really had a knowledge of the drugs of which he was to make use?—It could not be considered sufficiently extensive to enable the examiner to ascertain whether he had a knowledge of drugs.
2025. Was there any examination as to the manual operations of surgery?—None.
2026. Any with regard to midwifery?—None.
2027. Or the diseases of women and children?—None, strictly speaking.
2028. Have you paid much attention to the constitution and bye-laws of the College of Physicians?—I have paid some attention to the constitution of the College.
2029. Are you one of the physicians who signed the petitions to the Legislature presented to Parliament, both in the present and the last session?—Yes, I am.
2030. Do you remember how many names of licentiates are attached to one or other of these two petitions?—There are 77 names in all of those who reside within the precinct of London.
2031. That is 77 out of 136 licentiates?—Yes.
2032. The prayer of the two petitions, and the allegations in them, are the same, are they not?—They are identical.
2033. What are the grievances under which, as you conceive, the licentiates labour?—Many of the grievances are stated in this petition. One of the first stated in the petition is, "That the physicians practising in London are invidiously divided by the bye-laws of the College into two orders; one is denominated fellows; the other, constituting by far the majority, is designated, and by implication degraded, by the term licentiates. That the fellows have occupied all the corporate power, offices, privileges and emoluments attached to the College; that the licentiates do not participate in these benefits, but are illegally excluded from all the offices, and any share in the management of the corporation; and so far is that principle of exclusion carried, that the licentiates are not even admitted to the library or museum of the College. That there exists no foundation in the charter, or in the acts confirming it, for such distinction of orders, and consequent exclusion from all privileges. That, according to one of the bye-laws, no physician can claim admission as a fellow, unless he has graduated, or been admitted *ad eundem* at the Universities of Oxford or Cambridge, where medicine is imperfectly taught; while physicians who have graduated at other British or foreign universities, celebrated as schools of medicine, are unjustly excluded from the fellowship by this obnoxious

obnoxious bye-law. That the College was admonished from the bench, by Lord Chief Justice Mansfield, to amend their bye-laws, in reference to the admission of licentiates into the fellowship. That, influenced by this censure, the College framed other bye-laws, deceptive in their character, which, whenever they have been acted upon, have tended still further to depress and injure the order of licentiates. That the College demand and receive a large sum of money from the fellows and licentiates, for the supposed privilege of practising as physicians within a circuit of seven miles round London; and that they do not and cannot protect them in this privilege. That the graduates of Oxford and Cambridge are obliged to be members of the Established Church of England, and consequently all dissenters are excluded from claiming the fellowship. This your petitioners consider as a grievous injustice, and an act of intolerance unbecoming the present age. That these invidious bye-laws, made in the spirit of corporate monopoly, have involved the College in continued litigation, and created a jealousy between the fellows and licentiates, discreditable to the members of a liberal profession."

2034. Have you had any opportunity of examining any other bye-laws of the College than those which relate to the admission of licentiates?—I have seen a copy of the bye-laws of the College which was published in the year 1765. I have seen no other bye-laws, except those that were returned to Parliament last session.

2035. As a licentiate, were you informed by the College of those particular bye-laws that relate to the licentiates?—No, I was not.

2036. It is stated in the petition, that the charter was conferred on six physicians, and all men of the same faculty; how do you interpret that passage in the charter?—By all men of the same faculty, I understand all respectable physicians who were then practising in London, and who had conformed to the Act of the 3d Henry 8.

2037. "Volumnus institui Collegium perpetuum doctorum et gravium visorum qui medicinam in urbe Londino publicè exercent;" are not those the words?—That is what I refer to.

2038. Then again, "concessimus," to the parties named in it, "quod ipsi omnesque homines ejusdem facultatis de et in Londino sint Collegium perpetuum?"—That is another of the clauses in the charter to which I referred.

2039. From that you infer, that all who were at the time physicians practising within the precinct of London, were admitted, if they pleased, into the body of the College?—Yes, they were eligible to become corporators, provided they chose to be incorporated.

2040. It was not compulsory, but they might if they pleased?—If they pleased, as I understand that passage in the Act, they might become members of the corporation.

2041. You mean, that they were eligible?—They were eligible by the previous Act of Parliament in the reign of the same king.

2042. Do you think that the "omnes homines ejusdem facultatis" is to be interpreted by reference to the statute of the 3d of Henry the 8th; which directs, that all persons practising as physicians or surgeons, shall be examined and approved by the Bishop of the diocese or the Dean of St. Paul's, calling to his aid four doctors in case he examines in medicine, or four surgeons in case he examines in surgery?—This was the Act that would enable the Legislature to ascertain who were men of the faculty at the time the Act of 14 & 15 of Henry 8th was passed.

2043. And therefore you think that the most reasonable interpretation of "omnes homines ejusdem facultatis" is, that it meant those who were legally exercising the faculty under the statute of the 3d of Henry the 8th?—Yes, I do.

2044. It is stated in the petition that there exists no foundation in the charter, or the Act confirmatory of it, for such a distinction of orders as that which is made between the fellows and the licentiates?—I believe there is no foundation for such distinction of orders. The word fellow or socius does not occur in the charter; wherever the body is mentioned along with the president, is it generally termed "Præsidents et Collegium sive communitas."

2045. Are you aware that the word fellowship does occur in the statute confirmatory of the charter, namely, the 14 & 15 of Henry the 8th?—Yes, it contains the word fellowship; but there is no mention of the word fellow or socius in the charter.

2046. What do you think of the passage beginning, "Quod nemo in Londino exercent dictam facultatem, nisi ad hoc per Præsidentem et Collegium admissus sit per literas ejusdem Præsidentis et Collegii," which passage has generally been

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interpreted to refer to a different and distinct order from the fellows themselves; what description of persons do you think that that passage refers to?—I think it refers to those persons who were about to practise, but were not competent to practise till they had been admitted to exercise the medical faculty.

2047. Might it not also refer to physicians within the precinct of London, who had been examined and approved under the statute of the 3d of Henry the 8th, but who did not choose to become incorporated in the new college?—Yes, it might refer to such a class of persons.

2048. By their own choice, such persons would not have been incorporated in the College: but under this statute, even though not incorporated, they were still required to be examined by the officers appointed under the charter in the Act?—Yes.

2049. Was medicine taught at the English Universities, at the time the charter was first granted?—As far as I can ascertain, it was not.

2050. Have you been able to discover when the distinction first arose between fellows and licentiates?—It appears first to occur in the charter that was granted in the 15 Chas. 2, which was not confirmed by Act of Parliament.

2051. You are aware that in the statute of the 32 Hen. 8, the words fellowship and fellows frequently occur; and that the Act classes together the words commons and fellows?—I am aware of that.

2052. Do you apprehend that the word “fellow” then applied to all the members of the body not then distinguished into the two classes of fellows and licentiates?—I apprehend it did.

2053. Are you aware that in the legal proceedings of the College, up to a certain period, the College itself put that interpretation upon their charter; that persons who had received the licence of the College, were members of the commonalty?—Yes, they did; in one of the causes they litigated with the licentiates: they put into their declaration, that the licentiates were members of the commonalty.

2054. Can you state in which of the cases that was?—In Dr. Goddard’s case.

2055. How do you account for the fact, that under the seven years bye-law passed about 70 years ago, no licentiate has ever been admitted into the fellowship of the College?—I think it may be accounted for by several reasons: the number of ballots that a licentiate is obliged to go through, is one bar to any gentleman attempting to pass it. He is obliged to pass through five ballots before the comitia majora, the whole body of the College. In the Evidence it has been stated, that there was no material difference between that mode of admitting a licentiate into the fellowship, and the ordinary mode of admitting a fellow who had graduated at Oxford or Cambridge, and had come up in the ordinary way; that he also had to pass through five ballots; but three of those are before the comitia minora or the Censor’s Board, and two before the General Board. Now, so far as number goes, it is correct; but before a licentiate can get into the fellowship under the seven years bye-law, he must pass through nine ballots. In the first place, when he applies to obtain his licence, he passes through three ballots, one on each examination before the censors; and he also passes through one ballot before the body at large assembled in the comitia majora; and if he came up to the fellowship under the seven years bye-law, provided there was any chance of it, he would have to pass through five more before the comitia majora, which would make in all nine.

2056. The seven years bye-law, and the ten years bye-law, were passed by the College after Lord Mansfield had expressed his opinion on the subject of the bye-laws of 1765, were they not?—Yes.

2057. Are you acquainted with the cases of Dr. Wells and of Dr. Stanger?—I am.

2058. In the proceedings upon Dr. Stanger’s case, were not the seven years bye-law and the ten years bye-law represented as so qualifying the statutes of 1765, which had been condemned by Lord Mansfield, as to remove (as was contended) the objections which his Lordship had made?—They were made for that purpose. They were intended to remove the objection as to the legality of the previous statutes, which consisted in limiting the number of the eligible. Those two statutes were made in order to make it appear that the number of the eligible was not limited.

2059. Were you personally acquainted with Dr. Wells?—I was not.

2060. Do you know the character of Dr. Wells as a physician and a man of science?—

science?—I know him from an acquaintance with his works, and from other information.

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2061. What opinion have you been led to form of him as a man of general knowledge, and as a physician?—I have been led to form the opinion that he was a man equally distinguished in general science and in medicine.

2062. As a man of science, should you not consider him of the very first order?—Of the highest order.

2063. Would you say the same of him as a physician?—I should say he was one of the first physicians.

2064. Was he one of the first in point of private practice?—Not in point of private practice. He had ample opportunities of being as good a practitioner as the first in point of practice, because he was for a considerable length of time physician to St. Thomas's Hospital.

2065. And that, before he was proposed by Drs. Baillie and Pitcairn to be examined as to his fitness to become a fellow of the College?—Yes; he had been several years physician to St. Thomas's Hospital previous to his nomination for the fellowship.

2066. Did it not appear, from the application made by Dr. Sims about the year 1789, and the attempt made by Dr. Wells, that, for some cause or other, there were great impediments placed in the way of any licentiate gaining admission under the seven years bye-law into the College?—It appeared that there were insuperable obstacles to contend with, before any licentiate could gain admission under that bye-law.

[*Added by the Witness on correcting his Evidence.*]

“After Dr. Sims and Dr. Wells had failed to pass the first ballot, it was not likely that this bye-law would ever be carried into effect.

“The case of Dr. Fothergill shows the impracticability of any licentiate of eminence ever arriving at the fellowship, by the proposal of a fellow. He was proposed by Sir William Brown, and the proposal was followed up both by Dr. Heberden and Sir John Pringle; yet, on the ballot, there were 13 negatives and nine affirmatives.—*Vide* Dr. Watson's Letter in Thomson's Life of Cullen.

“Another obstacle would consist in the reluctance of a licentiate, after having been many years in practice and enjoyed the public confidence, to submit to any additional examination before a body, many of whom would be his juniors, and all his competitors in practice; and further, such an examination might operate to his disadvantage with his patients, who had hitherto considered him as among the first practical physicians.”

2067. Are dissenters in a great measure excluded from the fellowship of the College, by the operation of the statutes?—They are.

2068. In what way?—The great body of the fellows must of course be members of the Church of England, because in those cases in which the bye-laws give them a title to be admitted, they are understood to be members of the Established Church.

2069. You mean that the great body of those who come into the College, come in as graduates of the two English Universities, and that they cannot have graduated at either of the English Universities, without subscribing to the articles of the Established Church; which of course would render it necessary that the great body of the fellows should be members of the Church of England?—Exactly so.

2070. And with regard to the medical graduates of Dublin, the necessity of being incorporated in one of the English Universities, would throw the same impediment in the way of any Roman-catholic graduate finding admission, under the ordinary bye-law, into the College?—Certainly.

2071. Do you believe that amongst those who have found their way into the College on the recommendation of the president, there are any dissenters?—I have not been able to discover that there are any.

2072. Have you endeavoured to ascertain by the ordinary means of inquiry whether there are or are not?—I asked the question of one of them, whether to his knowledge there was a dissenter among those who had been called up by the special favour of the president; he replied, he did not know that there was one.

2073. Are there, according to your belief, many dissenters amongst the licentiates?—I think there are not many.

2074. Out of 136 resident licentiates, what proportion of dissenters do you think there may be?—It is a question I am not prepared to answer; I do not

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know how many persons would belong to the Scotch Church, and how many persons would belong to the various denominations of dissenters.

2075. Do you think there would be any difficulty in naming 12 or 20 out of the 136?—I think not, including the Presbyterians; or even more.

2076. It has been stated that there exists a jealousy between the fellows and the licentiates, which is not creditable to the members of a liberal profession. Can you state any injury which has arisen out of that jealousy?—They are so much separated from each other, that they scarcely appear to belong to the same body of men in London.

2077. The licentiates and the fellows are so separated, from some cause or other, that they appear to constitute two distinct bodies of men?—Yes; there appears to be a chasm between the two parties, which it is difficult to fill up. Two physicians will study at Edinburgh; the one graduates at Oxford or Cambridge, the other finishes his education at Edinburgh, and they come to London to settle as physicians; one becomes a licentiate, and the other a fellow: under those circumstances it not unfrequently happens, that though they have been very well acquainted during the time of their pupilage at Edinburgh, their interests are so diametrically opposite to each other with regard to the question of the College of Physicians, that it creates a jealousy and a dissension between them.

2078. In the course of the practice of the fellows in their profession, or in the course of any patronage exercised by the College, or the President of the College, is there not a disposition to prefer the physicians of their own order, belonging to the College, rather than licentiates?—I think there is.

2079. Have you any doubt upon the subject?—I have no doubt upon it.

2080. To what circumstances do you attribute those dissensions, and that disunion which you think exists between those two bodies in the College?—The parties are so unequally situated; the one is the governing body of the common institution, and the other are parties having very little to do with that body, and who consider that they have a claim to become part of the governing body.

2081. Do you consider it to be an instance of that jealousy which generally arises between one body and another, whenever one of the two is excluded from privileges which are granted to the other?—I do.

2082. Are there any hospital or other appointments which you think are almost exclusively filled by fellows of the College?—The office of physician in several of the hospitals is exclusively filled by fellows of the College.

2083. Do you know whether this exclusive promotion of fellows to such hospitals, arises out of the particular bye-laws of the hospitals; or to what other circumstance do you attribute it?—It arises in a great measure out of the *esprit du corps* existing among the fellows.

2084. Then you think it is not owing to the bye-laws, but to the influence which the fellows of the College possess amongst the electors to those hospitals?—If there were no bye-laws, there would be no difference between the fellows and the licentiates.

2085. In what way is the influence of the College so exercised, as to lead to that almost exclusive election of the fellows to the offices in the hospitals?—It operates in this way, at least it is notorious that it does so, that a fellow of the College feels himself almost bound to assist with his influence another fellow, and not to use any influence in favour of a licentiate.

2086. Might not the licentiates exert the same kind of influence with regard to their class?—They might, if they had the same bond of union.

2087. Do not you think that a corporation, exerting itself, possesses greater influence than individuals?—I do.

2088. Does the College ever exert itself as a corporation on behalf of individuals?—They have a power of recommending under a particular grant with regard to St. Bartholomew's.

2089. You were understood to attribute the advantage which the fellows possess as candidates for the vacant offices in hospitals, to the bye-laws of the College itself?—I attribute it to the bye-laws operating to exclude the licentiates from the College. If this exclusion did not exist, the licentiates would be fellows, and there would be an end to the advantage.

2090. Although as a corporation the College does not exert itself, yet in case of a vacancy, do the individuals belonging to the corporation exert themselves in favour of one of their own body?—That is generally considered to be the mode of exerting their influence.

2091. In what way do the individuals belonging to the body of the College exert themselves in favour of one of their own body, in case of such a vacancy?—It is generally understood that they exert all the influence they have as canvassers.

2092. You have been asked whether the licentiates might not equally unite together and support a candidate of their own; if they were to do so, do you think that would be a desirable state of things in the profession, to have the two bodies so united in opposing each other?—It would be productive of considerable injury to the profession.

2093. Do you mean to say that there is any union on the part of the fellows in so canvassing?—The answer I gave with regard to union is, that the fellows have a bond of union as being the managers of the corporation; and the licentiates have no bond of union.

2094. What opportunity has the President of the College of informing himself of the attainments of the individuals composing the general body of the licentiates?—Very little, except the ordinary intercourse of physicians in practice.

2095. In your opinion is the power which the president has of nominating licentiates to the fellowship open to any objections; and if so, state to what objections?—Such a mode of admitting licentiates to the fellowship is open to several objections. A power placed in the hands of any individual to nominate a licentiate for the fellowship, renders such individual liable to be influenced by favour or by some other circumstances, independently of the actual merits of the party proposed: and with regard to the party proposed to be elevated to the fellowship in this way, I think it is open to the objection, that a licentiate, anticipating such an event, might be induced to compromise his dignity as a man, to sink his independence, and to become subservient to the person who had the power of calling him up to a higher rank. By so doing he would lower the standard of moral rectitude in his mind.

2096. Do you also think that the very circumstance of the president having this power of nomination, may estrange many individual licentiates from the president, lest they should be suspected of courting him for the very purpose of finding admission into the College?—I think such a feeling would exist in many of the licentiates.

2097. Have you had an opportunity, during the discussions that have lately taken place among the licentiates regarding their petition, of ascertaining what their opinions are respecting the College of Physicians?—I have with respect to many of them.

2098. Have they such a confidence in the College of Physicians as to entertain an expectation of any efficient reform taking place in the College without the interference of the Legislature?—The history of the College, from the time when these exclusive bye-laws were framed, down to the present time, gives no reasonable hope that the College will reform itself.

2099. You think that from their past acts, the licentiates consider that they have no reason to expect liberal treatment from the College in future?—I think they have not.

2100. In petitioning for a redress of grievances, do you think that the licentiates are actuated solely by the desire of gaining admission into the fellowship?—They certainly are not:

2101. By what motives do you think they were actuated, in so petitioning?—They were actuated by a desire to see the College of Physicians placed on a substantial foundation. Provided they gained their end of admission into the College, the distinction of ranks would cease to exist, and a material point at issue would be done away with immediately. And they were also desirous to see the whole of the profession placed on a better foundation than it is at present.

2102. What imperfections do you allude to, when you say, “a better foundation than at present?”—The imperfections in the law relating to the medical profession generally.

2103. Reverting back to the examinations you underwent before the College, do you consider that they were or were not a sufficient test of your medical fitness to practise as a physician?—I think they were not.

2104. In what do you think the examination was imperfect?—The examination is merely descriptive, and a merely descriptive examination to qualify for practising the medical profession is entirely unfit to answer the purpose. I think the examination of a candidate to practise medicine should consist of description, demonstration, analysis, and combination. By description, I mean the present mode of

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examination, which consists in describing from memory solely. By demonstration, that the various substances of every kind used in medicine should be placed before him, and he should be required to point out the character and properties of any of them: he should also be required to demonstrate on the dead body any part of anatomy. Analysis would include chemistry, materia medica, pharmacy, and the investigation of disease at the bed-side. Combination would include the preparations of the pharmacopeia, &c., and the combining and arranging the symptoms of disease, and judging of its character, the application of remedies, and the probable event.

2105. Is not the examination of those who apply for the licence of the College conducted in Latin?—It is.

2106. Are you aware that the Commissioners for inquiring into the Scotch Universities have condemned the practice in those Universities of examining candidates for the degree of doctor of medicine in Latin?—Yes, I am.

2107. In what sort of Latin is the dialogue carried on; is it a test of a man's Latinity?—No, I should not think it was a test of his Latinity.

2108. Do not you think it tends to embarrass the person under examination; and that it would be better, both for the examiner and the examinee, if the examination were carried on in the English idiom?—The examination ought to be conducted in the vernacular language of the candidate. If it be conducted in Latin, as it is now, a candidate of inferior medical knowledge who is tolerably fluent in speaking Latin, has a very great advantage over a man of superior abilities and attainments who has not had the opportunity or has not the tact to acquire the colloquial part of the language: and there is this disadvantage, that a person may be understood to be making the translation, whilst he is really thinking of facts, which he ought to be able to assert at once.

2109. Should there exist a body in London to confer degrees in medicine?—From the extent of the schools in London, I think it very desirable that there should be such a body.

2110. Should the conferring of a degree in medicine convey a title to practise medicine, in your opinion?—I think it might very safely be placed on that footing, provided the examiners for the degree were not interested in teaching: they might grant the degree and the licence to practise at the same time.

2111. Would you have more than one degree in medicine, or should there be only one?—I think that in the present state of medical science and practice, and of the wants of the public, two ranks are required. In the first rank the physicians and surgeons might be placed; and in the second rank the general practitioners. This appears to be what the state of medical practice is at present.

2112. Would you require all physicians and surgeons, before they took the superior degree, to have taken the lower degree?—They should certainly have passed through all that was required of the second rank.

2113. Would you have him undergo a second examination, before you give to him the superior degree?—That would depend upon whether the examination took place at several times during the course of study, or finally at the close of it.

2114. Are you of opinion that it would be desirable to have periodical examinations, during the progress of the study of a medical student; or do you prefer the practice of deferring the examination till the period arrives when the student comes to solicit his degree?—The plan of periodical examinations would be far preferable.

2115. At what period of time, after taking the inferior degree, would you think it expedient to give the superior degree?—Probably three or four years.

2116. Would you require that during that period the person should have been actually practising medicine; or would you think it sufficient that he should have been studying his profession?—He might do either; he might have been either in the actual practice of the profession, or extending his knowledge by attending the practice of others.

2117. Ought the power of conferring degrees in medicine, if vested in some bodies in London, to be intrusted to each of the different Colleges, such as King's College or the London University?—I think it would be better to have a single body to whom such power was delegated.

2118. A general body to which all students might be referred, wheresoever educated?—Yes, and the education the same.

2119. Ought students in medicine and students in surgery, up to a certain stage of their education, to pass through the same course of study?—I think they should, till very nearly the close of their education.

2120. Ought

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2120. Ought the College of Physicians to be the body in London, in which should be vested the power of conferring medical degrees?—The body should consist of physicians and surgeons. The College of Physicians consists exclusively of physicians; I consider that objectionable.

2121. Up to what period ought the studies of a student in surgery to be theoretical; and at what period of study should the acquiring of manual dexterity in operations commence?—I think if a physician and a surgeon were well educated for the practice of their profession, their education would be nearly the same, with this difference, that the physician would pay more attention to internal pathology, and the surgeon to external pathology; and there would be a difference also in the range of their anatomical studies, the surgeon would pay more attention to what is strictly speaking surgical anatomy, and the physician to anatomy of the internal organs.

2122. Ought the attention of the person intended for the practice of surgery to be turned from the commencement to mechanical contrivances and manual dexterity?—I think he should be educated for the profession generally, and then make his selection.

2123. Is it not as essential for the surgeon to be informed in the principles of the internal treatment of disease, as it is for the physician?—I think it is.

2124. Does not the greater part of the treatment of the average of surgical patients turn rather upon internal treatment than on the manual dexterity of the surgeon?—Yes, it does; and in proportion as internal treatment is improved, by the attention of surgeons to the study of medicine, the necessity of performing operations, or of acquiring manual dexterity, becomes less and less.

2125. Is it not the fact, that much fewer operations are performed in surgery at the various hospitals than used to be the case some years ago?—That is the fact; very much fewer operations are performed at the London hospitals now than some years ago. It may be accounted for, in part, by the education of the country surgeons being much better than it was some years ago, and consequently a number of cases requiring severe operations, or operations of great skill and manual dexterity, are performed in the country, equally well as in London.

2126. You spoke of imperfections generally affecting the state of the various branches of the medical profession. To what particularly do you refer?—The present state of medical practitioners is this: they are ostensibly divided into three branches, the physician, the surgeon, and the general practitioner: but the division does not in reality exist. The physician practises medicine almost exclusively; but nine tenths of the practice of a surgeon, is the practice of medicine: and 19 twentieths of the general practitioner's practice is medical. There is no distinction, in point of practice, with the sole exception of the physician being understood to apply himself to internal diseases only; and the sooner that is done away with, the better.

2127. Is there any advantage in excluding either the physician or the surgeon from administering his own medicine to his own patients?—There would be a disadvantage in excluding either of them absolutely from administering medicines to his own patients. This permission to administer medicines would be inoperative in large towns.

2128. Are you aware of the practice in Edinburgh, of many leading physicians and surgeons administering medicine to their own patients?—Most of the practitioners of Edinburgh, I believe, when they first set out, are general practitioners; perhaps excluding midwifery: they practise medicine, surgery, and pharmacy: they are commonly, I believe, fellows of the College of Surgeons, having, at the same time, taken a degree; and they employ themselves for a number of years in practising the various branches of medicine; and when they choose, they confine themselves to medicine more exclusively.

2129. Is it not for the advantage of the public that the practitioner, whatever may be his grade in the profession, should be at liberty, if he pleases, to administer his own medicine to his own patients?—I think it would be an advantage, if he chose to do so.

2130. You would condemn of course the making use of any secret recipes; but provided the recipes he makes use of are well known and public, is it disadvantageous to the public to exclude a practitioner from administering his own medicines?—I think every practitioner should have the option of practising exactly what he chooses.

2131. Is the existing triple division of the profession of use to the public?—

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I think it is not ; it is a division that does not exist in point of fact ; it is more an ostensible division than a real one. The arrangement has nearly assumed a natural state ; every one practises, with the exception of the physicians strictly so called, just what he pleases.

2132. Has not the character of the general practitioner been greatly raised within the last few years ?—I think it has been greatly raised since the year 1815.

2133. Was not the apothecary of former days very much what the druggist is now ?—Not in my memory.

2134. Was not he something intermediate between the present general practitioner and the druggist ?—Yes, there were a few old apothecaries who were merely apothecaries, who kept a shop, private or not, and visited patients without practising midwifery or surgery ; but there are very few of this class now.

2135. Did the present triple division in the profession arise out of the wisdom of our ancestors, or out of peculiar political circumstances, or the trammels put upon medical practice by ecclesiastical bodies ?—They arose out of the trammels put upon the practice of medicine by the ecclesiastical bodies. Formerly physicians practised all branches ; but after a time, they did not choose to do the manual operations, and they left them to their servants or the barbers ; and hence arose the surgeons.

2136. Did not one of the bulls of the see of Rome prohibit ecclesiastics from visiting patients, and practising the manual parts of the profession ?—Yes, it did, the Council of Tours, 1163.

2137. Was that one of the causes which occasioned the distinction between the physician and the surgeon ?—I think that was the principal one.

2138. Without any interference of the State or Legislature, would not that partition of practice in the profession take place in a great measure, at least in great cities, which now takes place ; namely, that there would be one body of men applying themselves exclusively to medicine, and another exclusively to surgery, and another and a cheaper class of practitioners, who would unite all functions in themselves ?—Yes, I think that would be the natural division ; and that the present is an artificial one, so far as physicians are concerned. A physician comes to London, and finds himself prohibited, either by the laws of the College or by usage, from practising surgery.

2139. Do you think that places which do not afford requisite means of preliminary general education, and of good medical education, should have the power of conferring medical degrees ?—I think that no university or school should have the power of granting degrees, unless it had the means of instruction.

2140. Should it be necessary for universities, or bodies empowered to confer degrees to unite in themselves the means of giving both general and medical education, or might they not be allowed to provide for the examination of applicants for degrees in those branches of study which they did not possess the means of teaching ?—I think if an institution possessed the means of teaching medicine only, it might be allowed to grant a qualification for medical practice ; and it would be a matter of indifference where the student obtained his medical education, or his education in arts, whether at the same place or in two places, provided he had obtained both.

2141. Ought the student, before he was allowed to enter himself as a medical student, to undergo some examination, as to his having gone through a preliminary education in classical literature and science ?—It would be highly desirable.

2142. Is not the great impediment to any particular body or university raising the standard of education, found to lie in the difficulty of persuading them all to adopt one uniform standard ?—I believe it is ; and where the standard of education has been raised, it has generally been found that no diminution of students has taken place, but rather an increase. A student will generally prefer to study where the standard is high ; provided he have good abilities, and is diligent.

2143. Is not great care requisite that the standard be not raised too high, lest you render it expensive, and transfer the cheapest practice entirely to irregular and uneducated practitioners ?—If two ranks exist in the profession, then the difference would probably be considerable between what is required of one and of the other.

2144. In any endeavour to raise the standard of medical education, is it not essential that you have it cheap, lest by raising it too high, you force into practice a body of ill and cheaply-educated irregular practitioners ?—If the price of education were placed too high, it would certainly have the effect of making the students content.

content with a less proportion of attainment, or at least just what they were obliged to attain. John Sims, M.D.

2145. Is not the whole history of medicine, as regards all exclusive privileges granted to colleges and universities in this country, a practical illustration of this principle, that by too much restricting the body of men who are allowed to practise, you drive the practice for the poorer classes into the hands of wholly uneducated men?—It certainly was the case before the Apothecaries Act of 1815; because the general practitioner was not required to have any education at all, if he did not choose it. 25 March 1834.

2146. During the first two centuries of the existence of the College of Physicians, when they were endeavouring to prevent all surgeons and all apothecaries from practising medicine, was not the effect of that attempt, to raise up a body of irregular practitioners?—It had that effect.

2147. The demands of the public for a cheaper practice than that of the physicians created that body of irregular practitioners?—Yes, and a demand for a greater number of practitioners.

2148. What would be the constitution of that body to which you would think it expedient to intrust the examination of candidates for medical or surgical degrees?—It should be a body consisting of physicians and surgeons; and the majority, if not the whole of them, should not be engaged in teaching.

2149. Supposing a person had taken a medical or surgical degree or diploma in Scotland, and came to practise in the south, would you think it right that such a person should be subject to re-examination before the board sitting in London?—Provided the education were the same, I think there would be no further necessity for any other examination.

2150. You think it would be only necessary for the board to inform itself, whether the certificate borne by the applicant really was or was not good evidence of his being informed in that branch of the profession in which he wished to practise?—The inquiry into his capability should rest solely upon ascertaining whether he had gone through the usual form of study, and had obtained the requisite testimonial in any other part of the kingdom.

2151. If any doubt existed whether any university conferred its degrees with too great laxity, in that case should he be subject to re-examination?—If such supposition existed, there could be little doubt of the necessity of giving this body the power of instituting another examination.

2152. Would you admit to such examination parties who had graduated in foreign universities and schools, upon their offering to submit themselves to examination before this board?—Provided they have passed through a sufficiently extensive course of instruction in medicine.

2153. Are you aware that this distinction exists in the College of Physicians, Edinburgh, that graduates of any Scotch University by right, and graduates of the English or Irish Universities by courtesy, are admitted to have a licence to practise without examination; but that the graduates of foreign universities may be required first to submit themselves to examination?—I am aware that no examination was required from graduates of other Scotch Universities; but with reference to foreign graduates, I was not aware of the difference just stated.

2154. Is it not a reasonable distinction, that the board might have a power of examining, in case of degrees being granted by foreign universities with too great laxity?—Certainly.

2155. Suppose that an uniform and a reasonable standard of medical qualification were exacted by all the different bodies having power to grant degrees and diplomas, should you have any fear of the supply of the general practitioners being restricted for the wants of the community?—I think not.

2156. Might it be raised higher than it is, without any fear of too much restricting the supply of general practitioners?—The preliminary education in Scotland ought to be increased, and the Report of the Commissioners for inquiring into the Scotch Universities, I believe, recommends such a course; an extended period of study, and an increased number of studies.

2157. Would it not be essential, if preliminary education were required from those who wish to become general practitioners, that the acquisition of general knowledge should be rendered cheaper than it is to be found at the English Universities?—Certainly.

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2158. If the acquisition of general education were required of all who are to practise, and were rendered as expensive as it is at the English Universities, should you not fear that it would have the effect of too much restricting the number of general practitioners?—It would diminish the number of practitioners very materially.

2159. Is it not then an essential condition of requiring to any extent preliminary education, to begin by devising some means of rendering general education cheap?—I think so. If all practitioners underwent an extended preliminary education, it ought to be cheap.

2160. What opinion do you hold respecting the present mode of remunerating general practitioners, by a charge for their medicinae rather than for their attendance?—I think the remuneration of general practitioners by charge for medicines, is a bad plan: a better plan would be to remunerate them for attendance.

2161. Does not it subject them to the imputation of not proportioning the quantity of medicine to the wants of the patient?—That is the general impression.

2162. Is it not a reasonable impression?—Yes.

2163. Is it not the actual practice, to send a larger quantity of medicine than the patient is expected to take?—The plan is liable to that imputation.

2164. Has not a large portion of the supply of medicine for patients, that used to be provided by apothecaries, of late years been transferred to the druggist?—A very considerable proportion.

2165. Do you believe that a practice prevails to any extent with the druggists of prescribing across the counter?—I believe it does.

2166. Have you ever heard of any such practice, for the purpose of evading the Apothecaries Act of 1815, as that a Scotch or other physician, settled in some part of England in the country, should prescribe for patients, and instead of supplying the medicines himself, receive a per-centage from the druggist who supplies the medicine prescribed?—I do not know any such case.

2167. Do you believe that such practices exist?—I have not sufficient grounds for believing that such a practice does exist.

2168. Are there any other grievances which you think the licentiates have to complain of, besides those adverted to in your former answers?—I think those adverted to in the petition embrace nearly the whole of the grievances which the licentiates suffer.

2169. Would it be reasonable that the College should give them access to their library and museum?—Certainly.

2170. You think that the mere circumstance of their being licentiates should give them access to the library?—That depends upon the idea that the College have, whether they think the library is their own exclusive property or not.

2171. Are they now ever invited to attend the meetings of the College?—To the evening conversations they are.

2172. Is the practice now retained of once a year requiring the licentiates to attend to hear the statutes *de conversatione morali* read?—I never received such a summons.

2173. Are the licentiates summoned to hear the Harveian orations?—They receive an invitation, which is affixed to the card of invitation to the *conversazioni*.

2174. What is the nature of those orations?—They are laudatory orations in honour of Harvey and those physicians who have distinguished themselves as fellows of the college.

2175. Is it to be collected from passages that have occurred in many of those Harveian orations, that there has been considerable acrimony of feeling between the licentiates and the fellows of the college?—There are several of the Harveian orations which contain specimens of very great acrimony of feeling.

2176. About the time that Dr. Wells and Dr. Stanger were seeking admission into the college, are there not passages of great acrimony to be found in the Harveian oration, showing that the question of admitting the licentiates into the college was taken up with a spirit of party by the fellows of the college?—Yes, there are such passages.

2177. Can you refer to any such?—There is a passage in the Harveian oration of 1794.

2178. That was between the periods when Dr. Sims and Dr. Stanger endeavoured to find admission?—It was in the intermediate time.

2179. Will you read the passage?—The passage in the Harveian oration of

1794 is, "Hostis aggreditur ferox, audax, pertinax, posthubita, fide de observandis (Collegii) statutis. Verùm enimvero tametsi mihi esset occasio querendi prolixius de factâ nobis temere injuriâ, vetat amplius disserere liberalitas."

2180. What is the meaning of the passage "posthubita fide de observandis (Collegii) statutis?"—The meaning of that passage implies, that certain persons have violated their faith, or broken their word to the College.

2181. Was not this the promise which the licentiate upon entering the College gave: "Dabis fidem te observaturum statuta Collegii, aut neglectas tibi contra facienti irrogandas promptè persolutorum, omniaque in medicinâ faciendâ pro viribus facturum in honorem Collegii et reipublicæ utilitatem?" Must not reference have been made to that promise of the licentiates, in the passage you have read from the Harveian oration?—Reference was made to that passage.

2182. By whom was that oration pronounced?—By Dr. John Latham.

2183. Was that supposed breach of promise alluded to in the law proceedings between Dr. Stanger and the College of Physicians; and did the Judge upon the bench advert to that imputation?—It was alluded to by the counsel for the College upon that occasion; and the allusion was scouted by the Judge.

2184. From this or any similar passages do you infer that the admission of the licentiates was opposed with a spirit of party then existing in the College, and that it might naturally be inferred that during the five examinations which the licentiates were required to undergo, that spirit of party might have acted to the prejudice of the licentiates seeking admission?—Yes, I do: this passage in the Harveian orations fully warrants that conclusion; and at the time that Dr. Sims attempted to go into the College under this bye-law, threats or menaces of a very severe examination, if he chose to persist in his resolution of appearing before the comitia majora, were held out to him.

2185. Do you think that the distance which the bye-laws create between the fellows and the licentiates, tends greatly to diminish the influence of the College over the profession, and their power of carrying into effect any reasonable regulations they may have to propose?—In consequence of the manner in which the licentiates have been treated by the fellows of the College, I think they have lost in a very considerable degree the respect that might attach to them, and also the confidence that ought to be reposed in them by the public.

2186. Do you think it operates injuriously upon the public, by occasioning such a dislike to the proceedings of the College, that they find it difficult even to carry into effect any reasonable regulations which they may wish to impose for the regulation of the profession?—I think it does.

2187. Are the Committee to collect from your former answers, that the College is highly unpopular with the body of the licentiates?—Extremely so.

2188. What consequences do you anticipate, if the present bye-laws of the College and the present system of self-election should remain unchanged?—I see no other consequence, than that of remaining in the present unsatisfactory state.

2189. Would dissatisfaction increase or diminish?—It would increase, in all probability, as the same causes of dissatisfaction would continue to operate.

2190. Then you think that the influence of the College would diminish?—Certainly.

2191. And do you think that at length the state of things would come to be such, that a remedy would be absolutely necessary?—It is so already.

2192. Subsequently to 1794, were there any acrimonious passages in any of the Harveian orations?—There was one in the Harveian oration for 1806; this was subsequently to some medical men in the country taking an active part in trying to obtain medical reform; and under the apprehension of this reform, or the agitation spreading to the College of Physicians in London, in all probability this specimen of acrimony was uttered at the College in 1806.

2193. Please to read it?—It is by Dr. Pemberton: "Quis vestrum ignorat, alienorum hominum concessum habitum esse, novis conciliis, nova audacia erectum, ad reformandum ut aiunt, sed potius evertendum eam medicam disciplinam quæ in hac nostra domo per tria secula feliciter constituta est. Immo eo processit hæc rerum novarum cupiditas, ut consulerunt de petitione senatui referenda ad inceptum suum lege sancendum. In tali casu ubi is vestrum qui non ad arma currat? quis non clamat. 'Stet fortuna domûs,' clamandique pro salute nostræ reipublicæ propugnet."

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2194. Do you understand the expression "Curat ad arma," to mean literally a recourse to arms?—No, I understand it to refer to a "war of opinion."

2195. Who were the agitators in the country to whom that refers, that occasioned this appeal to arms?—It was in allusion to the proceedings of Dr. Harrison and his associates, in consequence of what occurred at the Lincolnshire Benevolent Society in 1805. I do not recollect what the particular occurrence was, but I believe that Dr. Harrison was desirous of promoting some general measures of reform in the profession.

2196. Are you aware that, in November 1805, the College of Physicians proposed themselves to institute a reform in the profession?—I was not aware that they did; but whenever there has been any agitation or dissatisfaction among the licentiates, there has always been some proposal of that kind; but nothing has hitherto been effected.

2197. It appears that at a meeting of the College of Physicians of Edinburgh, on the 7th August 1804, there was presented and read a printed letter received by the president from Dr. James Harvey, the registrar of the College of Physicians in London, annexing a copy of a proposed plan for the better regulation of medical practitioners of country districts in the United Kingdom, for which it was intended to make application to Parliament with a view to an Act, and requesting the opinion of the College therein; did you ever hear of that?—I am not aware of that circumstance.

2198. It appears that one of the heads of this Bill was, that no physician who is not a regular graduate of the two English Universities, or of those of Ireland or Scotland, except as hereinafter provided, should be permitted to practise in the United Kingdom, and that it was intended to divide the whole country into medical districts?—I was not aware of those proposals.

2199. Are you aware that on the 26th of August 1806 there was a numerous meeting of the faculty at the house of Sir Joseph Banks, to consider of medical reform?—No.

2200. You were understood to say that the examination at the college, to which you were subjected for a licence, was of a negative character, rather than a positive; by which it is supposed you meant, that it would prove a man not to be ignorant, rather than prove that he was extensively acquainted with the medical science: supposing a person proved himself not to be ignorant, would not that be sufficient justification for the College to allow him to begin to practise?—I think he should prove his positive knowledge.

2201. Would there be any danger in allowing him to practise, if he proved that he was not ignorant?—That would depend upon the degree of his attainment.

2202. Might not a person who underwent such an examination as you went through, safely, upon the test of that examination, have been permitted to practise?—I think not.

2203. Does the extent of the examination depend upon the discretion of the examiner?—I believe it is fixed by the statutes.

2204. You said that there was no examination, strictly speaking, with regard to the diseases of women and children. Was there any examination at all upon that point?—Not upon the diseases of women and children. I forget the particular points of disease that were taken, but I think one was relating to a dropsical affection, which would apply to either sex.

2205. Do you know what proportion of Edinburgh graduates are rejected by the College?—I do not.

2206. Do you know of there being any instances of that sort?—I have heard of such being rejected.

2207. Do not you think that a candidate for a licence ought at least to be able to make himself understood in Latin?—He ought to be able to read Latin. I think it is not absolutely necessary that he should be able to speak a dead language.

2208. Not sufficiently to make himself understood?—No. I should say that he might as well avoid it, as attempt to acquire a mere smattering of it.

2209. With regard to the exclusion of licentiates from the library and the museum, did you ever apply to be admitted there?—I once applied for a work through a relation of mine who was a fellow; and I obtained that book on his application, not on my own.

2210. You

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2210. You stated that you never had a copy of the bye-laws relating to the licentiates; did you ever ask for any such copy?—No, I did not think it worth while; for I considered that my connection with the College was at an end the moment I passed my last examination.

2211. With regard to the proceedings in the courts of law respecting the admission of licentiates to the fellowship, do you know what was the nature of the application in Dr. Askew's case?—I think his application was for an admission to the fellowship.

2212. Do you know what the result of it was?—The result of it was that the College was sustained in its refusal.

2213. Was not this the nature of the decision, that a person in the situation of a licentiate could not claim, as a licentiate, to be admitted into the fellowship, inasmuch as he, by becoming a licentiate, had recognized that law by which the distinction was drawn between the licentiates and the fellows?—To the best of my recollection, it was considered that his claim to be admitted a fellow was vitiated by his having accepted a licence.

2214. Are you aware what Lord Mansfield's interpretation of the charter was upon that occasion?—Lord Mansfield's interpretation of the charter has almost uniformly been, that the College were bound to admit all that were fit.

2215. Did he not say that the charter contemplated persons practising in London who were not fellows?—He said, that he had an idea that the charter contemplated persons practising who were not fellows, such as persons who might be licensed for any special complaint.

2216. Do you know what the nature of the application was in Drs. Archer and Fothergill's case?—They had applied to be admitted as fellows, after they had obtained their licence.

2217. What was the result of that?—The result was that they were considered to have vitiated their claim in consequence of having accepted the licence.

2218. Was not Mr. Justice Aston's judgment, that even supposing the bye-law to be bad, yet as the party had come in as a licentiate under that bye-law, he was precluded from contending that he came in as a fellow?—I believe it was.

2219. Was not Dr. Stanger's application framed so as to obviate that objection?—His application was framed in another way; but still he was defeated.

2220. Have not the licentiates, in point of fact, been defeated on every occasion in which they have attempted to procure their claim to be recognized by a court of law?—I think they have always been defeated.

2221. Do you know whether in Dr. Stanger's case they were not defeated upon the express ground, that the bye-laws by which they were excluded were legal and reasonable?—I do not think that was the decision; I think they were not defeated upon the ground that the bye-laws were reasonable.

2222. With regard to the distinction between surgeons and physicians, might not a man be very competent to exercise the profession of a physician, and yet be totally unfit from bodily causes for performing surgical operations?—Most assuredly; therefore he should have his choice.

2223. Does not that circumstance constitute a difference between the two branches of the profession?—Certainly not.

Mercurii, 26° die Martii, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

John Sims, M. D., again called in ; and further Examined.

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2224. YOU were understood yesterday to say that you thought there should be two different degrees, one superior to another, both conferred by a central board?—That there should be two different ranks in the profession.

2225. Did you mean that there should be two separate examinations upon the claims of a party to enter into those two separate ranks?—I meant that the claimant for the first rank might undergo the whole of his examinations before he began to practise, if he chose ; the claimant for the second rank might undergo a certain course of examination before he began to practise, and when he moved up into the first rank, he should pass another examination, to make his standing in point of acquirement equivalent to that of the man in the first rank.

2226. Before the commencement of the medical education of a student, what is the preliminary education which you think he ought to have received?—I think he ought to possess a knowledge of the learned languages, and also of some of the modern languages ; and a knowledge of mathematics and natural philosophy.

2227. In the case of a student aiming to be a general practitioner, to what extent do you think this preliminary education ought to go?—I think that would be a question of the time that he should devote to those preliminary studies.

2228. Of course you would consider it no objection to such a student that he had prosecuted those preliminary studies at the house of his parent, and not at a college or school?—Certainly not, provided he could show his competency by an examination before a proper tribunal.

2229. Ought such a student, before commencing his medical studies, to know Latin?—Yes, he ought to have a knowledge of Latin.

2230. Is it desirable also that he should know some Greek?—Yes, he should have a knowledge of Greek, so as to enable him to understand the meaning of terms, and to read any author if he chose ; but I should not make it a *sine qua non*.

2231. Arithmetic?—Arithmetic, of course.

2232. Elementary geometry?—Yes.

2233. The solution of simple equations?—It is a matter of doubt whether you should require so much of a candidate for the second rank.

2234. Supposing a student, intending to be a general practitioner, has had a competent preliminary education, what course of medical education do you think it is desirable he should undergo?—He should study all the branches of medical education ; anatomy, the practice of medicine, physiology, pathology, internal and external, including morbid anatomy, chemistry, pharmacy, materia medica, midwifery, medical jurisprudence, botany.

2235. Even if he did not study natural philosophy mathematically, would it not be desirable that he should have acquaintance with popular physics?—Certainly it would.

2236. Should you think clinical attendance necessary?—Absolutely necessary.

2237. Both surgical and medical?—Surgical and medical.

2238. Should you think dispensary practice sufficient for a general practitioner, or would you require hospital practice?—Hospital practice is decidedly the best for observing the nature and treatment of disease ; it is far preferable to dispensary practice ; you have more control over the patients, and a better prospect of knowing that what you prescribe for them is effectually carried forward. In dispensary practice there is considerable disadvantage in those respects.

2239. Should you think the study of midwifery essential for the general practitioner?—Certainly.

2240. That is not made essential either in the examination before the Apothecaries' Company or before the College of Surgeons?—I believe it is not in the College of Surgeons ; but my impression is, that by some recent alteration in the Apothecaries' Company, examinations do take place in midwifery ; and that there is a physician accoucheur present during the time of these examinations.

2241. In

2241. In what period, exclusive of the preparatory general education, could this medical education of general practitioners be completed?—I think it might be completed in three or four years, supposing that he had had no previous instruction in the form of apprenticeship.

2242. With respect to those aspiring to the superior grade of practice as physicians or surgeons, would there be any distinction in the preliminary education that you would require?—Yes, in point of extent, and also of duration of study, in order to obtain this preliminary education.

2243. What superior attainments would you require in general science and literature?—I should expect him to be able to sustain an examination of a much more advanced kind in all the points mentioned.

2244. Would you require a knowledge of Greek?—Yes.

2245. Would you require a person to be mathematically grounded in the various branches of natural philosophy?—Yes, I think it would be desirable.

2246. And a knowledge of the modern languages?—A knowledge of some of the modern languages; French and German, and probably Italian.

2247. With regard to the medical attainments, what distinction should there be?—I think the distinction ought to be principally as to the time he devotes to practical attendance upon hospitals.

2248. Would you make the examination somewhat more severe in each of the branches of medical science?—I think so, decidedly.

2249. Do you think it desirable that physiology should be blended with anatomy in a course of lectures, or should form a distinct course?—A certain quantity of physiology would be always blended with any good anatomical course, but it is necessary that a person should be obliged to attend a separate and extended course of lectures on physiology.

2250. What would be the duration of the course of medical education for the superior degree of physicians and surgeons?—Probably about five years.

2251. Would you require that he should have given his attention to medical jurisprudence; that he should be able to conduct a chemical analysis?—He should be required to study medical jurisprudence, and it would be a very great advantage for him to conduct a chemical analysis in criminal cases, but in cases where the life of an individual is concerned, it would be preferable to apply to the most accomplished chemist that could be found, one who is most accustomed to analytic investigation.

2252. Would it not be desirable that every one in the superior class of practitioners should know so much of the subject as to be able to judge of the force of the evidence given by any such accomplished chemist?—Yes.

2253. Do you contemplate that the same authority should examine for medical degrees and give a licence to practise, or that the licence to practise should come from an authority independent of that which gives the degree?—Supposing the grantors of the degree not to be the teachers, I think they might at once give the degree and the licence to practise.

2254. Do you think that it is an unnecessary distinction that is made at present, or do you think the distinction is rendered necessary by the insufficient examination which those taking degrees are required by the universities to undergo?—I think it is rendered necessary by that circumstance; the physician is the only person who is subject to a second examination; the College of Surgeons and the Apothecaries' Company give the candidate his rank in the profession, and at the same time his licence to practise.

2255. In former times, previous to the Act of the 3d of Henry 8, was not the qualification for practising physic the possessing a degree in physic from some university?—I cannot exactly speak to that point.

2256. Is there not an Act in the Rolls of Parliament, in the time of Henry 6, to that effect?—There is in Henry 5.

2257. In large towns in the kingdom is not the practice divided into family and consultation practice?—I think such an absolute division scarcely obtains in the large towns that I am acquainted with; in many, there are very few physicians who practise as such, or arrive at much eminence; the principal part of the practice is in the hands of the general practitioners.

2258. Then the parties in the country that are usually consulted by families, are persons who are in the regular course of attendance upon those families?—Generally so, I believe.

2259. What do you understand by consultation practice?—Consultation practice

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tice is that practice which a person attains, whether a physician or surgeon, after he has been a long time engaged in practice, and has acquired a degree of eminence; he is consulted on what are called difficult cases, or cases that appear to require more lengthened experience than the ordinary run of cases.

2260. If any difficulty arises, the general practitioner calls in a person of supposed superior attainments, to give his advice and assistance?—Yes, in either branch of the profession.

2261. How many physicians are there in London whose practice is entirely confined to consultation?—I think there is scarcely one whose practice is entirely confined to consultation; most physicians, in the outset of life, are the constant attendants of families in medical cases; when they arrive at eminence, their assistance is more frequently required as consulting physicians; but still they retain a certain portion of ordinary practice.

2262. In what respects does the physician who practises in families, differ from the surgeon, apothecary, or general practitioner?—The physician in London, provided he is a physician solely, or confines his attention to what has been termed internal maladies, attends families and takes the charge of medical cases only. The general practitioner takes the whole medical and surgical charge of the family; he is also the accoucheur.

2263. Does the physician dispense his own medicines?—No; he does not in London.

2264. Are you aware what the practice in that respect is at Edinburgh?—In Edinburgh most of the physicians now in practice have been general practitioners in early life.

2265. In case a physician is called in, and any of the minor operations of surgery are necessary, are the physicians in England in the habit of performing those operations?—There is very considerable difference of practice in that respect. Some physicians perform those minor operations, others do not.

2266. It is desirable that they should be able to perform those operations?—Yes, and that they should perform them, if they choose.

2267. Is the scale of remuneration of the family physician very different from that of the general practitioner?—It is a higher scale.

2268. In London, are the general practitioners in the habit of charging for their attendance?—Some of them are, I believe: but the general practice is to charge for the medicines.

2269. If, either by law or established custom, in case of minor operations of surgery being necessary, the physician cannot perform them himself, but is obliged to call in a general practitioner, does not that entail, in general, additional expense upon a family?—In general it does.

2270. And therefore does not excluding the physician from performing those minor operations, rather tend to give advantage to the practice of the general practitioner?—The general practitioner has a decided advantage in that respect, I think.

2271. Families in moderate circumstances will always prefer calling in a general practitioner?—Yes, they will prefer calling in a practitioner who embraces all, instead of him who can only act in one capacity.

2272. Will not this circumstance always tend greatly to limit the number of physicians, who exclude from their practice the performance of those minor operations?—I think it has tended to limit the number, and will continue to do so increasingly.

2273. In most of the provincial towns of England and Wales, are you aware that the general practitioners have in point of number been greatly increasing over the physicians?—In those provincial towns with which I am acquainted, that is the fact.

2274. In the provinces, are the general practitioners in the habit of undertaking surgical operations of great difficulty?—I believe many of them are not, unless they are attached to the provincial hospitals.

2275. Do not most of the difficult operations which are required in the country, devolve upon the surgeons attached to the provincial hospitals?—In general they do, and formerly they did almost exclusively; but since the education of the general practitioners has been improved, there are many of them who undertake the capital operations, just in the same way as those who are attached to the provincial hospitals did before.

2276. Is the practice of the surgeons in the country confined to strictly surgical diseases?—I do not know any one instance in which it is so.

2277. Either in the town or the country?—No; I do not know any surgeon in town whose practice is exclusively surgical.

2278. With regard to family practice, wherein consists the difference between the surgeons and the apothecary?—In the country the surgeons mostly are the apothecaries also. In London many surgeons are not apothecaries, a very considerable proportion of them; and, in general, they do not practice midwifery: they practice medicine and surgery in their whole extent.

2279. Is it not essential for the good treatment of surgical cases, that the surgeons should undertake the medical treatment of the patient?—I think it is essential that they should be competent to undertake the medical part of the treatment of their patients, and also that they should practise it.

2280. In any alterations to be made, would it be desirable to restrict the practice of surgeons to pure surgery?—Certainly not.

2281. Is the line which separates surgical and medical practice so undefined, that it would be impossible for the State, even if it were so disposed, to confine the practice of surgeons to pure surgery?—I think it would be impossible for the State to do it, if it was so disposed; and I think it would be impossible for the practitioners of medicine and surgery voluntarily to draw the line, if they were so disposed.

2282. Would it be desirable that the physician who had taken the superior degree, should, if he pleased, practice surgery; and that the surgeon who had taken the superior degree, should, if he pleased, practice medicine?—I think each should be allowed to do as he chose.

2283. Do not the greater part of local diseases require internal treatment alone, without the performance of any operation by the surgeon whatsoever?—A considerable proportion of local diseases require almost exclusively the medical attention of any person who undertakes to treat them.

2284. Do not the majority of what are called surgical cases, require medical treatment only, without any operation being necessary?—Without any operation requiring the knife, but if local treatment is confined to operations, it will be very much restricted indeed. Local treatment would apply to the application of pressure in any form; bandages, or any other external application.

2285. Are you aware of the statute of the College of Physicians, in or about 1751, in which, pretending to give an explanation of the words "British University," they restricted it to the universities in England?—Yes, I am; it was cited in Dr. Stanger's case.

2286. At the period of the passing of that statute, for how long a time had Edinburgh existed as a medical school of celebrity?—I think degrees were granted in Edinburgh about the year 1720 or 1725; it was about that time that students from all parts began to assemble there to obtain medical instruction.

2287. What, at that time, was the state of Edinburgh as a medical school, in respect of the professors who were attached to that school?—At that period most of the medical professors were men of the first eminence in their profession in Europe.

2288. Who at that time was professor of anatomy?—The first Monro.

2289. Who at that time was the professor of the theory of physic?—Dr. Whytt.

2290. Was he the author of any important treatises on physic?—He was the author of a treatise relating to disease of the brain, and other works.

2291. Who was the professor of the practice of physic?—Dr. Rutherford.

2292. Was he the first person who introduced into Great Britain the practice of giving clinical lectures?—I have heard that he was, and that he introduced this mode of instruction from the Continent.

2293. Was it not considered at that time a school of so much celebrity as to compete with the school of Leyden?—Yes, at that time it did compete with Leyden.

2294. Did many English students in medicine at that time repair to Edinburgh, for the purpose of studying their profession?—A great many.

2295. Was Dr. Fothergill one of those?—Dr. Fothergill graduated at Edinburgh.

2296. What was the state of Glasgow at that time as a medical school; were there any professors of celebrity in any branch of medicine at that time in Glasgow?—Glasgow was a rising school about that time; I think that Dr. Cullen, the celebrated professor of medicine at Edinburgh, was a teacher of medicine there.

2297. If at that time the College of Physicians, instead of endeavouring by their

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bye-law to restrict their fellowship to the graduates of Oxford and Cambridge, had erected a standard of qualification in literary, scientific and medical attainments, would not that have been much more for the advantage of the medical profession, and have given a useful impulse to this study as well in the Scotch as in the English universities?—I think it would have been a decided advantage to medical graduates generally, if such a plan had been instituted.

2298. Is not the giving exclusive privileges to particular universities, as to the admissibility of their students to particular professions, liable to create supineness in those universities as to the study of those particular subjects in which they have exclusive privileges?—I think it is.

2299. Would not the giving the privileges to well qualified students in the Scotch universities, have been likely, on the ordinary principle of competition, to stimulate the English universities as well?—I think, in all probability, the English universities, under those circumstances, would have made it their business to form schools of medicine as well as schools of arts.

2300. Do you know the extent of study at the English universities?—I know it from what has appeared in public, and from hearsay; not from any personal opportunity of observation.

2301. When you speak of the inadequacy of the instruction, upon what do you found that opinion?—There has been very little instruction given in medicine at Oxford, and not much at Cambridge till lately.

2302. On what do you found your opinion with respect to Cambridge?—On reports, and what I hear from my medical friends, who have been there.

2303. Do you find those persons who have been educated at Cambridge inferior in their profession to medical men educated elsewhere?—Certainly not.

2304. Do you know the means of medical study that they have at Cambridge?—I have no personal opportunity of knowing.

2305. Do you know the extent of the hospital they visit?—They are not required to visit any hospital; there is an hospital containing about 60 beds, and which I am informed has been increased lately.

2306. Do you know whether it is in fact visited by medical students?—I know that it is.

2307. Have you taken some pains to inform yourself of the exact state of medical education at either of the English universities?—I took some pains to inform myself of the exact state of medical education at Cambridge.

2308. Did you push your inquiry to a considerable degree of detail?—I did.

2309. Did you take the utmost pains to inform yourself accurately of the present state of medical education there?—I did.

2310. Did you push your inquiry so far as to know the details of the questions usually put to persons applying for medical degrees at Cambridge?—I obtained information of that kind, so far as relates to the few years past.

2311. If the same facilities that are now possessed by Oxford and Cambridge in finding admission for their graduates into the College of Physicians were given to the other universities in the United Kingdom, do you think that there would be many students in medicine who would frequent the English universities, on account of the facilities there given for the study of physic?—It is probable that there would not; because Cambridge can never afford the same facilities for medical instruction as London or Edinburgh can.

2312. Have you in the course of your inquiries met with many medical gentlemen, who had studied medicine solely at Oxford or Cambridge?—I never saw one who had studied medicine solely at Oxford or Cambridge.

2313. Have you met with many who have studied medicine solely at Edinburgh?—Many.

2314. And at Dublin?—I have seen several who have studied at Dublin; I cannot say that I have seen any who have studied solely at Dublin.

2315. Do you know of any other occasions, besides those referred to in your evidence yesterday, in which reflections upon the licentiates were introduced into the Harveian orations?—There were some other occasions when reflections were introduced in such orations.

2316. Can you point out any such?—In the Harveian oration of 1808, there are some remarks of that kind. “*Imi subsellii viri, et criminum graviorum vix insontes, certamen audacissimum et turpissimum, velut agmine instructi, moverunt; magistratus vestros et contemptui habuerunt, et in ludibrium verterunt; acta et concilia vestra conviciis et calumniis laceraverunt. Testor farraginem illam maledicam*”

dicam et mendacem, quæ ex prælo singulis mensibus etiam nunc in vestros eructari solet."

2317. Whose oration was that?—Dr. Powell's.

2318. Considering the institution of the oration, and the person in whose honour it is instituted, do you think it is for the dignity of the College to have those attacks upon the licentiate physicians introduced into those orations?—I think it detracts from the dignity of the College to introduce such declamation.

2319. Do you know what it was that was alluded to, in the passage you have named?—The allusion is to a publication, which was supposed to be an organ containing the views of the licentiates and the other persons who wished to improve the state of the profession. The last sentence that I read alludes specially to that production.

2320. Have you that production here?—I have not.

2321. Do you know whether there were any paragraphs in it that were otherwise than perfectly respectful to the College?—I cannot say; but I should think it is most likely that there are passages in it, that would have been considered objectionable by the College, if not disrespectful.

2322. Something was said yesterday of an allusion to a recourse to arms. Do you know anything of an actual recourse to arms that took place in 1767?—It was understood that some measures rather of a forcible nature were taken to get into the College.

2323. Does not a blacksmith's bill for repairing the lock of the hall of the College of Physicians, occur in the bill of the expenses of the licentiates who then subscribed in order to carry on the proceedings against the College?—I believe there is something of that kind.

2324. Was not the attack in that instance made by the licentiates?—I think it was.

2325. You were understood to say, that all the grievances under which the licentiates suffer are substantially embodied in their petition?—Most of them are.

2326. The first sentence is "That the charter of the Royal College of Physicians was granted by Henry 8, for the advancement of medical science, and for the protection of the public against the temerity of wicked men, and the practice of the ignorant." That being the case, is not that purpose answered, by a public sanction given, enabling the public to distinguish those properly qualified from the rash and ignorant?—I think it is not.

2327. By what other means would you propose that that should be attained?—I do not know that any means could be devised effectually to attain the object of guarding the public against the temerity of the ignorant, because it would be a difficult matter to enact any laws which should effectually check quackery or imposture in medicine.

2328. Is not that object gained, in some measure, by that public sanction which is given by a competent body to those who are qualified; by which the public are enabled to distinguish them from the rash and ignorant?—Supposing that sanction were given to a sufficient number of persons, it might be answered; but that sanction is not given to a sufficient number of persons by the College of Physicians; and therefore it is almost nugatory.

2329. Is not that given to the licentiates as well as to the fellows?—To all those who are examined.

2330. The petition proceeds to state, "That six physicians were named in the charter, who, together with all men of the same faculty then resident in London, were constituted one body, commonalty, or perpetual college." Is that statement borne out by the opinion of the law authorities?—I think it is borne out by Lord Mansfield's authority.

2331. Supposing Lord Mansfield to have said, "I am far from thinking that all the men of and in London, then practising physic, were incorporated by the charter, much less are future practitioners of physic of and in London actually incorporated in the charter," would you still retain the opinion that the assertion in the petition is borne out by Lord Mansfield?—Lord Mansfield also asserted that "the College were bound to admit all that were fit."

2332. In whom do you consider the judgment of fitness to be vested?—It was vested in the College, if they were bound to admit all that were fit.

2333. Did not Lord Mansfield, speaking of the bye-laws, say, "Such of them, indeed, as only require a proper education and a sufficient degree of skill and qualification, may be still retained?"—I believe he did.

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2334. Can it be maintained that bye-laws have been framed and acted upon directly opposed and in violation of the letter and meaning of the said charter, supposing Lord Kenyon and three judges of the King's Bench have solemnly pronounced such bye-laws good and reasonable?—Notwithstanding Lord Kenyon pronounced that judgment, that the bye-laws were good and reasonable, others have pronounced a very different judgment.

2335. Was not the judgment in the case of Dr. Stanger the final judgment with regard to the appeals that have been made to the courts of law?—That was the last case in which the licentiates appealed to a court of law.

2336. And Lord Kenyon presided upon that occasion?—He did.

2337. Can it be said that there exists no foundation in the charter for the distinction between fellows and licentiates, supposing such passages as these which are about to be read are to be found in it? With regard to the appointment of a president in the charter, there are these words: "Et quod eadem communitas sive collegium singulis annis in perpetuum eligere possint et facere de communitate illâ aliquem providum virum et in facultate medicinæ expertum in præidentem ejusdem collegii sive communitatis ad supervidendum recognoscendumque pro illo anno collegium sive communitatem prædictum et omnes homines ejusdem facultatis." Supposing those to be the words of the charter, can the assertion be maintained that there exists no foundation in the charter for the distinction between fellows and licentiates?—That clause of the charter recognises the "collegium" and the "homines ejusdem facultatis."

2338. Does it not make a difference between them?—I suppose there is some distinction implied, because it appears that there were other men in the faculty that did not belong to the College, who probably had not been incorporated.

2339. Your attention is requested to another passage in the charter, in which it is said that no person is to practise within the city, or seven miles round, "nisi ad hoc per dictam, &c. admissus sit;" does not that imply a distinction?—It implies that no person who wished to practise physic in London could do it, unless he were "ad hoc admissus" by the College.

2340. Was not the observation of Lord Mansfield upon that passage, that he was convinced that the charter had an idea that some persons might practice by licence under their seal who were not fellows of the College?—Lord Mansfield, I believe, expressed such an opinion.

2341. There is also the following passage in the charter respecting the appointment of a censor: they were to have "supervisum et scrutinium correccionem et gubernacionem omnium et singulorum dictæ civitatis medicorum utentium facultate medicinæ in eadem civitate ac aliorum medicorum forinsecorum quorumcumque facultatem illam medicinæ aliquo modo frequentantium et utentium intra eandem civitatem et suburbia ejusdem sive intra 7 miliaria in circuitu ejusdem civitatis." Is not the distinction recognised there?—The distinction is recognised between the collegium and the homines ejusdem facultatis.

2342. Is not it rather between the College and the utentium facultate medicinæ?—It appears to imply such.

2343. What do you understand by utentium facultate medicinæ; is not a man who exercises the practice of physic a physician?—He is generally understood to be so.

2344. Are there not two classes of physicians recognised there?—There are two classes of practitioners.

2345. Having drawn your attention to that passage, do you think that there is no foundation in the charter for the distinction between the fellows and the licentiates?—The clause in the petition is this, "That there exists no foundation in the charter, or in the Acts confirming it, for such distinction of orders, and consequent exclusion from all privileges;" I admit the distinction between the collegium and the homines ejusdem facultatis; but I do not admit that there is any authority in the charter, or in the Act confirming it, for the distinction which the College of Physicians have established between the fellows and the licentiates.

2346. Have you had an opportunity of reading the annals of the College?—No; there are quite out of my reach.

2347. Supposing that during the five years after the granting of the charter, there were only six physicians elected into the fellowship, and that for the first 37 years only 25 fellows were elected, and that it does not appear that any one attempted to become a member without the consent of the College; supposing that to be the case, does not the practice of the College at that time confirm the idea, that the distinction

distinction between fellows and licentiates was contemplated by the charter?—It goes no further than this, to confirm the idea that there was a distinction between the collegium and the homines ejusdem facultatis; it did not contemplate the Universities of Cambridge and Oxford being the peculiar favourites of the College.

2348. With reference to the assertion in the petition that the College demand and receive a large sum of money from the fellows and licentiates, what portion of that money is swallowed up by stamps?—Fifteen pounds is the stamp for a licence, and 25 *l.* for a fellow.

2349. What is the whole sum paid by a licentiate?—I think the sum is 57 *l.*

2350. It is asserted that all dissenters are excluded from claiming the fellowship; are you aware whether there are dissenters among the fellows?—I am not aware that there are any dissenters among the fellows.

2351. You do not know that there are not?—I do not know that there are not; I understood that there was one that had become a dissenter since he joined the College in the ordinary way.

2352. You have complained that the fellows have an advantage with regard to the hospitals in London. Are you not physician to St. Marylebone Infirmary?—I am.

2353. Who is your colleague in that infirmary?—Dr. Hope.

2354. Is he a licentiate or a fellow?—He is a licentiate.

2355. Do you know whether the College interfered to prevent the election either of yourself or of Dr. Hope?—There was a candidate who was a fellow of the College; and I understood, from authority, that one of the other candidates had applied to a fellow to assist him in obtaining this appointment, who said to him, “No, I cannot assist you, there is a fellow of our College trying, and I cannot depart from the *esprit du corps*; I must serve him;” or words to that import.

2356. Those words were not used to you?—No; I had nothing to do with the fellows upon that occasion.

2357. Do you know who are the physicians to the St. George’s Infirmary?—Dr. Clarke.

2358. Is he a licentiate or a fellow?—A licentiate.

2359. What is the salary attached to that office?—One hundred guineas; I believe it was 200; but it has been 100 during the last year or two.

2360. Do you know the physicians to Guy’s Hospital?—Yes; Dr. Cholmondeley is one.

2361. Is he a fellow?—He is, and Dr. Back.

2362. Is Dr. Back a fellow or a licentiate?—A licentiate.

2363. Is Dr. Bright a physician to that hospital?—He is.

2364. Is he a fellow?—He is a fellow.

2365. Was he a fellow when he was elected?—He was a licentiate.

2366. Dr. Addison is the assistant physician; is he a fellow or a licentiate?—He is a licentiate, I believe.

2367. You have stated that the Cambridge education is very deficient; in what points does this deficiency principally consist?—I cannot charge my memory with particular points; but it appeared to me to be a general deficiency; there is not the extent of disease which a student ought to have an opportunity of observing; there is not the number of lectures which he ought to have an opportunity of attending; there was no opportunity of studying practical anatomy; no chemical lectures were given, and it was in some cases optional whether the student attended any lectures or went through any course of medical education or not before he obtained his degree.

2368. What place do you conceive in England affords the best medical education?—London affords the best means of medical instruction.

2369. What institution affords the best means of medical education?—In speaking of London, I should take the aggregate of the medical schools.

2370. Is an individual coming to London admitted at once into all the medical schools of London?—No; he makes his selection.

2371. What school do you think affords a better opportunity of instruction than the university?—Every one of the hospitals, King’s College, and the London University.

2372. What is the course of instruction at any one of the hospitals?—The course of instruction is, that in many of the hospitals lectures are given upon most branches of study required by a candidate for the medical profession, and there is ample means of investigating and studying disease.

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2373. Are lectures given upon chemistry at the hospitals?—At some of them.
2374. Was not the course of lectures given by Mr. Brande and Mr. Faraday in the laboratory of the Royal Institution, in connexion with one of the schools?—St. George's Hospital.
2375. Lectures on chemistry are not common to all the hospitals in London?—I think not.
2376. Are lectures in botany given in the hospitals of London?—At St. Bartholomew's I think they are.
2377. At the London University and at the King's College are not they given?—They are; but I understood the question to refer to the hospitals. There is one remark that I should like to make in reference to the physicians to Guy's Hospital, which is this: that there have frequently been more licentiates attached as physicians to that hospital than to any other hospital in London. Now, the constituency of the different hospitals varies very much, as respects their being more nearly allied to close boroughs, or being opened in the form of a popular election; Guy's Hospital is the closest of all; the number of governors is small, many of whom know the character of the persons who apply to become physicians. This hospital is beyond the reach of the fellows of the College as active canvassers; but in hospitals where the number of electors is considerable, there is a much greater opportunity for the members of a corporate body to perform the part of active canvassers for one of their own fellows.
2378. Upon the whole, then, do you prefer the hospitals that have the character of close boroughs to those that have an open constituency?—I certainly do not.
2379. Do you conceive that there is injury done to the public by the influence exercised by the College of Physicians?—I think there is injury done to the profession. It takes away the power of the governors to elect whom they consider the most proper persons.
2380. You were understood to say that the College of Physicians exercised but little influence in those hospitals where the electors were few, and that they exercised a great deal of influence in those hospitals where the electors were many; then is the management of the hospitals where the electors are few, better or worse than that of the hospitals where the electors are many? Whether Guy's Hospital, for instance, is a worse conducted establishment than any other establishment where there may be a large number of electors?—The remark I made went entirely to the mode of electing the physicians.
2381. Does not that depend upon the fitness of the persons elected?—Sometimes it does.
2382. Do you imagine that the physicians at Guy's Hospital are inferior to the physicians at other hospitals, where they are elected by a larger constituency?—They are not.
2383. Are you prepared to affirm that the College of Physicians do interfere as a corporation in those elections?—I am not.
2384. Then the interference you refer to is that of individuals interfering with their friends?—Yes.
2385. Is not the same interference exercised by the licentiates with their friends?—It may be, but not to the extent that the others do.
2386. Have not many of the licentiates as extensive a practice as some of the fellows?—They have.
2387. Have they not as extensive means of influence upon the community as some of the fellows?—I think they have not; in reference to the elections they have not. The College of Physicians have the power of bringing up licentiates to the fellowship, and therefore the members of that body have an opportunity of exerting a greater influence in gaining an election for one of their own body than the licentiates have, who have no bond of union.
2388. Do you mean, that inasmuch as it is in the power of the College to confer a favour upon any licentiate, by raising him up into the fellowship, the College has it in its power to prevent the licentiates from acting as a body against the interests of any fellow who may be desirous of gaining admission into an hospital, by holding out to those licentiates who support the College this mark of favour?—Certainly; they have that additional means of getting their own body admitted to any appointment.
2389. You were understood to say that the College do not interfere as a body?—They do not interfere as a body; it is an inducement which that body has to hold out

out to licentiates to bring them over to their own side; the licentiate is, in some degree, prevented by the apprehension that he may displease the governing party in the College, provided he looks forward to be elevated to the fellowship.

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Neil Arnott, M. D., called in; and Examined.

2390. YOU are the author of a popular treatise on Physics or Natural Philosophy?—I am.

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2391. Where did you graduate?—At Aberdeen, where I began my studies.

2392. Are you a licentiate of the College of Physicians?—I am.

2393. How long have you been a licentiate?—About 18 years.

2394. Were you at one time a member of the College of Surgeons?—I was.

2395. Were you obliged to renounce the College of Surgeons on becoming a licentiate of the College of Physicians?—I was not aware at the time of my becoming a licentiate of the College of Physicians that it was necessary to be disfranchised from the College of Surgeons; but having received a notice afterwards from the officer that it was necessary, I made the application, and was accordingly disfranchised. I had been a member of the College of Surgeons a very short time, having joined it for a particular purpose, which I did not pursue. I had paid the usual admission fee of 30 guineas, and when I desired to have my name erased again, I found that it could not be done without another payment of 20 guineas. I thought the case hard, and requested that the second payment might not be demanded, but without avail. Four years before I had submitted to the usual examination on being appointed chief surgeon to an East India ship; and then also I paid a fee, which, however, was not considered on the last occasion.

2396. Is there any good reason why a person, claiming to be a licentiate of the College of Physicians, should be required to renounce the College of Surgeons?—There can be no reason in the nature of his profession; there may be some corporate reasons, arising from conflicting interests between the corporations.

2397. Would it not be a sufficient restriction, that no person should be allowed to be at the same time one of the elects of the College of Physicians and one of the court of assistants of the College of Surgeons?—I think, if a regulation were to exist at all, its operation should not be more extensive than what has been now stated.

2398. Have you ever been placed in any situation in which you thought that the diploma which you held from the College of Surgeons would impose upon you duties conflicting with what you owe to the College of Physicians?—Never.

2399. Is it probable that such a case should arise?—I cannot imagine the case.

2400. Have you paid any attention to the constitution and bye-laws of the College of Physicians?—Not very much, but sufficient to have perceived the defects or abuses which have arisen in the management of the College affairs, and to receive an impression that these defects would not be remedied, but by some influence exercised from without.

2401. Are you one of the licentiates who signed the petitions presented in this and in the last Session to the Legislature?—I am; I have signed both.

2402. What do you consider the leading grievances, under which the licentiates at present labour?—The grievances are of two classes; one rather in relation to the public, the other more directly affecting the licentiates. Legislation, with respect to the practice of medicine, could have in view only to ensure to the public an abundance of the best medical service; and to protect the public against the practice of ignorant men and quacks. The charter, originally granted to the College of Physicians, seems to have been given with such intentions; in fact, it expressly states that those were its objects. The management of the College however, instead of keeping those objects in view, seems almost entirely to have neglected them; and to have considered chiefly the personal advantage of the members, or the corporate advantage of the body. That there might be abundance of the best medical talent on service in the country, it was necessary that the profession should be honourable and sufficiently lucrative, and that there should be free admission to its honours and advantages for those persons who, by acquiring the high attainments and character suiting a physician, were deserving of them. Thus young men about to choose a profession would have been attracted by the medical, as readily as by any of the other honourable professions in the country, as of the church, the law, or the army. Instead, however, of the profession generally being rendered honourable, as it should have been, and attractive, by the exclusion of the

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ill-educated and unworthy, the subsequent expulsion of persons who might become unworthy, the suppression of quackery, and there being free entrance to it for the deserving, many of the best educated members of the profession have been, by bye-laws, conceived in a spirit of monopoly, injuriously excluded from the honours of the fellowship of the College, and have remained liable to be confounded with practitioners of very inferior acquirements and character, permitted by the College to exist, although, I believe, the College had the power of preventing them. Thus, many high-minded persons have been prevented from embracing the medical profession, and some have even left it after they had embraced it. One consequence of this conduct of the College was, that the number of well-educated medical men in the country became very much less than was required for the service of the public. The eager demand of the public, however, for that medical assistance which the College could not supply, called into existence all kinds of irregular practitioners and quacks. Of these, the parties who naturally took the lead were the barber-surgeons, who had ready admission to families in the course of their ordinary employments, and the apothecaries, who were then merely drug compounders, as the chemists are at the present day: these finding it to their advantage to acquire more and more of medical information, did so, and almost imperceptibly, but very steadily, worked themselves into such favour with the public, that at last the surgeons have become a Royal College, rivalling the physicians themselves; and the apothecaries have followed close at the heels of the surgeons. About a century ago, when the College of Physicians attempted to prevent apothecaries from practising, on the plea, that no man had a legal right to prescribe medicines who was not their fellow or licentiate, the College did not succeed; and from that day the apothecaries practised almost without hindrance, until, in 1815, an Act of Parliament was passed, giving them distinct authority. The education of the apothecary in the meantime has been constantly improving, and at last, men of very high acquirements, indeed members of the colleges at Oxford and Cambridge, and graduates of other universities, have entered the class of apothecaries; thus raising the character of that class, while the number of physicians is in consequence still further diminishing.

2403. Have you considered the bye-laws of the College which relate to the admission of licentiates to the fellowship?—I have.

2404. What view have you been led to take of those bye-laws?—It appears to me that the authority which was given to the College to make bye-laws, instead of being used to raise the character of the profession, and increase its efficiency, has been perverted to other purposes, and has produced the effect of throwing nineteen-twentieths of the whole medical practice of the country, that is, the general practice of the healing art in this country, into the hands of persons not physicians, although the College of Physicians was originally established to embrace the whole.

2405. The effect of the bye-laws of the College has been to restrict the number of physicians practising, and the consequence of that restriction has been, to force another grade of practitioners into general practice?—Yes.

2406. At what period did the bye-laws of the College begin to have that operation?—I think very early.

2407. Are you aware of the attempts of the College of Physicians, during the two first centuries of its existence, to prevent surgeons and apothecaries from practising physic?—I am.

2408. Are you aware that the College fined and imprisoned them in the most arbitrary manner?—Yes, showing that the College members considered themselves, in consequence of their charter, the only authorized medical practitioners in the country.

2409. It has been stated that a great distance and jealousy exists between the fellows and the licentiates of the College of Physicians, arising out of the statutes and constitution of the college; do you think any injury has resulted either to the profession or to the public from this?—I think considerable injury has arisen: many talented men have been prevented altogether from becoming physicians, by the fear of having to suffer insult, or to mix in contention; then instead of the existing physicians going on harmoniously together in their labours of improving medical science, meeting as one body to exchange and compare thoughts, their minds have too often been filled with feelings of irritation against one another, unfitting them for calm investigation. Their disagreements, too, must have lowered the whole body in public estimation.

2410. From what you know of the degree of intercourse that the president has with

with the body of licentiates, what opportunity has he of informing himself of the acquirements of the individuals composing that body?—It must be altogether accidental; if a licentiate should come before the public, as an hospital surgeon, or as an author, the president may know something of him, or he may learn respecting him by hearsay, or by meeting him in consultation; and thus, as the president has the choice of the licentiates who are to be made fellows, that choice must often appear capricious or unjust.

2411. From your intercourse with the licentiates, do you think that they have any expectation of an efficient reform taking place in the College, without the interference of the Legislature in their behalf?—They have a conviction that such reform or change would not take place, except by what may be called compulsion; past experience of the College proceedings has proved this, and furnishing, however, only another evidence how rarely persons voluntarily surrender any authority or privilege, however hurtful to others, with which they have been entrusted, or which they have usurped.

2412. Did not they receive a strong hint as to reforming themselves from Lord Mansfield, in the middle of the last century?—They did; and as that produced so little effect, the hint must be still stronger in order to become truly effectual.

2413. Did they not, after receiving that hint, introduce rather a pretence and colour of reform, than a real reform, as to the matters complained of?—Some new regulations were made, seeming to meet the case, and to render justice to the licentiates; but those measures were of a deceptive character, and have produced no consequence.

2414. When you say “no consequence,” do you allude to the bye-laws by which it was proposed that licentiates should be admitted?—I alluded particularly to the seven years’ bye-law.

2415. Are you aware that there were two bye-laws made, one allowing admission to licentiates on the proposition of a fellow, after examination; another without examination, on the recommendation of the president?—Yes, and some have been admitted under the latter of those bye-laws; but I believe none under the other.

2416. Under the seven years’ bye-law, during the period of nearly 70 years, which has elapsed from the time when Lord Mansfield gave his judgment, have any licentiates been admitted?—I understand that none have been admitted.

2417. Will you look over this list upon the table, and say whether, if this list be correct, the number of 19 in 70 years is not the number admitted under the 10 years’ bye-law upon the recommendation of the president?—I recollect having examined it, and that is the number.

2418. If great advantages attached to the fellowship, would not the licentiates be more anxious to become fellows, and cease to decline the examination required by the seven years’ bye-law?—They might be more anxious, but at present the exclusion is chiefly offensive to them, because conscious of having equal or greater merit than many of the fellows who exclude them. Knowing that the feeling of the body of fellows, who were allowed to decide on the matter by ballot, was so decidedly against admitting licentiates, that there was no chance of their succeeding, they did not choose to make the trial.

2419. You think the advantages of the fellowship are not sufficient to compensate for the inconveniences licentiates would have been exposed to, in seeking it under the seven years’ bye-law?—I think they are not, particularly, as there was so much chance of failure.

2420. Do you think the circumstances attending the failure of Dr. Wells to obtain admission, were sufficient to deter any high-minded physician from again making the attempt?—Decidedly.

2421. Was there not such a spirit of party shown in the College at that time against the licentiates, as, in your opinion, is sufficient to account for their not having repeated the attempt to enter by the same means?—I think there was.

2422. Were you acquainted personally with the circumstances of that transaction?—I was not.

2423. Have you read the work of Dr. Wells upon that subject?—Not the whole work; but I made myself sufficiently acquainted with the circumstances of the case to form my opinion. It was always painful to me to think on these subjects, and I hoped a day was approaching when better legislation would save the fellows from the pain of repeating, and the licentiates from that of suffering, such inflictions.

2424. What examinations did you undergo when you applied for the College licence?—

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licence?—The usual examinations, on three successive days, in different departments of medical science.

2425. Do you consider those examinations a sufficient test of medical fitness?—A very imperfect test.

2426. In what did the examination consist?—The examination was very limited or partial; the time was so short, that only a few subjects could be touched upon; there is much of chance in such examinations. If the candidate happens to know the few subjects handled, he may pass with honour, although ignorant of many not touched upon, and therefore a person very unfit may be admitted. This objection attaches to all such limited examinations; and in which a good deal must be trusted to the testimonials of the opportunities which the candidate has had.

2427. How long did your examination last?—From 20 minutes to half an hour each time.

2428. Do you approve of their trusting partly to the testimonials brought from the universities or elsewhere; or ought they, in your opinion, to trust mainly to examination?—I think, as matters stand at present, they should trust mainly to examination. If there were laws with respect to the curriculum of study in different schools, then they might trust to the testimonials, according to the character of the schools from which the candidate came.

2429. What subjects were omitted in your examination which you think ought to have been introduced?—The examination, I have stated, was very limited. In anatomy, for instance, few questions were asked; the structure of one or two parts of the body was described, and that was a specimen of the applicant's knowledge of anatomy; in the same manner the history of disease was required as a specimen in that department, and so forth. I may remark, as a defect in the trial, that if the licence of the College of Physicians was to be considered as conferring the right to practise midwifery, no mention was made of that subject in my examination, and I believe never is.

2430. Was there anything connected with the diseases of women and children touched upon?—There was not; under the head of physiology, they might ask as to the circulation in the fœtus, and so forth, but nothing connected with the practice of midwifery.

2431. Were you examined in materia medica?—I think I was, but very few questions were put.

2432. Were you examined as to your knowledge of chemistry?—I think scarcely at all; I was required to answer some questions as to the composition of medicines ordered in the Pharmacopeia, the proportions, I believe, of active ingredients in certain compounds.

2433. Were you examined as to your knowledge of minor operations of surgery?—Not at all.

2434. Is it not most important that a physician should, in cases of emergency, be able to perform those minor operations?—Certainly.

2435. May not the life of the patient, in some cases, depend upon immediate bleeding?—I believe it may. Last night I had occasion to see a patient in a case of that kind, and in which I was obliged to act.

2436. Do you not think that should be an essential requisite?—I think it should.

2437. In London, and within seven miles round, is it likely to happen that there should be any difficulty in finding a person to perform the minor operations of surgery?—Frequently, in the middle of the day, when medical men are making their visits, no one is to be found at home. I have even known hours pass, when no medical man could be found to assist the one that had come first.

2438. Do you think it would be desirable that the College should possess that power which it has claimed of the Privy Council, in the memorial it has presented, of granting degrees in medicine?—Not the College as now constituted.

2439. Ought there to be some board or body in London empowered to confer medical degrees?—Yes.

2440. Is not London the greatest school in the world almost for teaching medicine?—I think the opportunities here, if made available, would surpass those offered anywhere else; Paris may be compared with London in respect to opportunities.

2441. To save, therefore, parties the trouble and expense of going to a distance to obtain medical degrees, should there not be some body in London to confer them?—Certainly.

2442. What

2442. What ought to be the constitution of the body empowered to confer degrees?—It should include the heads of the profession, the best informed of the medical men in London.

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2443. Including some of the leading surgeons?—Yes; but in a perfect state of the profession, I hold that any such distinction should not exist as now does; that every medical man should be a completely educated medical man.

2444. That a completely educated physician should understand surgery, and that a completely educated surgeon should understand the practice of medicine?—Yes; that the education, in fact, should have been the same, and that individuals might afterwards choose the department in which they would like to practise.

2445. Without any interference of the State, would it not happen, as a matter of course, that the practice of different men so educated would divide itself into different departments; and that some for their own advantage, some from their own inclination, would exclusively follow medicine or surgery?—I think so, and it should be left in that way to itself; for there is not so great a distinction between a general physician and a general surgeon as between some surgeons confining themselves to particular departments of their separate branch.

2446. Have you informed yourself of the state of the law in some countries of the Continent, for instance, Prussia, where any one taking the highest medical degree is at liberty to practise either as surgeon or physician?—I know that to be the fact.

2447. Need any apprehension be entertained that the giving the power to persons to practise both medicine and surgery would prevent that reasonable division of labour that now takes place, or that individuals would cease to practise, according to their taste or interests, the different branches of medicine or surgery?—I cannot believe that it would.

2448. What distinction would you make between the education of a physician and of a surgeon?—I would make none. I think that any medical man on completing his education, and getting his diploma, should be competent, as all surgeons in the army, navy and East India service are required to be, to treat any case of disease, medical or surgical, which may occur.

2449. Would you grant a different diploma to a person who, besides the general education which you think it expedient that both the physician and surgeon should have received, superadded other attainments in any particular department, as, for instance, in the manual part of surgery?—I believe it might be of advantage in a college or faculty of well-educated medical men, by whatever denomination known, that there should be sections paying attention to particular departments of the medical art; for instance, one for the purpose of improving manual surgery, those chiefly engaged in which might form a committee or section, and in the same manner with respect to other departments, but the education and diploma of all should be the same.

2450. If honorary diplomas were given, or certificates of additional study and attention paid to particular departments, would not persons wishing to practise in those departments, without the law making it compulsory to have such diplomas, be found desirous to obtain them?—I think if all were very well educated they would not care for such distinction; for as matters go at present, the honorary diploma virtually exists in the opinion which the profession generally form of certain individuals; consulting them when cases arise with which they are supposed to be more particularly familiar.

2451. Although the diploma of the College of Surgeons is purely honorary, is it not found that great numbers of general practitioners, on account of the superior distinction supposed to be conferred by it, are desirous to obtain it?—Yes; but until lately it marked a considerable difference in the degrees of attainments, or at least in the opportunities enjoyed by the parties.

2452. If therefore certificates of superior proficiency in any particular departments were given by competent authority, have you any doubt that individuals, for their own advantage, would be found desirous to obtain such certificates?—I think they might; but if the education were complete from the beginning, there would be less reason for desiring any thing of that sort.

2453. What is the course of education which you think persons intending to practise medicine or surgery should undergo?—I think they should receive a complete general education, as well as what is more strictly technical; for the living human individual being made up of parts and functions which are *mechanical*, or *chemical*, or *vital*, or *mental*, and the causes of disease, as well as all remedies,

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belonging to the same four classes, which constitute the whole of human science, it is essential that the medical student should obtain considerable acquaintance with all of them, and therefore, as preliminary studies, should apply to, 1st, physics, or natural philosophy; 2d, chemistry; 3d, physiology, or the philosophy of life, as deduced from examination of the animal and vegetable kingdoms; and, 4th, psychology, or the philosophy of mind; those four departments I think are essential as preliminary studies. The time for the acquisition of those four departments, if well taught, and in the degrees in which it would be necessary for a medical man to acquire them, would not be very great. A portion of the time now wasted on the ill-ordered study of the Greek and Latin classics, would suffice for this purpose. A man so prepared, would begin his medical studies with very great advantage, and might then in quite as little, or in less time than is now occupied by a very incomplete course of medical study, become the perfectly educated medical man that I contemplate.

2454. Would you require a knowledge of the learned languages?—To a certain extent. It was a saying of Milton, that in one year, by a better mode of study, the young men of this country might learn more of Greek and Latin than they did in seven years by the mode of study that prevailed in his day. I believe this, and that the system has not been at all improved since Milton's day, at least in the public schools and universities. Hence, holding that much less time would be required than is now wasted upon that study, in order to give to all persons of any application a sufficient knowledge of the learned languages, I would insist upon that knowledge being obtained.

2455. And a correct knowledge of the vernacular language?—The vernacular language and some of the modern European languages, the reading of which at least, if not the speaking, is very easy.

2456. Supposing a person intending to enter as a student in medicine to possess this preliminary knowledge, what would be the course of medical education that you would require him to go through?—Some parts of this knowledge, which may be called preliminary, the student would be acquiring while going on with his medical studies. The medical study of course would comprise a perfect knowledge of the structure of the body, anatomy; of the functions of the body, physiology; of the altered functions and structure, pathology; of the treatment of disease, by all the means which the different departments of nature offer, therapeutics; this includes materia medica, pharmacy, surgery, &c.

2457. In a word, all methods both internal and mechanical, of treating disease?—Yes; and I would add to the list of requisites, medical jurisprudence, to a certain extent; I say, to a certain extent, because I think time might be wasted on the study of medical jurisprudence. It almost becomes a separate profession to know that subject sufficiently for all the very delicate and important purposes to which it is applicable; and I think it would be proper that there should be some persons professionally educated to be consulted upon such occasions: still I think no medical practitioner should altogether neglect it. With respect to medical education, I have further to add, that I deem it very important that the student should be where, besides able teachers, he has a good library, museum, botanical and zoological collections, and hospital.

2458. Would you recommend that there should be more than one degree; or do you think that one uniform qualification should be required for the whole profession?—I think one uniform qualification should be required; for now that the principles, according to which education should be managed, are becoming much better understood than formerly, it would occasion no hardship to require that all students should attain the same high standard of fitness. I believe that were all persons originally well educated, and were there then offered, as motives to continued exertion through life, such distinctions or honours as the being members of council, heads and members of different sections of a general college, president of the college, and so forth, these would be sufficient to stimulate to, and then reward the increasing attainments and the higher merits of individuals in the profession.

2459. Would not the desire of taking a second degree, and of obtaining distinction thereby, be a motive to persons, after completing their first course of study, to continue improving themselves after they have entered upon the practice of medicine?—I think the desire to attain professional success, the esteem of professional brethren, and the honours above alluded to, would be sufficient motives; and the first course of study would be so complete, that the distinctions which would arise afterwards would depend chiefly upon the happier genius or natural qualities

in the individual. At the present moment there are physicians and surgeons very much distinguished among their similarly educated brethren, by their skill and attainments, so there would be then; but I do not think it would be expedient to have any fixed degree or honour beyond those that I now speak of, as members of council, professors, &c., among which would be included superintendents of hospitals, &c. All these would be honours belonging to the profession, and rendered as much as possible the rewards of merit.

2460. Is it not important that any improved system of education should be rendered so cheap, as to give a prospect to medical practitioners, settling in the country, to be able to receive a remuneration for the expense of the education they have received?—I do.

2461. Is there not some danger, that by rendering qualifications too high, you place it out of the power of those who settle in country practice to receive an adequate return for the expenses of education, and thereby to force practice into the hands of those who have not received the requisite education, and consequently not incurred the expense attending it?—I believe that the perfect education would not be an expensive education; so much time and money is now wasted, which might be saved if the education were conducted upon a superior plan. And I believe that if unworthy persons were excluded from the profession, so that it were one honourable body, as we now view the members of the clerical profession, the military profession, and so forth, the honour of belonging to it would be considered a part of the remuneration for service; men would be pleased to belong to the profession, although the pecuniary rewards were not very high, when the circumstance of belonging to it gave them rank of society.

2462. If all that is possible were done in the way of removing stamp duties, high fees for diplomas and hospital practice, &c., might this improved system of education be made so cheap as not to deter even those who purpose settling as practitioners in the country districts from receiving it?—I do think it might be so cheap as not to deter such persons.

2463. Do you approve of the present mode of remunerating general practitioners, by the price of their medicine rather than by fees for attendance?—No, I think it a very bad mode of remuneration.

2464. Does it not lead to a complicated system of prescription?—There is no question that it does; the existence of that usage in England has rendered very remarkable the forms and bulk of medicine which English people swallow; yet I think it would not be well to prevent practitioners in certain cases, where they choose, from dispensing medicines, and making a charge for them; because, among other reasons, this enables them to act charitably towards poor people, who are not able to give a fee. If there were abundance of well-educated medical men, and chemists were absolutely prevented from prescribing, few practitioners in towns would keep their own medicines.

2465. You would not prevent them from charging for the medicine, if they chose; but if they chose to charge for their time, and not for their medicines, or if they chose to charge for both, you would give them a legal claim to recover their charge?—Yes.

2466. In forming such a general board as you contemplate, would you constitute it entirely *de novo*, or would you make use of any of the existing corporations, or of persons deputed from those corporations, to form it, in whole or in part?—I think the board might be formed as it has been now described, by the union of persons selected from among the officers of existing corporations, with other fit persons chosen from the general body of medical men.

2467. Which would be the most prudent course to follow, as being most likely to be effected?—Where there are vested interests, as they are deemed, to be dealt with, there is much difficulty; and I confess that I see difficulty in the way of effecting such changes as I contemplate, in the present state of the medical profession; I believe, however, that if the College of Physicians were compelled to admit all well-educated medical men, and did not prevent them practising surgery, and did not prevent those residing in the country, or others who chose, from supplying medicines to their patients, that the idea of that College being still the highest (as it was for a long time the only) body of medical practitioners, would induce most of the new candidates for medical honours to join it; so that in a short time it would absorb the whole body of medical practitioners. At present there are men with nearly equal education in all the departments of the profession, and the whole scheme of distinction is rapidly falling to pieces. Where a family

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has a well-educated surgeon in attendance, and who, understanding general disease, treats the children, for instance, when under measles or scarlet fever, as a physician would do, the father is pleased not to be obliged to call in a stranger, and prefers the surgeon physician to the pure physician, who would leave him under the necessity often of calling in a stranger. Again, if a general practitioner were the medical friend of the family, were also completely educated, as certain of them are, and, in addition to prescribing for general disease, could perform surgical operations when required, and supply the medicine, I believe the heads of the family would not, in ordinary cases, think of calling any other practitioner. In cases of great danger, and the desire for a consultation, the ordinary attendant would probably be allowed to name the individual in whose opinion he has the greatest confidence, and who might be nominally physician-surgeon or general practitioner. Up to the present day the physician has usually been called in for medical consultation; but if the public were to understand that the education of all practitioners had become alike, as is every day now more nearly true, since the establishment in London of the University and King's College, there would be no strong reason why the physician should be preferred. If the present legal distinctions in the profession remained unaltered, a change in the usage would soon arise; and the pure physician, who could neither perform operations nor supply medicine, would entirely disappear, except possibly a few in the large towns.

2468. Is there any wisdom in preventing the physician from dispensing medicine to his own patients?—I do not think there is. In Scotland, where I studied for some years, at Aberdeen, the physicians were also the surgeons to the public hospital, and of high talents and celebrity in both capacities; yet they supplied medicines to their poor patients from private laboratories, in which their pupils became familiar with the business of compounding medicines.

2469. To all who intend to practise in the army or navy service, or that of the East India Company, and to all those who intend to practise in the colonies, is it not most essential that they should know the practice of medicine in all its departments?—Decidedly; they are called upon to practise in all departments.

2470. Has not the effect of the laws in this country, with regard to medicine, been to transfer the great body of the practice to the general practitioner?—It has; but it appears to me that the result of the present law, if continued, would be, chiefly to change the name of the regular medical practitioner from physician to surgeon or apothecary, with annoyance, in many cases, to the practitioner himself, and disadvantage to the public, owing to lower qualifications required. Apothecary originally meant a mere compounder of drugs; apothecary now may mean a well-educated physician; for of late years well-educated physicians, owing to the difficulties there are in the way of practising with the denomination of physician, under the injurious bye-laws of the College, have joined the inferior bodies, and the prospect is that before long the body called physicians will wear out.

2471. Is there any wisdom in, at the same time, lowering a class of men in point of rank, and raising them in point of mental acquirement?—No, there is great inconsistency in so doing.

2472. Has not that been the effect of the laws of this country respecting medicine, particularly the law of 1815?—It appears to me to have been the effect in a remarkable degree, and that, as one consequence, many men of talent who would be proud to belong to the medical profession if well constituted, are now deterred from entering it, to the great injury of the public.

2473. So long as you require high qualifications of parties to enter into a branch of the profession, which is considered low in point of rank, do not you think that dissatisfaction will exist in the great body of the profession?—There must be great dissatisfaction; were an English apothecary, who may be a perfectly educated physician, to visit the Continent, and to declare that he was an apothecary, he would scarcely be admitted into good society.

2474. Has not the wholesome influence, which it is desirable the College of Physicians should possess in this country, been diminished in consequence of the dissatisfaction created by their exclusive bye-laws?—I think so; and I believe that if those injudicious bye-laws had not been made, there would at the present moment be little for the Legislature to do, but to extend the authority of the well-conducted college over the whole kingdom; the profession would have been in a satisfactory state, constituting a sufficiently numerous body of well-educated medical men, such as I have been contemplating.

2475. Are there any observations connected with the inquiry of this Committee that

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that you wish to add before your evidence closes?—I do not think of anything, except that I have deemed it matter of great importance that there should be some legislative enactment to repress ignorant quackery, and to disfranchise practitioners become unworthy. Where there is a sufficiency of educated medical men, there can be no reason for allowing uneducated persons to practise, or for tolerating secret medicine, or secret proceeding of any kind in relation to medicine. I think it would not be deemed a hardship, if some legislative enactment to that effect were made.

2476. Is not there this difficulty in preventing secret medicines by law; that the discoverer of a useful recipe may seek to improve his fortune by it: can any reason be given why you should prevent a man from improving his fortune by making an useful discovery in medicine, when in every other department of discovery and invention, the State allows individuals to protect themselves by concealment, or affords them the exclusive use of their discovery if they choose to render it public?—I would say that almost all the pretended discoveries in medicine, which form the subject of patents and secret practice, are lies and cheats, and the permitting the authors to traffic in them, is a great injury to the public; but a man needs not be prevented from improving his fortune, if he really makes a discovery in medicine. Let him declare the composition of his remedy, and be judged of by a competent tribunal, and then a wise government would have a reward ready for him. The law might be that the discoverer should not himself make up or vend the medicine, but the composition being revealed, all persons who deemed it good might obtain it. The reward given to such an inventor would be equivalent to the advantage which a patentee now derives from his patent, and it matters not to an inventor in what way the reward comes. The College of Physicians might be the judge of the value of such discoveries, and might recommend a reward. There have already been some instances of rewards granted by the public for such improvements: Dr. Carmichael Smith, I believe, received 5,000 *l.* for suggesting what was deemed a mode of destroying contagion by acid gases.

2477. You entered the profession as a general practitioner?—For a short time I lived in London in that capacity, after my retirement from the service of the East India Company, and until I had attained the age at which I could be admitted as licentiate of the College of Physicians.

2478. Did you consider that the previous education that you had received in order to qualify yourself for becoming a general practitioner, had made you conversant with the nature of diseases and their proper remedies?—The education was that of a physician trained in Scotland, and adding attendance at the London classes and hospital to his course of study. I had passed five years at the University, studying general science and literature; and I had received the degree of Master of Arts at the end of four years. The course of my studies was not with a view of practising here, as a general practitioner, nor had I at first determined where I was to reside, or what was to be my course of life. The medical education at Aberdeen was not complete, although more so I believe than at Oxford or Cambridge; but it was very important. A medical society had been established by Sir James M'Grigor and a few of his contemporaries, while studying at Aberdeen; and great advantage was derived from the emulation excited by this society; no one was admitted to it till he had been subject to a more severe examination in anatomy and some other branches than I ever underwent afterwards in London.

2479. Are the general practitioners as a class as well educated as they were at the time you entered into practice?—They are much better educated. At that time there were many in practice who had received no regular education at all. Since the passing of the Apothecaries' Act, in 1815, all persons establishing themselves as general practitioners have been required to give proof of having considerable professional attainments; of these, however, many merely pass through what is legally required from them of medical study to be apothecaries; while there are others as highly educated as the present state of the schools will admit. In Scotland the practitioners are all physicians, or equally educated surgeons, and I may remark, that the present state of things in Scotland bears upon the question whether a sufficiency of well-educated medical men could be found for the English provinces. Instead of their being a deficiency in Scotland, from what I hear, there is a superabundance all over the country of men who have received the most complete education which the schools of the country afford.

2480. In many parts of England, does the country practitioner receive a very low rate of pay?—I believe he does; but if the medical practitioner were to belong to

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an honourable body, as the curate who receives 80 *l.* or 90 *l.* a year belongs to an honourable body, and is satisfied with being marked as a gentleman, so would the medical man be satisfied with a much smaller remuneration on the same condition. Much of the reward in many cases would be the station which the profession gave in society.

2481. Does not the aptitude to practice medicine depend rather upon the quantity of disease which a person may have had an opportunity of witnessing, than upon the degree which he may have taken in any university?—Very decidedly; it is much influenced by the opportunities of personal observation which he has had, for as it is possible for a man to study navigation in his chamber, who would however be exceedingly at a loss if placed on board a ship in a storm, so may a man who has studied medicine in his chamber, or without clinical experience, be almost incapable of treating actual disease.

2482. In what consists the superiority of the physician over the general practitioner?—The superiority of the physician consists, taking the matter generally, in a better preparatory education. A man who is not prepared to see intelligently any object which is submitted to him, does not see half so much of it, nor retain half so many impressions, as a man who is prepared by previous education. With respect to the physician, it has been considered that he has received a university education, which includes all the departments of science enumerated above; and as medicine consists merely of those departments of general knowledge, mixed up in a particular way, the man who has acquired the general knowledge before he begins to study medicine, is thereby incomparably better prepared; he sees more intelligently, and sees all with much more profit.

2483. As far as aptitude to practice goes, will not those who have witnessed the greatest amount of clinical practice in hospitals be found to be the readiest physicians?—Unquestionably; such experience as I have already said is of great importance; but if there has not been the preparatory education, the seeing of practice will not make the witness more learned than it makes the nurse or other ordinary attendant. A servant at a sick bed sees as much as the physician; but not being prepared to refer to classes and principles, sees unprofitably; and I may remark, that a deficiency in early education is rarely remedied in after life.

2484. Is an intimate and classical acquaintance with the learned languages as necessary for the studying of medicine now, as it was formerly; considering that almost all the works of importance that have been written in the learned languages, both in ancient and in modern times, have been translated and are thus brought within the knowledge of persons who are not familiar with those languages?—The day was, when in Europe no good book existed upon medical or other science, which was not written in Greek or Latin. At that time, therefore, those languages were the keys to all knowledge; now, however, we have much better books upon every scientific subject, with the single exception perhaps of Euclid's Geometry, in modern languages; and a man who should pretend to study science in a Greek or Latin author, would be wasting his time; he would be preferring to learn first from a person, who could give him only half information, and who held many false opinions, something which it was of great importance to him to know truly; he would have great difficulty afterwards in rectifying his first erroneous impressions. I believe, therefore, that medical science, particularly, should be studied in the modern languages, and that it can be merely a satisfaction to men of leisure, while studying the history of the science, to know what was thought upon various subjects in former times.

2485. May not an examination in Latin of the candidates for a degree or licence, have the effect of concealing from the examiner the real state of the knowledge of the person examined?—I think the practice exceedingly objectionable, for several reasons; one of them is implied in the question. Then there are persons, who, judging aright of the importance of that study, have not chosen to waste their time upon it; but have been labouring to acquire positive knowledge of medical matters, and the consequence, in some cases has been, that in the examination before the College, their slight literary deficiency has been allowed to bring disgrace upon them, and the great amount of their medical attainments has not availed them.

2486. A person speaking for instance very pure latinity, but having a very moderate knowledge of the medical subject in which he was examined, might perhaps pass with greater eclat, than a person having less classical knowledge of the language, but a much greater knowledge of the branches of medical science?—I think he might;

might; I am afraid that that comparatively unimportant qualification would weigh in many cases, and be more important in the result of the examination, than the professional knowledge of the individual.

2487. Do you approve of the recommendation of the Commissioners of Inquiry into the State of the Scotch Universities, that the examinations on taking degrees should be conducted in English, and not in Latin?—I do.

2488. In your time, at Aberdeen, did the professors examine in Latin?—They required you to read some of the Latin medical works, but the examination was made in English.

2489. Do not you think that where there is a good classical education, it is attended with advantage to the character, manners, and habits of the student?—I believe it is; but I believe the same advantages may be obtained without it, and more easily. While I have stated that I deem it essential for a professional man to have studied Greek and Latin, I believe it possible to study them in perhaps a fourth part of the time that is now usually devoted to them; and with much more profit, inasmuch as the student's attention is now generally given, more to the minute matters of grammar, than to the substance and philosophy of the works perused. I would say that, till recently, the knowledge of the Greek and Latin language was a test of a man having received a good education; but all over Europe it is ceasing to be so considered.

2490. You consider it of course as of equal or greater importance that those who practise for the poor, should be as well informed on medical subjects as those who practise for the rich?—Certainly.

2491. The only limitation to that principle is this, that you must take care not to render the education of those who are to practise for the poor so expensive, that they cannot look forward to an adequate remuneration for the expense of their education?—Yes; unless Government choose to pay such men in part. As they pay the surgeons of regiments, they might pay the practitioners in parishes; and in that way enable the poor to have the best medical advice as well as the rich. It is at present in contemplation, I believe, over the whole country, to bring together the poor of many parishes into one hospital, and then to place a man of superior attainment at the head of each hospital.

Archibald Billing, M. D., again called in; and Examined.

2492. DID you apply to be admitted, ad eundem, for a degree of medicine at Cambridge?—I did, for a degree of bachelor of medicine.

2493. Were you admitted on making application?—No.

2494. What was the reason?—Because I had taken a degree in arts, previously to taking my degree in medicine in Dublin. I had, as they call it, gone out in arts, that is to say, taken the degree of bachelor of arts in Trinity College, Dublin. It would have been a matter of great convenience to me to have gone to Cambridge, and, from having friends there, I preferred that to Oxford, and applied there first.

2495. Who was it that gave you this reason?—Dr. Haviland, the Regius Professor.

2496. Did he state that it was inconsistent with the statutes of the university, or what reason did he give?—That it was inconsistent with the statutes, or contrary to the usage of the university, to admit me a bachelor of medicine; because the University of Cambridge would not permit any of their own members, who had taken the degree of bachelor of arts, subsequently to become bachelor of medicine.

2497. It did not at all turn upon the reasonableness of the application?—No, it was a mere technical objection. I had taken a degree too much; and, according to the information I received, a person who goes out in arts at Cambridge, is obliged to pass a much longer time to obtain a degree of doctor of medicine, than if he had not gone out in arts; his having acquired additional knowledge compels him to wait a longer time before he can obtain it. In fact, a person who has taken no degree in arts, may become doctor of medicine in his ninth year from matriculation, whereas he who has taken a degree in arts cannot become doctor of medicine until in his fourteenth year.

2498. Do you approve of the self-elective system in the College of Physicians, in choosing the elects?—No; I disapprove of it very much.

2499. Was there any peculiar circumstance attending the election of Dr. Cook for the office of elect?—Dr. Cook has never officiated as an elect; he was not appointed

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appointed until he was incapable of acting; he was confined to his house by a complaint which prevented him from going any distance from home, even in a carriage.

2500. You were informed of that?—Yes, by himself; but the state of his health was generally known.

2501. Are there any inconveniences to which this mode of appointing the elects has given rise, or is it upon general principle that you condemn it?—I condemn it on general principle; I consider it mischievous; and I think there are inconveniences arising from it; but to enter into them might lead me into personal observations.

Sir David Barry, M. D. F. R. S., called in; and Examined.

Sir David Barry,
M. D. F. R. S.

2502. YOU are one of the physicians that were selected to pay a visit to Russia, for the purpose of observing the cholera in that empire?—I am.

2503. And you were subsequently made a member of the second cholera board, appointed by the Government in this country?—Upon returning from Russia, Dr. Russell and myself found ourselves named as members of the second cholera board, to sit at the Council-office.

2504. Where were you educated?—I commenced my medical education in Dublin, where I became a registered pupil of the College of Surgeons, having first passed an examination as to classical knowledge.

2505. Did you pass that examination as to your classical knowledge, conformably to the statutes of the Irish College of Surgeons?—Yes.

2506. Where did you graduate?—In Paris.

2507. You did not graduate in the first instance in Dublin?—No.

2508. You are a fellow of the Royal Society?—Yes.

2509. You are a licentiate of the London College of Physicians?—I have passed both as an extra licentiate and as licentiate.

2510. In the first instance you passed as an extra licentiate, for practising in the country; afterwards as a licentiate, for practising within the precinct of London?—I believe so; though the text of the licence, as extra licentiate, admits me to practise “secundum statuta regni,” I find by looking at those two licences, that though I passed as extra licentiate in 1820, and as licentiate in 1827, they are both dated 1820, thereby, I believe, the College acknowledging my standing, as counted from the period of my passing as extra licentiate.

2511. Did you understand that your licence as extra licentiate merely gave you a right to practise physic without the district of London?—I did.

2512. If any question were to arise between you and the College, or in a court of law, whether the date of your being a licentiate to practise in London were in 1820 or in 1827, should you not meet with some difficulty in proving the fact?—I should produce those two documents, and leave it to the College to justify their reason for making both of the same date.

2513. Will you state the nature of the education which was required of you in order to obtain a medical degree at the University of Paris?—The education required to obtain a medical degree at the University of Paris consists of four years' study of purely medical subjects, independently of being first a bachelor of letters. In those four years 16 inscriptions are taken by each pupil, four in each year, the scholastic year beginning in October; and after the first eight inscriptions are taken, then the first examination is made; that examination is in botany, natural history of medical substances, medical physics, medical chemistry and pharmacology. The second examination is after the 10th inscription is taken, that is, in the third year of study, and that examination consists of anatomy and physiology.

[*Added by the Witness on correcting his Evidence.*]

The third examination, after the 12th inscription, in external and internal pathology and operative medicine; the fourth examination, after the 14th inscription, in Hygiène, medical jurisprudence, materia medica and therapeutics; the fifth examination, after the 16th inscription, in external and internal clinique and midwifery; last of all, the candidate defends a thesis written by himself, against the professors, who attack it.

2514. Were you, having undergone a previous course of study in Dublin, required to take your degree of bachelor in letters at Paris?—I was.

2515. Were you required to have studied at Paris previously to obtaining your degree

degree of bachelor of letters, or did they at once examine you as to your acquirements in letters?—I took out some inscriptions, I forget how many, at the Faculty of Letters.

2516. Did the taking out the inscriptions involve the paying certain fees to the professor?—A few francs to the registrar.

2517. Were you required, in consequence of taking out the inscriptions, to attend any courses of lectures?—The inscription, or paper given to you, entitles you to attend the lectures if you please, but does not compel you.

2518. In your case, perhaps, it would have been a work of supererogation to attend those lectures?—I should not be vain enough to say so; for I did attend some of those lectures, and found much pleasure and information in attending them.

2519. What interval elapsed between your going to Paris and your obtaining the degree of bachelor of letters?—I began to reside in Paris in 1822, and I became a bachelor of letters in 1824.

2520. The inscription is merely registering yourself as a pupil under a certain course of lectures?—The inscription is intended to identify the individual as to his name, his birth, his age, his residence and everything connected with him; he signs his name; the inscription frees him to all the lectures of the school of medicine; and he is, besides the inscription, obliged to attend the respective courses of medical lectures, and to answer to a roll-call twice in each month, in order to insure his presence, at uncertain times.

2521. Is the effect of that regulation to induce regular attendance on the part of the students?—In general it is.

2522. Are the students subject to an examination by the professor on the subject on which the professor lectures?—They are, and I think upon a very good principle; the pupils, after a year's attendance, are called upon to become candidates for the école pratique, or the practical school; they give in their names and are examined, and those who are found to have profited most by the time they have been in the University, and to excel in their different studies, are then named as members of the practical school; and by being so, become eligible to the places appointed for pupils in the hospitals of Paris and in the school of medicine, by which some of them get board and lodging, some an annuity from 1,200 francs down to 500; and in short, it is an object of very great ambition and very great benefit to the pupil; it lays the foundation of his professional character in society for ever after.

2523. Are foreign students equally eligible with Frenchmen into the Ecole Pratique?—They are.

2524. Were you elected into the école pratique?—I did not become a pupil in the école pratique; I considered myself too old for that.

2525. What are the duties attaching to becoming one of the pupils of the école pratique?—The advantages attaching to it are, that the pupil has an opportunity of performing chemical manipulations with his own hands, and operations in surgery on the dead subject; he is, in fact, admitted to operate before he has passed for his degree as doctor, and it is exclusively from those pupils that the prosectors, the aides d'anatomie, and the internal pupils of the hospitals are selected.

2526. Then not only does an examination take place after the 12th or 14th inscription, but there is a constant examination going on of the students by the professors, whose lectures they attend?—Constant examination, and prizes are given also.

2527. Is the effect of all those arrangements to keep alive a spirit of emulation and activity on the part of students?—A most extraordinary degree of activity and emulation prevails amongst the French students of medicine; and I beg to remark, that the official examinations are not three, but five; they take place after certain respective inscriptions, and at the end of the last inscription the pupil writes a thesis, and defends it; and he then obtains his doctorship, either in medicine or surgery, as he may choose to require.

2528. Before obtaining a medical degree, is there an examination in arts?—That takes place when the pupil becomes a bachelor of letters, and he cannot become a doctor either of medicine or surgery without producing his diploma as bachelor of letters.

2529. You underwent that examination of bachelor of letters?—I did.

2530. To what subjects did that examination extend?—It commenced with an examination in the dead languages, Latin and Greek poetry, history and oratory;

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it went on to ancient history, the history of the middle ages; modern history, scripture history; and elementary questions as to mathematics and algebra, and the elements of chemistry, natural history, and elementary questions upon physics.

2531. Supposing a candidate for becoming a bachelor of letters had not only possessed a popular, but a mathematical knowledge of physics, would any additional honour have been conferred upon him?—There is now another examination in that department, which entitles a candidate to obtain the diploma of bachelor of sciences; but at the time that I became a doctor of medicine in Paris, the statutes then only required a bachelorship of letters, and I did not go in for a bachelor of sciences. In the case of the bachelor of sciences, the same subjects are again examined upon, but in a higher grade.

2532. Do you mean that the alteration of which you speak, has made it requisite that the students should go through this superior examination, in order to take a degree of doctor of medicine?—Yes, they must take the degree of bachelor of sciences now before they can take the degree of doctor of medicine; nay, I believe, even before they can take the first medical inscription.

2533. Must they obtain it before they enter themselves as students of medicine?—In my time they were bound to produce those diplomas when they claimed the doctorate.

2534. Therefore they might if they pleased have been prosecuting their studies both in the sciences and in medicine, if it should have been more convenient to them to do so?—I believe they might, but I cannot answer positively upon that subject. As to myself, I know that whatever preparation I made for my bachelorship of letters, was during my medical study there.

2535. From what you know of the education of medical men at Paris, and the education of medical men here, should you say that those educated in Paris are inferior in any respect to the graduates of the English universities who study medicine?—Certainly not.

2536. Either in medicine or in science and literature?—In nothing, that I am aware of.

2537. In what estimation are medical men held in society in Paris?—The rank of a medical man in Paris, taking the whole as one genus, extends over a larger surface of society than it does here; he may be a peer of the realm, and he is sometimes a *docteur medecin*, living in a little alley, with a board over his door, who will take a few francs, and walk half round the city to look after your health.

2538. What effect has this great difference in the worldly advancement of those in the profession, upon their estimation in society? Would a person entering into an assembly of well-educated men be looked upon with greater respect if he had the title of doctor of medicine than if he did not possess it?—The address of “Doctor” is seldom or never used in French society; every man is spoken to as “Monsieur,” be his rank what it may. Physicians in Paris who had become known as pupils and as students, and who have made an honourable and distinguished career, are some of the most distinguished men in society in France, and they almost all have obtained some other title, such as that of Baron or Chevalier, or something of that kind, which they rather adopt in society than that of doctor.

2539. Then distinction in that science which they profess, opens to them superior respect from the society in which they live?—It opens to them every advancement in society that I can contemplate, short of royalty.

2540. Are there not some persons in the chamber of deputies physicians?—I believe Monsieur Royer Collard, a very distinguished member, is in fact a practising physician in Paris, and I believe he is now also a peer of the realm.

2541. Do you think that a physician in Paris is of lower rank in society than a physician is in London?—Certainly not of lower rank than a medical man is in London.

2542. Are there not very great extremes in the success of practice in London as well as in Paris?—Very great; and in France one of the reasons why the rank of physician is to be found sometimes mixing with the less elevated grades of society is, that in France there is no such thing as an apothecary practising medicine.

2543. And therefore the practice of medicine is entirely confined to those who are of the faculty?—Entirely; there are a few *officiers de santè*, but they are almost entirely in the provinces.

2544. In point of manners, do you think that the physicians in Paris are inferior to the English?—Certainly not.

2545. In point of morality?—Decidedly not.

2546. In point of medical science?—I have stated that I think they are not inferior.

2547. Without going to those who are most distinguished, on an average, do you think that their acquirements in medical science are equal or superior to the acquirements of those in London, comparing them with either the class of physicians or the class of general practitioners?—I should not like to disparage either nation by a comparison, but I would observe that in Paris there are at least three or four times the number of physicians that there are in London; and that as the income of none of the physicians there is equal to the income of many of the physicians in London, they are not able to make that figure that English physicians do; but I conceive that medical knowledge is more diffused there, and that a greater number of men in Paris possess a very high degree of medical knowledge than in London, though in London there are men just as clever and just as learned as there are in Paris.

2548. In which of the two countries do you think individuals the most ignorant of the business of their profession would be found, calling themselves medical men?—Inasmuch as there is a vastly greater number of charlatans and quacks, and of imperfectly educated medical men in this country than in France, I would say here.

2549. Excluding the irregular practitioners who are not entitled to practise under any diploma or degree, in that case which of the two countries do you think could produce the most ignorant men in their profession?—I think the answer to that is contained in former answers, in which I have stated that I conceive medical knowledge of every description to be more diffused among the medical practitioners in France than it is here.

2550. Are medical appointments in Paris given by favour or patronage, or are they given as the rewards for merit in their profession?—The medical appointments in Paris are now always given by what is called concours, that is, emulative examination of the candidates.

2551. Does that extend to the appointment to all the hospitals in Paris?—I believe it does at present.

2552. Are not the hospitals there supported principally by the state?—They are supported partly by the state, and partly by bequests or legacies, and partly by acquired property; partly by charitable contributions.

2553. At the time of the Revolution, was not all the property of the individual hospitals thrown into a common fund, which was applied to the support of the great public hospitals at Paris?—It is now so; it is entrusted to the bureau central des hopitaux.

2554. Was not the property so entrusted to that general board derived from the particular endowments of hospitals which existed before the Revolution?—I am not qualified to speak from positive knowledge upon that subject.

2555. Do you consider the standard of education and examination of those who solicit a medical degree in Paris as higher than the standard of education and examination in this country?—I am not personally acquainted with the standard of education and examination required by the universities of this country, but it certainly is much higher than any standard which is required in London.

2556. Are you acquainted with the standard in Dublin?—Not, at the University; I am, at the College of Surgeons.

2557. Comparing the Paris standard with that, what is your opinion?—I believe the standard of education required to become a licentiate of the College of Surgeons in Dublin approaches nearer to that required for a doctorate of surgery in France than that required at any other place in Great Britain, that I am acquainted with.

2558. Do you consider it higher than the standard of qualification required at Edinburgh?—From what I have heard, I do, considerably so.

2559. And of course higher than that of the other universities in Scotland?—I think so.

2560. What was the examination that you underwent upon applying to be admitted an extra-licentiate of the College of Physicians in London?—I was examined about 20 minutes or half an hour on one day by three or four elects of the College of Physicians.

2561. What opinion did you form of that examination, as a fit test to be required

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for persons to practise in the provinces?—I conceive the examination to be exceedingly elementary and imperfect.

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2562. Had you practised previously to applying for a licence to practise as an extra-licentiate?—I had never practised in London as a physician, but I had practised in the army and abroad.

2563. And you were therefore little known?—I was, I believe, rather favourably known to the profession after my return from Paris.

2564. Did you undergo another examination when you applied for a licence to practise in the precinct of London?—I underwent three additional examinations.

2565. What opinion did you form of that course of examination?—Having then been acquainted with the mode of examination at the University of Paris, I thought still more lightly of the last examinations than of the first.

2566. What was the duration of the examination for the London licence?—It might have been from 15 to 20 minutes each day.

2567. What was the extent of the subjects in which you were examined?—The subjects were exceedingly limited, and I conceived that the designed omission of several important subjects constitutes one great fault of the examination.

2568. State what you thought were the marked omissions in the examination?—Chemistry is always omitted, midwifery, I believe, is never touched upon, and surgery not at all.

2569. To what extent were you examined in your knowledge of pharmacy?—Merely as to the composition of certain compound powders or tinctures, the quantity of the more powerful ingredients contained in certain compositions, and the doses of those medicines.

2570. Was the examination practical on any subjects on which you were examined? in the materia medica, for instance, were substances produced?—No substances were produced, nor was I asked any question upon the natural history of medical substances.

2571. In the examinations at Paris, previous to granting the degree of doctor of medicine, is the examination practical?—As practical as it can be; for instance, in the examination upon anatomy, a certain number of anatomical questions or subjects are written upon slips of paper, and thrown into an urn; the pupil draws one of those papers, and is obliged to prepare for demonstration on that day the subject written upon his paper; for instance, the sympathetic nerve; the dead subject is brought into the theatre, where the examination takes place, and all the world see it; and then the student is examined *vivâ voce*, lest he should have had it prepared by another person.

2572. Do you think it possible for a person ignorant of the subject as to which he is examined at Paris, to pass the examination?—I think it utterly impossible.

2573. Do you think it possible for a person ignorant of the subject on which he is examined to pass an examination before the College of Physicians?—I think a man may pass an examination at the College of Physicians, who is a good classical scholar, but knows nothing of chemistry, nothing of medical jurisprudence, nothing of surgery, little or nothing of anatomy, nothing of the diseases of women in child-bed, and nothing of the manner of delivering them; I think a man with all those items of knowledge wanting, might pass the examination for licentiate, and therefore for fellow, as the medical examinations for both are allowed to be identical.

2574. What opinion have you of the fitness of conducting the examination at the College of Physicians in Latin?—I think it exceedingly injurious, for it narrows the field of knowledge, both of the questioner and of the examined.

2575. That is, supposing that the examiner could not speak Latin correctly?—I say that it narrows the ground of the examination; because I know of no man, either in or out of the College of Physicians, who speaks Latin as well as he does English.

2576. If the party examined was a fluent speaker of classical Latin, do not you think that he would thence derive assistance in concealing his comparative ignorance of the medical subject on which he was examined?—No doubt he would; and a man ignorant of Latin would derive a similar cloak to conceal his ignorance, because he would get credit for knowing his subject, and for being able to answer, if he only might dare to speak English.

2577. What is your opinion of the importance of a physician knowing Latin?—I think it of the highest importance. In the first place, I think that classical education humanizes, refines and exalts the mind generally, and that no man can be said to be well educated who has not had a classical education; in the next place

place, I myself and Dr. Russell derived the very greatest advantage from the little knowledge of Latin which we possessed in Russia; for we found that all the young men in the hospitals in Russia, who spoke no other language in common with us, spoke Latin, and that afforded a medium of communication, and a source of information which we otherwise could not have obtained.

2578. You think that at present it affords a means of communication between medical men all over Europe?—Certainly, that is one of its advantages.

2579. From a former answer you made, the Committee collect that there is not at Paris that division in the profession into the three branches of medicine, surgery and pharmacy which takes place in this country?—There is not that distinction in the study, and in the mode of education, and of obtaining medical honours that there is in this country.

2580. However persons may have been educated, and whatever degrees they may have taken, is there a practical division of labour in Paris between those who practise pure surgery and those who practise medicine—Most certainly.

2581. From thence do you collect, that even although there were no regulations enacted, either by the Legislature or by corporate bodies, in this country, that division of labour would yet take place?—I conceive that no legislative enactment can prevent the individual and the public from seeking their own respective convenience, and therefore that there will always be that practical division in the administration of the science to the cure of disease that now exists.

2582. Is not the practice of the pharmacien at Paris strictly limited to selling and compounding medicines?—Strictly, so far as relates to curing disease; but those pharmaciens are very learned chemists, and very generally very clever well-educated people.

2583. What is your opinion respecting the policy of the triple division of the profession in this country?—From what I have already stated, I think it must appear that the unity of the three branches relatively to study or examination, and their occasional inevitable division in practice, involve no contradiction. I conceive that the government of the medical profession, and the education of young men for that profession, as they are conducted in this country at present, are faulty in the extreme. In the first place, young men find it necessary to pass an examination at the College of Surgeons; but I believe (and I would say it without the least disparagement to the eminent men who compose that body) that the standard of acquirement now actually insisted upon by that College is so very low, and the subjects upon which students are examined there are so lightly treated, that it does not stimulate them to exertion, and that they make very little preparation for that examination; but I believe that the examination established by the Company of Apothecaries is now by far the most comprehensive examination in London, and that if it were not for that examination, the young men who are now rising, would not be nearly so well educated as they are.

2584. Looking at the number who practise in the different branches of the profession, and the number of those classes of society for whom the different branches of the profession practise, do you not think it is above all things important that a person intending to become a general practitioner in this country should be well educated?—Most certainly he should.

2585. Do you recommend that there should be any difference in the education of the physician, the surgeon, and the general practitioner in this country?—As matters stand at present, I think it is indispensable that there should be a difference; because if the standard of education for general practitioners be placed as high as that for a physician ought to be, it will be unattainable by a great many.

2586. By rendering it unattainable by a great many, might not the effect be to lower the average standard of qualification of those who actually do practise, by forcing the practice into the hands of uneducated men?—If we contemplate a high standard being fixed by the Legislature, we must also contemplate that no man that has not attained that standard will be allowed to practise.

2587. Have the attempts that have been made actually to confine practice to particular classes of practitioners, ever succeeded in this country?—I believe never, and that they never will.

2588. When therefore you think it expedient that the standard of qualification should be raised, you do it with this restriction, that you must not render it so expensive as to render it unattainable by that class of practitioners who are to practise for the body of the middle and poorer classes of society?—That is my view.

2589. To whom do you think it would be expedient to entrust the examining

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into the qualifications possessed by those who apply for a licence to practise either as physicians or as general practitioners? The question refers to the qualification, both as it respects their education, and the mode of conducting an examination?—I think the standard of qualification, and therefore of examination, for medical men of all grades, ought to be made uniform for each respectively, all over the British empire; and that where a man produced sufficient testimonials of having gone through the necessary examinations, either in Dublin, Edinburgh, or London, those should be reciprocally allowed in each of those countries to avail themselves of the advantages derived from those certificates. But in order to prevent fraud, or any ignorant man presenting papers which he had not legitimately earned, there ought to be in London, and in every great city, a competent body composed of the *élite* of the practitioners of that town, to ascertain whether persons were entitled to the papers that they possessed, and whether they were fit to be put in charge of the public health.

2590. Is not the interference of the Legislature necessary, in order to insure this uniform standard of qualification; inasmuch as if one examining or licensing body now endeavours to raise the standard of qualification, those who wish for a licence to practise on the cheapest terms are driven away to other bodies or corporations which are willing to confer diplomas at a lower and cheaper rate?—I believe it has that effect, but I also think that no such diplomas ought to be acknowledged.

2591. Do you infer from the difficulty adverted to in the last question, that in order to insure a uniform standard of education and of examination, the interference of the Legislature is absolutely necessary?—I think absolutely necessary.

2592. That such a reform cannot be carried into effect by those particular corporations, or universities, or colleges, to whom the power of granting degrees, diplomas, or licences is now intrusted?—I think not; there would be corporation interest exerting itself. I beg to remark with regard to the effect of the exceedingly various and anomalous standards of education now required by different corporations, and which are considered as sufficient to admit medical men into the public service, that a diploma from the College of Surgeons of London is legally enough for a young man to be admitted as an assistant surgeon of the army; but the Army Medical Board, very wisely considering that this young man is not necessarily examined in the practice of medicine, or the treatment of disease, and therefore that he may not have studied disease, and may not have studied pharmacy, the Medical Board has itself established a separate examination; and by-and-by every official body, every corporation, and perhaps every hospital, will have an examination of its own; and every little school will have a curriculum of its own; and therefore it is necessary to render the minimum of time and study uniform in all.

2593. Do you think it possible to fix, by Act of Parliament, a uniform standard?—I think it exceedingly possible.

2594. Does not the standard of merit depend upon the power of passing examinations?—The having passed an examination is one of the tests that merit is possessed by the examined; but it ought always to be insisted upon, that a man should have spent a certain time in acquiring information, and that he should have taken certain means to acquire it; for no one examination can embrace all the subjects which it is necessary for medical men to be intimately acquainted with.

2595. Then the legislative enactment would merely be to specify the time that a person shall have studied, and that the person must submit himself to a certain examination?—Precisely; I would put it under two heads; preliminary education and medical education.

2596. Then though the Act of Parliament might introduce uniformity of practice, would there not be the same opening for difference as to the amount of medical knowledge, arising out of the different standards of medical acquirement, which the several examining bodies might adopt?—Local circumstances might produce a slight variation, but as I have already supposed an assimilation of the minimum of time and study in all such corporations to be enjoined by the Legislature, they would come nearer to uniformity by that plan than by any other, and infinitely nearer than at present.

2597. Would not the Act you propose leave to the College of Surgeons to examine as they please, and to the College of Physicians to examine as they please?—An Act of that kind would effect nothing. I have already stated that I conceive that all the examinations of every medical candidate ought to be perfectly uniform,
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and the same up to the last moment of such examinations. Then, if he thinks he excels in mechanical dexterity, if he is particularly clever in anatomy, he may wish to practise surgery exclusively, and to be known to the public as having made that election; the same with the physician as to pure medicine; then let each take his doctorate for either, whichever he chooses.

2598. Do you conceive that the Act of Parliament should prescribe the nature of the examination, or merely require that some examination should be adopted?—I think the Act of Parliament should designate, not only the kind of examination, but also the examining body. I conceive that the examining body ought to be composed of the most eminent men of the three departments; that is to say, practical physicians, practical surgeons and accoucheurs, and practical apothecaries and chemists; and that a board of that kind would form the best test of the medical knowledge of the candidate.

2599. Do you consider that the superintending body, either of the College of Physicians or of the College of Surgeons, or of the Apothecaries' Company, is competent and qualified to conduct such an examination?—I have already stated that I consider the examination of the College of Physicians to be exceedingly imperfect and elementary. I have also stated that I consider the standard of education which is exacted by the College of Surgeons to be much too low, and the nature of their examination too limited; and that I conceive the examination now given at Apothecaries' Hall is by far the best and the most likely to produce the stimulus to study and emulation among the pupils of any at present in London. But I am of opinion that neither of these corporations is competent, as they are at present constituted, to be the examining body which I contemplate.

2600. You consider that that deficient system of examination does not arise from the want of medical knowledge on the part either of the College of Physicians or the College of Surgeons?—Certainly not; both Colleges are composed of some of the most eminent men in Europe; the defect arises from the faulty construction of these two bodies, and the tendency which mankind always have when they have acquired power, to keep it, to increase it, and to turn it to their own profit; not at all imputing any peculiar faults to the members of either of those bodies; it is a general fault.

2601. Would not the tendency of that desire to possess power be rather a wish to exclude others from the profession, than to admit them too easily?—And all the measures of the College of Physicians, I believe, tend to exclusion.

2602. You stated that your examination by the College of Physicians was one that would be easily passed; how do you reconcile that with the desire of excluding from the profession?—I was alluding to exclusion from their honours and their fellowship; I was referring to their exclusive bye-laws against licentiates.

2603. Do you propose that there should be a uniform standard of qualification prescribed by the Legislature, or would you leave the arrangement of that in the hands of those that now conduct it?—I would leave the arrangement of it in the hands of competent people; but I would insist upon it that certain heads of subjects should be made subjects of examination; for instance, the medical education at Paris consists of 13 courses of lectures, upon every thing connected with medicine, given by 24 distinct professors. That is an organization of medical education which I believe we have not in any case in London, and without uniting the three corporations, I believe we could not have it.

2604. In whom would you vest the power of examining?—In the joint body I have already described, composed of the *élite* of the three departments of the profession.

2605. Who is to make the selection?—The selection should be made from eminence of scientific station, from what each may have done for science, judging from people's character, and writings, and known acquirements.

2606. Who is to make that selection?—The Legislature is to begin, and then it would be continued by emulation.

2607. In what manner?—By having a certain number from each branch of the profession.

2608. Do you think that the having obtained a doctorate in surgery, should be any objection to a person also having a doctorate in medicine, without resigning his doctorate in surgery?—It would be no objection in Paris, and ought to constitute no objection elsewhere.

2609. Do you think there is any objection in principle?—Not the least.

2610. Do you think that any examination to be instituted by such a Central Board

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Board ought to be as practical as the examination is made at Paris?—I conceive that if the universities now existing at the principal places of education in the British dominions do their duty, if their curricula be made uniform, and their examinations be well conducted, the body in London ought to do no more than to register and verify their documents.

2611. Supposing that to be the case with regard to the students who come either from Scotland or from Ireland, how would you have the applicants for degrees in London treated by the Central Board?—If there were a body in London empowered to give degrees, I would have candidates practically examined by that body, and have their examinations as strict as possible; and I would sum up every thing I have to say upon that subject in these few words, by stating that the higher the standard of acquirement is placed, the greater will be its influence upon the education of the country, the more desired and the more sought after would that distinction be, and the more valuable would it be when obtained.

2612. At Paris is there a distinct examination for giving a degree in medicine and for a licence to practise in medicine?—There is no examination there for a licence to practise.

2613. The possessing a degree presumes a privilege to practise?—It does; for it declares, in the body of it, that it entitles the bearer to all immunities and privileges that can be derived from such an instrument.

Martis, 15^o die Aprilis 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR,

John Sims, Esq., M.D., again called in; and Examined.

John Sims, Esq.
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2614. DO you wish to offer any explanation of any part of your evidence?—Yes, with reference to *The King v. Askew*; that was a case in the nature of a *quod warranto*, to inquire why the president and censors exercised the office of censors.

Sir David Barry, M.D., F.R.S., again called in; and Examined.

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2615. WERE you not sent to St. Petersburg in the year 1831?—I was.

2616. By whose recommendation were you selected?—I believe, by the recommendation of the superintendent-general of quarantine, Sir William Pym, who knew me in Gibraltar, when I was sent out there on the subject of the yellow fever.

2617. At the time you were sent out to Russia, had the first board of health been appointed?—I think not; not that I am aware of.

2618. Did you forward your Report to the board of health?—I corresponded direct with the Privy Council, through the clerk of the Council in waiting.

2619. You received no instructions from the board of health?—None.

2620. The board of health was composed of fellows of the College of Physicians?—A board of health, composed of the fellows of the College of Physicians, was appointed after I was sent out to Russia. I had no communication with them.

2621. You had no directions from them as to the points of inquiry?—None. I must however remark, that Sir William Pym, having been a member of that board of health himself, I cannot say whether he received any directions from the board of health to transmit to me or not; but I received my instructions from the Privy Council, through the clerk of the Council in waiting.

2622. You were sent by the Government to report on the nature of the fever at Gibraltar, in the year 1828?—I was.

2623. Did you submit any report you made to the College of Physicians?—I did; I submitted a short report upon it, and it was read there.

2624. Did you receive from them any instructions as to the topics of inquiry previously to your going?—None.

2625. Did you receive any mark of consideration from any scientific or medical body in Russia?—I did; I was named an honorary member of the Imperial Medical and Surgical Academy of St. Petersburg, previously to leaving St. Petersburg.

tersburgh. His Majesty the Emperor of Russia also conferred upon Dr. Russell, my colleague, and myself, the collar of the order of St. Anne of Russia.

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2626. Did His Majesty in this country reward your services in any manner?—His Majesty was pleased to confer upon me the honour of knighthood, and to give me a step of promotion in the military service to which I belong.

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2627. Subsequently to your return, you were elected a fellow of the Royal Society?—I was; I was proposed, I believe, by the Lord Chancellor.

2628. On your return, did the College of Physicians hold out to you a prospect of being raised to the fellowship?—I was so very kindly received by Sir Henry Halford, the president of the College, and he spoke to me so very favourably of the reports that Dr. Russell and myself had sent home, stating that they had given perfect satisfaction to the College of Physicians, that I had some hope I should be noticed by the College, but I heard nothing more of it.

2629. Have you ever considered yourself aggrieved in any way, by not being a fellow?—I think licentiates generally labour under very great disadvantage, and I thought myself rather aggrieved, as I had obtained distinction from so many quarters, and had been so often publicly employed on sanatory and medical affairs, that I did not receive the slightest mark of distinction from the College of Physicians.

2630. What do you conceive to be the advantages of a fellowship?—In the first place, it is the shortest, and the only road I am acquainted with to the honours of the profession; to the public situations of hospitals, and to favourable notice with the public. For the fellow, the moment he arrives from his studies, is placed in the very first line of recommendation: he is placed on the same line with the president of the College of Physicians, and he is recommended by his fellows or associates, exclusively and in preference to licentiates; so much so, that there appears to be, if I dare use the phrase, something like a trades' union among the fellows, to the exclusion of licentiates; and that is the case more particularly with regard to hospital appointments.

2631. Are you physician to any hospital in London?—I am not.

2632. Have you ever tried to obtain any appointment of the kind?—I have not.

2633. What have been your reasons for not making the attempt?—I am more or less a military medical man: that might have been one of the reasons, but I feel that a man becoming a candidate to be a physician to a hospital in London, as matters stand with the College of Physicians at present, would be sure to fail as a licentiate; and that having failed, he will not have gained any credit, or any useful notoriety by having been a candidate. For he would only have made the fact known to those who did not know it before, or had only a vague notion of the subject: he would make it known through the counter-canvassing of the fellows of the College, that he was not on the same footing as they were; and therefore that they looked upon him as an inferior physician.

2634. Do you think that the impression you entertain, that the licentiates labour under a disadvantage as compared with the fellows of the College, is a pretty general impression among the body of licentiates?—I think it is a very general impression among the licentiates, so far as I am acquainted with them.

2635. Are you aware of any licentiates who have been actually frustrated in their object to obtain hospital appointments, by the interference of the College?—I cannot state, by the interference of the College as a body: but I believe it will not be difficult to show several licentiates who have been candidates, and have failed in competition with fellows.

2636. Do you think that is necessarily to be ascribed to the circumstance of their being licentiates?—Perhaps not in every case.

2637. Are you aware of any licentiates who are hospital physicians?—I am.

2638. In more instances than one?—I believe more instances than one.

2639. In several?—Perhaps in several.

2640. Is it not likely that a fellow, from the circumstance of his being educated at an English university, would have some advantage, as being, probably, more known in society in London?—It is possible he might; because he becomes, by being put in the most conspicuous situation, known above the licentiates.

2641. The question refers to his education nearer to London. Is it not likely he would have more extensive acquaintance and connexions in London than the graduate of a Scotch university?—It is very possible.

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2642. Which would give him some advantage in canvassing for hospital practice?—It might be one of the circumstances.

2643. Is the influence of the College on the medical education of the country advantageous or injurious to the young physicians, as a body?—I think the influence of the College of Physicians upon the medical education of this country is injurious in a very high degree. In the first place, a young man who is to become a fellow of the College of Physicians, is forced by the present state of things to be educated in one of two Universities, at neither of which medicine is adequately taught. The consequence is, he is obliged to seek for medical education in some other school, and when he gets to that school, he is not a responsible pupil: he need not engage in study; he has no honours to gain; no examination to pass there; and therefore, instead of having his attention engaged in studies which would take him away from the indulgence of the passions of youth, he has more time for the indulgence of these passions. Such a physician is aware that when he returns to London, he is not to be examined upon several branches of medical science; therefore, if he chooses, he need not study them.

2644. You mean that he has no incentive to study those branches of medical science which are omitted in the examination of the College of Physicians?—That is what I mean; and therefore if he chooses to confine himself to the minimum of education necessary to pass the College of Physicians, he will be a less efficient practitioner than he otherwise would be. But I would beg leave to say, that in these observations I contemplate a young man who will be idle enough to confine himself to the minimum, and not at all do I allude to any of the present members, or to that body.

2645. You mean that that is the tendency of the present state of things, without applying it to particular individuals?—Just so.

2646. Are not the habits of study, likely to be acquired at Oxford and Cambridge, calculated to produce a contrary tendency?—From the experience of youth, and from my own experience, I should think it probable that being freed from the necessity of study and from the fear of examination, would incline the young man to be more wild than he would otherwise be. There is a free run in Edinburgh for him; for as he is not to be examined there, he is a mere observer, an amateur.

2647. Looking at the regulations of the various medical corporations as a whole, do they also produce injurious effects upon the education of medical men in this country?—I think they do.

2648. In what way?—I have already alluded to the College of Physicians: I would next take the corporation of the College of Surgeons. They require no preliminary education for a young man who comes up to obtain a diploma; they require, in fact, no education at all, if he can present papers to show that he has been in the pursuit of medical knowledge for six years, I think; and if he is able to pass an examination in anatomy, surgery, and the elements of mechanical physiology, it is all they require; and they require no certificate of morality or good conduct: so that, in fact, taking an ultimate possibility, young men may come from the hulks, or from gaol. The above is the whole required to become a pure surgeon. This corporation seems to require the maximum of expense and the minimum of medical acquirements.

2649. You mean that no moral qualifications are requisite in the case of a person receiving the diploma of a surgeon?—None; in some cases they require none; I speak under correction, but that is my impression; the Apothecaries require a certificate of good conduct from the master of the young man, but the Surgeons do not. With regard to the surgeon, if he practises as accoucheur or general practitioner, he cannot obtain the honours of the College, while thus employed: he must give up that practice, to obtain the honours and profits of the College of Surgeons. He cannot become a member of their council, nor a member of their board of examiners. And the young man is not examined in the practice of medicine; though, when he becomes a surgeon, he practises medicine, he is not examined in it, and may not have studied it: consequently, the necessary pains are not taken in the College of Surgeons to make him an efficient practitioner.

2650. You have mentioned two of the corporations; what is your impression as to the third?—A reformation has obtained with regard to the Company of Apothecaries; yet they may receive young men to be examined and obtain their licence, who have not obtained the diploma of the College of Surgeons; therefore,

fore, they may not have studied surgery. Those young men, going into practice and practising all the branches of the profession, practise one of which they may be ignorant. An apothecary requires a five years' apprenticeship of a young man, who is generally from 16 to 21 years of age, the very best years of his educational life: he cannot consequently have acquired a proper preliminary education. And then they crowd all the studies necessary for a physician, a surgeon, an accoucheur, and an apothecary, into two years, and have only one examination upon the whole of these. In my opinion, the natural consequence is, that a confusion occurs in the young man's mind. He has not, or may not have sufficiently digested any one branch of those separate items of knowledge; and therefore his acquirements are crude and undigested. Besides, in those two years of study, he is very often obliged to *grind* in Latin, then perhaps for the first time, as well as in every thing else; in order to pass his examination at the Hall afterwards.

2650*. Though the examination at Apothecaries' Hall is the most comprehensive, yet as only two years of study are required, you think the young man will have learned what he has learned very superficially?—That must be the tendency of the arrangement I allude to.

2651. Upon the whole, you consider that the regulations of the two Colleges and the Company of Apothecaries taken together, in their effect upon the education of young men intending to go out in medicine, are far from advantageous?—Certainly, and are not as beneficial as they ought to be, or as they might be made.

2652. What opinion do you entertain of the expediency of remunerating the practitioner for the quantity of medicine rather than the attendance?—I think it would be exceedingly difficult to do it away in this country, where things are conducted so much on the principle of trade, of bill and receipt; and that the charging the medicines is one of the great sources of gain to the apothecary.

2653. Are you not aware that he cannot substantiate his claim in a court of law, at present, for more than 2 s. 6 d. a visit?—I was not aware of that.

2654. Should it not be optional with the medical man to make his charge in what way he pleases?—I should think so.

2655. Does the charge for medicine lead to a complex system of prescription?—I think it leads to the patient being obliged to take drugs that are either unnecessary or improper; and it is not unfrequent, I believe, for the apothecary by that means to be paid more for his visit than the very highest physician. For at the visit he makes on one day, he says to his patient, "I shall send you draughts and pills till this day week or fortnight." He continues to do so. By the time he arrives at his next visit, the pills and draughts have amounted to such a sum, as would come to more than one or two fees of a physician.

2656. You have undergone the examination required for belonging to the army service?—I have.

2657. What is the nature of that examination?—It is a very considerable time ago since I passed that examination: it was in Dublin; I was examined in the translation of the Pharmacopeia, in the treatment of disease generally, more particularly such diseases as military men are liable to, dysenteries and camp fevers. I was examined upon the theory and practice of medicine generally, and some questions on surgery; and that was the amount of my examination, I believe.

2658. How long did the examination last?—I think it lasted an hour. I was examined by the physician-general, and by the director-general of army hospitals, and by the surgeon-general.

2659. Were you also obliged to produce certificates of the places where you had studied, and the courses of lectures you had attended?—I had passed my examination, and produced the certificates of having done so, at the Irish College of Surgeons, and a paper showing I was a regularly registered pupil in the College of Dublin.

2660. In the course of your experience in the public service, have you noticed any difference in the practice of the army physician and the army surgeon?—I have never noticed any situation in which the physician might not be sometimes obliged to practise as surgeon, and the surgeon as physician; though in large stationary hospitals, where men are more inclined to or more in the habit of treating internal than external diseases, wards of fevers are assigned to some medical men, and wards of accidents to others.

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2661. It is essential for the education of the army physician that he should understand the practice of surgery?—Most essential.

2662. With regard to the error to which you alluded in the date of your licence, is your place in the list of licentiates affected at all by that error?—I cannot say: for the dates of passing examinations are not attached to the College list.

2663. Have the goodness to look at that list, and state, whether your name appears in its place in regard to the date of the licence?—I believe it is correct: it is stated to be in 1827.

2664. That was the period at which you actually passed?—Yes; but I passed as extra-licentiate in 1820.

2665. So that it does not appear that any injustice could have been done to any one by the error?—Only this: I considered it doing me a very great favour, as a licentiate, to be ante-dated to 1820; and if, by producing those documents, they have a value in point of date, a great favour would be conferred; as I should be higher in the list.

2666. Do you think the College designed you that favour?—If they did, I am much obliged to them: but I was not aware of it.

2667. You would not wish a favour to be done involving error and injustice?—If the College choose to consider the licentiates and the extra-licentiates the same, I do not consider that there is any favour at all.

2668. Do you think it would be an extraordinary stretch of candour, to suppose it a mere clerical error?—It may have been; I never inculcated any one.

2669. Do you not think that probably was the case: that it was a mere mistake?—It is very possible that it was.

2670. You spoke of an examination for a medical degree at Paris; do you know whether there are any means of procuring a medical degree at Paris, without submitting to that examination?—Yes; by special grace of the grand master of the university, or by order of the king, it may be done.

2671. Were you examined for a medical degree?—I was.

2672. You took it in the ordinary way? Not exactly in the ordinary way. I passed four examinations. The governing body of the French university allow to their own army medical officers eight inscriptions for their service in military hospitals, and the experience they have acquired there, and they very liberally allowed me the same favour: the other four examinations I passed. This allowance was given to shorten time, and not to shorten the examinations. I was allowed to take out the eight inscriptions cumulatively or together.

2673. It is an allowance usually granted to French military medical officers?—Yes, always.

2674. What is the state of pharmacy in France?—The pharmaciens are restricted to making up the physician's prescriptions. They do not prescribe for disease under any circumstances, and I consider the pharmaciens of France to be the best educated men of that class perhaps in Europe. Some of the most distinguished chemists in Europe are pharmaciens in France.

2675. In fact they are rather venders of drugs, than what we mean by apothecaries?—They are the compounders of medicine: they do not sell medicine by wholesale, in general: in fact, there is a penalty for a pharmacien selling medicine, except upon the ordinance of a physician.

2676. What difference in the education of a physician, a surgeon and apothecary is it you would recommend?—I would recommend no difference between the studies of a physician and surgeon, up to the last period before his taking the full honours of his profession. According to his inclination, or his connexions, or his estimation of his own ability as an anatomist, or possessing mechanical dexterity, he might then choose to be a surgeon or physician; and by that means would give the public a clear understanding that he had made that election. With regard to the education of the pharmacien, if such a separate class were contemplated, it ought to be pharmaceutical.

2677. You would recommend that he should know Latin, *materia medica*, chemistry and botany?—Yes, and the natural history of medical substances: and with regard to the general practitioners in this country, the education of the physician and the surgeon, if properly conducted, would qualify him fully to be a general practitioner.

2678. Might it not be advisable to improve the education of the druggist; not to make such education compulsory, but to confer some diploma on those who had

had been educated, as might be recommended?—I think the druggist, who makes up the prescription of the physician exclusively in this country, ought to give some guarantee that he is acquainted with the virtues and doses of the substances he compounds; and that he ought therefore to have some education.

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2679. Are you aware that the taking of a diploma of the College of Surgeons is purely voluntary, and yet that a very large proportion of the general practitioners are found willing to take out that diploma?—I am aware of that.

2680. If a diploma were given to the druggists who had educated themselves in those branches of medical science in which it is desirable they should receive education, would not a large proportion of them, for the sake of distinction, be found willing to take out a diploma?—I am quite certain they would, and some of them have already petitioned that some guarantee of education should be insisted on from druggists; some of the more respectable of them in London have done this.

2681. Suppose taking a diploma not to be compulsory, but purely voluntary, might not the granting it be attended with advantage?—I think it is highly probable that it would.

2682. Does any other matter occur to you which you wish to state?—Nothing but the necessity under which the physician labours of sending his prescription at present to a druggist, who may not understand the Latin in which it is written, nor the doses, or virtues of the substances that are ordered there.

2683. Would it not be desirable for the physician, if, in the case of any particular patient be attached importance to the purity of the drugs he prescribed, to be able, if he pleased, to dispense medicine to his own patient?—I think it most important that he should have the power; but at present he is answerable for doing so to the Corporation of Apothecaries; and yet the grocer chemist is protected in the composition and administration, nay even in the prescription of those very substances.

2684. He may if he pleases, dispense across the counter?—Yes, and he does so prescribe.

2685. Do you believe that dispensing across the counter by chemists takes place to a considerable extent?—I believe it does to a very considerable extent.

Sir *George Tuthill*, M.D., called in; and Examined.

2686. WHAT offices have you held in the College?—The office of Censor.

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2687. Are you one of the elects?—No.

2688. You are physician to the Westminster Hospital?—I am.

2689. And also to Bethlem and Bridewell Hospitals?—I am.

2690. You lecture on chemistry, materia medica, and the practice of medicine?—I do.

2691. Where?—At my own house.

2692. Are you the translator of the last edition of the Pharmacopeia?—Yes, I am.

2693. And you are one of the committee for framing the new Pharmacopeia at the College?—I am.

2694. How long have you been physician to Westminster Hospital?—I should think about 22 years; I am not quite certain.

2695. What is the average number of medical students who attend your class?—I have not attended to it so much of late years; I suppose the average, if I take the whole time that I have been a lecturer, may be about 30.

2696. Do you also give clinical lectures?—No.

2697. Are there any stated days for your attendance at the Westminster Hospital?—Yes, there are.

2698. What are they?—Mondays and Fridays, besides a Tuesday every fourth week; that being the taking-day.

2699. How many physicians are there at the Westminster Hospital?—Three; each physician attends two days in the week.

2700. Does each physician undertake certain cases?—Yes, the cases that he received.

2701. Does one physician attend the same patient one day, and another physician the next day?—The cases received by the physician remain under his care, till they are discharged from the hospital.

2702. Who superintends the mode of cure directed by the physician the days he does not attend?—The apothecary and the clinical assistant.

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2703. Suppose it to have been imputed to the College of Physicians, that they are only employed in forwarding their corporate and individual interests; do you consider that there is any just ground for such an imputation?—If that means their pecuniary interest, the corporation, as a body, have no funds, they have no property; if it alludes to the interest of the College in maintaining a certain rank in the country, they have endeavoured to do so, because they think it serviceable to the profession at large.

2704. Do you think they are chargeable with the neglect of science?—I think not: for instance, if the Philosophical Transactions be searched, there will be found to be a large proportion of papers written by the fellows of the College of Physicians. A large proportion, I should say half, of the College of Physicians at present are either men who have distinguished themselves at the universities at which they have studied, or have been authors since.

2705. Do you think that the bye-laws are chargeable with having produced discord; that if such dissent has occurred, it is to be attributed to anything in the bye-laws themselves?—The best expounders of the law have generally been considered to be the judges of the realm. They have declared the bye-laws to be legal, and to be just and reasonable bye-laws. This was declared by four of the judges in Dr. Stanger's case.

2706. So that any discord which has occurred, is rather to be laid to the charge of those who have not acquiesced in the decision, than to anything in the bye-laws themselves?—Wherever there are distinctions, though just and equitable, those who have not attained them, will always complain.

2707. Supposing it to have been said, that while the fellows do not encourage useful medical researches, by publishing papers themselves, they have yet used their influence to injure the society which had this object in view. Do you think they are justly chargeable with that?—It is not a part of the duty of the fellows by their charter to publish papers. The charter constitutes certain persons, as the College, to be the examining body, and to publish the names of those on whose qualifications the public may rely: but numerous papers have been published by the fellows of the College of Physicians. In the Transactions of the College of Physicians, there are some of the most important papers on medical subjects which have ever been published in this country. With regard to the latter part of the question, I suppose the Medico-Chirurgical Society is alluded to. When that society was first established, I believe some jealousy existed as to its objects; but which rapidly subsided; and there are now 27 fellows of the College members of that body. That is a proof that there is no ill feeling towards that body at present.

2708. Do you think it can be justly said that the College Pharmacopeia does not keep pace with the advancement of science?—The College Pharmacopeia ought not to keep pace with the advancement of science. It ought to follow the discoveries of science. I believe, when the charter was granted to the College, no Pharmacopeia existed in Europe. The first Pharmacopeia that was published in England, I think, was in the year 1619, the charter having been granted in 1518. During the 17th century six editions of the Pharmacopeia were printed.

2709. Can you give the dates?—I do not recollect them; I can furnish them, if it is desired. In the 18th century, three editions were published; in the present century, two have been already published within my own memory. I can only speak to the care that was taken in the publication of the two last Pharmacopeias, those of 1809 and 1824. In 1809, a committee was formed for the purpose of revising and editing the Pharmacopeia. Dr. Wollaston, Dr. Young, Dr. Powell, and Dr. Maton, were the most active members of that committee; and they invited observation from the College of Surgeons, the Society of Apothecaries, and every fellow of the College; and to every licentiate in London the wish of the College was made known, in reference to the new Pharmacopeia, and that any communications would be thankfully received.

2710. Do you think that the fellows labour under any incompetency to the composition of such a work, on account of a defect in their knowledge of pharmacy?—None; because as far as that is concerned, they have always the power of calling to their aid those by whom they may be properly assisted; as for instance, in 1809, a committee was appointed at Apothecaries' Hall to conduct any experiments which the committee of the College thought it prudent to request should be made by the Apothecaries' Company; and in 1824, I myself went very frequently to Apothecaries' Hall for the purpose of seeing certain processes, and the results of certain experiments made at the request of the committee appointed

appointed in 1824. In both cases, every assistance was invited from those who were supposed to have any knowledge, and who could give assistance to the committee of the College; and all observations that were received were carefully considered before the Pharmacopeia was printed. I will state the reason why the Pharmacopeia should not exactly keep pace with the advancement of science: it takes a considerable time to ascertain the character which any proposed medicine really deserves, and nothing should be admitted into the Pharmacopeia, as a remedy, till its character is well ascertained.

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2711. What is your opinion with regard to the efficiency of the examination of apothecaries' shops; whether there is any incompetency on the part of the fellows to that examination?—In the examination of apothecaries' shops, the censors of the College have the power of calling to their aid two experienced persons from the Society of Apothecaries, by whom they are accompanied; and in their examinations, they call for such preparations as are most liable to be found defective: those they examine, and a record of those examinations is kept by the College, and consequently can be examined here. It is not inefficient.

2712. Do you think the fellows are to be charged with a failure of a proper encouragement of medical researches, by not offering prizes, which might produce the same effect as the Jacksonian prize?—The Jacksonian prize, I believe, results from the bequest of a gentleman of the name of Jackson. The trustees have the distribution of that prize, and I have no doubt endeavour very properly to fulfil the intentions of the founder. We have no such bequest; we have no funds out of which to propose prizes. If any such bequest were made to the College of Physicians, I have no doubt it would be as carefully managed as by any other society. Although the College of Physicians do not publish papers, or offer prizes, there are certain lectures which have been established at the College of Physicians by Dr. Croon, Dr. Gulston and Lord Lumley; and for many years past those lectures have usually found their way to the public. It was at a Lullian lecture, I think, Dr. Harvey first acquainted us with his discovery of the circulation of the blood. Many of those lectures have been published, and are valuable contributions to medical science.

2713. Do you think it can be justly said that the College examinations are exceedingly elementary and imperfect, and such as to afford no test of the knowledge of the person examined?—I think that cannot be truly said. The person examined comes to the College with a medical degree; he is presumed, therefore, to have passed some examination before he presents himself to the College. He is examined by five different examiners; he has no information as to the subjects upon which he will be questioned. He will be a very fortunate man if, with no knowledge on the subjects on which he is to be questioned, he should be examined on the only five with which he is acquainted.

2714. Supposing he were ignorant of chemistry, midwifery, and surgery; and knew little of medicine and anatomy, do you think there would be any chance of his passing the examination?—He could not pass the examination if he were ignorant of chemistry. That always forms a part of the examination, when I have been present; and I believe that to be uniformly the case.

2715. With regard to midwifery?—Midwifery is a manual operation. That forms no part of the examination; but the diseases of pregnant women, the diseases that follow on parturition, the diseases of children, perpetually are subjects of examination before the College.

2716. Is there an examination in surgery?—There is no examination on surgery. The College have thought it useful to the profession and to the public to keep the two departments distinct: that physicians should practise purely in physic, and not interfere in surgery.

2717. Is there any examination in anatomy?—There is, and by no means a superficial examination.

2718. Upon the whole, you think it impossible that an incompetent person could pass an examination?—I do.

2719. What is your opinion with regard to conducting the examination in Latin. Do you think that has a tendency to limit inquiry?—The necessity for learning Latin would be diminished, if the examination in Latin were abandoned; and I believe it to have been the practice of every university in Europe to examine in Latin, until very recently. It is not confined to the College of Physicians: the same reasons which may be presumed to have influenced every university in Europe, have influenced the College of Physicians.

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2720. Do you think that to acquire a facility of speaking Latin, involves necessarily a great waste of time?—The College does not require a candidate to speak the most accurate Latin in the world; but a provision has been made by the College for examination in English in the regulations of 1830.

2721. Are those the regulations of which you speak (*a paper being shown to the Witness*)?—They are.

2722. Have those regulations been carried into effect?—They have not.

2723. Have they been passed?—They have.

2724. They are about to be carried into effect?—They are.

2725. That which you state, of power being given to examine in English as well as Latin, is a regulation which has not yet been carried into effect?—I cannot answer that question positively; for I am not a censor at present. I conceive that every censor, by that regulation, would now have the power of asking questions in English.

2726. You do not know whether that has been done?—I do not.

2727. If that is carried into effect, the College of Physicians will follow the example of other learned bodies, in abandoning the examination in Latin?—Partially.

2728. Do you not apprehend that it is possible to ascertain that the applicant for a licence has a knowledge of Latin, without conducting the medical examination in that language?—That would be possible.

2729. Do you conceive it would be advantageous that the two examinations should be separate: one as to knowledge of the classical languages, and the other as to knowledge of medicine?—I see no objection to either mode, provided the object be attained: namely, ascertaining the quantity of classical knowledge possessed by the party examined in that language.

2730. In cases where the candidate did not possess great facility in speaking Latin, would not his medical knowledge be more easily ascertained by an examination in English?—I think it would.

2731. Has any inconvenience resulted from confining the fellowship under ordinary circumstances to the graduates of Oxford and Cambridge, where medicine is but imperfectly taught?—The fellowship is not confined to the graduates of Oxford and Cambridge: a preference is given to graduates of Oxford and Cambridge.

2732. Has any inconvenience arisen from that preference?—None: the object being, to secure the highest preliminary education which this country affords, and which is to be obtained at the English Universities.

2733. Is there no inconvenience, with regard to medical qualifications, arising from that regulation of the College?—The time which elapses between the taking a degree in arts, for instance at Cambridge, and the period at which a doctor's degree in physic is taken, prevents that effect. The period of seven years must elapse, during which the person who intends to practice physic, will be sure to study that science wherever it is best taught. I suppose his object is of course to succeed, to get his bread by his labour in his profession.

2734. Do you consider that a physician educated at Paris is in every respect equal to one who has graduated at an English university?—I conceive it may be very possible to educate a man at Paris as well as he can be educated in England: but I must know the precise circumstances under which he is placed, to answer that question.

2735. Are you acquainted with the system of education at Paris?—Not exactly. If it means whether a man at the age of two or three-and-twenty, who goes over to Paris for two or three years, can obtain the same education he obtains at an English university, that is not correct.

2736. What is not correct?—The assumption that a person so educated would have the same knowledge as if he were educated at an English university.

2737. What is your opinion of the propriety of the exclusion of those who practise midwifery from the fellowship?—They are excluded, because midwifery is considered rather as a branch of surgery. It is only within a few years, since the time of Dr. William Hunter and Dr. Denman, that midwifery has been practised by physicians of any eminence. The manual operation was conducted entirely by women, the pregnant woman being attended, at and after her labour, by a medical person. By degrees, apothecaries were permitted to conduct the manual part of the operation, and, as it is now practised, it is conducted by surgeons, and apothecaries, and by some physicians.

2738. You

2738. You think it would be derogatory to a fellow of the College to practise midwifery?—I should regard midwifery as belonging rather to surgery, and I think it is better that the two departments should be kept distinct.

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2739. Do you think it would be proper that licentiates of the College of Physicians should be permitted to continue members of the College of Surgeons?—They are, I believe, required to disfranchise; and I think it beneficial, in order to keep the two departments of the profession distinct.

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2740. What is your opinion with regard to the mode of choosing the president of the College?—That is determined by charters; it cannot be done otherwise.

2741. Although it be the law, you can give an opinion as to the expediency of it?—I am not aware of any evil that has resulted from its operation.

2742. Are you aware of any more desirable mode?—If no evil has resulted from it for 300 years, I apprehend it may remain.

2743. You think it at the present time the most desirable mode of election?—I have not much considered that question.

2744. With regard to the mode of appointing College committees, what is your opinion of the mode at present practised?—The committees are not offices of emolument; they are offices of labour. There is no advantage in being on a committee, and I therefore see no objection to their being appointed by the president.

2745. Do you think the College is to be charged with a monopoly of medical appointments?—I do not. Two of the King's physicians in ordinary are licentiates; the physician at the head of the Army Medical Board was a licentiate; the physician at the head of the Navy Medical Board is a licentiate; other valuable medical appointments, distributed by Government, are in the hands of licentiates; the physician of Chelsea Hospital is a licentiate; the physician of Greenwich Hospital is a licentiate; at Guy's Hospital, three or four of the physicians were licentiates; Dr. Bright, who is now a fellow, was a licentiate; Dr. Back, Dr. Addison, and Dr. Hodgkin. Two of the physicians of the London Hospital are licentiates; one of the physicians of St. George's, one of the physicians of the Westminster Hospital, and the physicians of almost all the infirmaries and dispensaries, I think, are licentiates.

2746. Do you refer to infirmaries in the country?—I speak of London.

2747. You are not aware of any monopoly of medical appointments exercised by the College of Physicians?—I am not.

2748. Supposing it to have been alleged that the College has always talked of reform when the licentiates have complained, is there any ground for the imputation implied in that allegation?—I should say, during the last six years the College has been occupied in plans of reform, during which time, I believe, no complaint has been made by the licentiates.

2749. Has the College been perfectly sincere in their intention to carry into effect those reforms which have been agitated within themselves?—I think so; that is proved by the increased number of licentiates who have been admitted to the fellowship.

2750. What does that fact prove?—That the College were sincere in their amendment as regards the licentiates.

2751. Is there any foundation for such an imputation as this, that the fellows have tried to prevent surgeons and apothecaries from practising medicine, while they themselves were insufficient for the public wants?—There has been no such attempt in my time; on the contrary, the College of Physicians have done every thing to promote the regulations which the Apothecaries' Company have made, and to render them as efficacious as possible.

2752. Supposing it to have been said that the licentiates have been sometimes spoken of injuriously in the Harveian orations; that an irritation has been kept up by injurious reflection on them in those orations; are you aware of any passages in the Harveian orations of a contrary tendency, tending to conciliate them?—I recollect a passage, I think in Dr. Powell's oration; the words are, "Quam autem in hac urbe Collegii nostri tam permissis quam sociis medicina exercenda committatur, quamvis administratio rerum penes nos sit, communibus tamen officiis mutuo devincimur. Omnibus etenim eadem et bona et mala eveniunt; idem omnibus in arte sua promovenda et honestanda, et publicus honos et privatum lucrum; omnes in eandem fidem recepti sumus, neque aliter de iis ac de nobis est judicandum. Amplus omnibus patet campus in quo libere excurrere possit sua cuique virtus et doctrina, neque alterutros decet inter nosmet digladiari, aut rempublicam nostram ut discordia dilabatur pati. Cum communia pericula

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pericula propulsanda sint in commune consulamus, nec factionibus et studiis instante hoste distrahamur. Gratulor quidem vobis, socii, oratorem vestrum hodie permissos suo tanquam fratres et familiares honore et laude persequi posse; gratulor et vobis et illis ob communem totius familiæ conciliationem et consociationem, ab omnibus, precor, in æternum tuendam et servandam."

2753. What is the date of that?—1809.

2754. What is the meaning of "instante hoste"?—That relates to a dispute which once arose.

2755. What dispute?—There was once a dispute: I am not well acquainted with the fact.

2756. "Instante" appears to imply something expected rather than something which had arisen: is not that the literal meaning?—I do not know what Dr. Powell alluded to.

2757. What is the literal translation of "instante hoste"?—It would appear as if some sudden hostility were present, were immediately to arise.

2758. What is your opinion with regard to the practice of physicians dispensing their own medicines?—That would reduce them all to apothecaries.

2759. You think there is an impropriety in that?—I think it would be injurious.

2760. With respect to medical education, and to the preliminary study of persons destined for the medical profession, is it desirable that they should all, in the first instance, be educated alike, and afterwards practise any distinct branch of the profession they please?—Certainly not. If there were but one kind of education, it could not be attainable by all, unless it were of a very moderate description. The higher education could be attained only at a certain expense.

2761. Is it not necessary at present that persons should study the science generally to a certain extent, for whatever branch they may ultimately be destined?—Certainly.

2762. Should the education be quite general, and branch off to some particular study when they have decided in which line of profession they shall go on; or that it should be the same in all cases?—I think the course of study should be different.

2763. To what extent different?—The success of the practice of a physician depends upon the power of a rapid induction from a number of minute facts. That can be appreciated duly only by the well-informed, and I think it better that that exercise should be begun early, and be considered as the grand object in view, from the commencement of the studies of the physician, than that he should endeavour to attain any particular excellency in surgery.

2764. You have said that with regard to the Medico-Chirurgical Society, the jealousy of the College of Physicians which at one time existed had subsided?—I think so.

2765. Did the jealousy subside previous to the time at which the intention of obtaining a charter was abandoned by the Medical and Chirurgical Society?—I cannot answer that question.

2766. Is there any physician attending at the Westminster Hospital on the Wednesday?—There was none formerly, because Wednesday was the day for receiving the patients; and that operation would interfere with the attendance of what are called out-patients at the hospital. That day has been altered to Tuesday, and that is the day now on which the patients are received.

2767. Are two days sufficient in ordinary cases for the attendance of a physician?—In ordinary cases I think they are.

2768. In extraordinary cases a more frequent attendance will be requisite?—Yes; in extraordinary cases the physician can be always sent to.

2769. You say that you have not examined into the course of education which is prescribed at the University of Paris?—I have not.

2770. In your former answer did you mean that the medical education, or the preliminary education at Paris was inferior to the education in England?—I will state the case to which I alluded. Suppose a gentleman has got his preliminary education in England. He becomes apprentice to an apothecary, serves his apprenticeship. Instead of coming to London for the higher branches of his medical education, he goes to Paris. Then he does not return to England, in my judgment, with an education which can be compared with that acquired by a person educated at the English University, and then studying physic in England.

2771. According to that answer, you mean to state, that if he has received in
England

England an education inferior to the education at an English university, he cannot be supposed to be so well qualified for any profession whatever in after life as if he had received his education at an English university. You suppose the inferiority to exist in England, and not at Paris? Is it not so?—Speaking of the medical education.

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2772. In the case supposed, have you not presumed that the person before he quits this country has received an inferior and not a superior education?—Certainly.

2773. To compare Paris with England, do you believe that at the University of Paris either the standard of preliminary education required before entering upon medical study, or the medical education strictly speaking, is inferior in any respect to that which is required in any university whatever in the United Kingdom?—If you take a person entirely educated in Paris, I do not see any occasion to suppose it will be inferior.

2774. Have you ever examined what the qualifications are for a person to take the degree of bachelor of letters or bachelor of science?—Not exactly.

2775. Have you ever examined the curriculum of study required in matters purely medical in the University of Paris?—I have not.

2776. Are you aware that in each year there is a certain course of medical study to which medical students are required to have applied?—That I know.

2777. Is not that a very wholesome regulation?—Yes.

2778. And better than the system which heretofore has been established at the College of Physicians, of leaving it to the parties to acquire their information on medical subjects in any order they please?—I should judge of that by its effects.

2779. What is the effect, and what is the judgment you form from the effect?—I have no reason to conclude that the person educated on that system will practise physic with more success than one educated according to the common mode in England.

2780. Is it not desirable to lay down the order in which the branches of medical science are to be studied?—That is laid down in England.

2781. How is it laid down in England?—In the paper I have produced.

2782. Those are regulations not yet carried into effect: but in speaking of effects, you must allude to something now existing, and not to something about to take place?—I am not certain whether that paper has been acted on.

2783. Do you believe that it is expedient to prescribe the order in which the branches of medicine shall be studied?—I think it is.

2784. Are you aware that at Paris a settled order is prescribed, in which the various branches of medical science shall be studied?—That is the case.

2785. Have you any reason to believe that the system of medical tuition is in any respect inferior in the University of Paris to the system of medical tuition in any university in the United Kingdom?—I think not; I should observe, that when Dupuytren was in England, and visited Guy's Hospital, and went through all its departments, he voluntarily observed, they had no means of affording such an education at Paris as the study of that hospital afforded.

2786. That alludes to hospital practice?—Yes; that is the great department.

2787. You are aware there are very large hospitals, nevertheless, at Paris?—Certainly.

2788. And that every facility is given to students?—Yes, there is.

2789. You have stated that you do not conceive the fellows of the College have a desire to monopolize to themselves appointments. Are you aware of an endeavour made by the president of the College of Physicians to monopolize to the College the army medical appointments; that such a system was condemned by the Board of Commissioners of Military Inquiry; and that Sir Lucas Pepys, in a letter addressed to Lord Palmerston, then secretary at war, remonstrated against any change of system in words to this effect; "Oxford, Cambridge and Dublin will have reason to regret your Lordship's determination?—I am aware that Sir Lucas Pepys was physician-general to the army; that appointment, I believe, was not at all a necessary appendage to his office as president of the College of Physicians; that was a totally distinct thing.

2790. Still he was head of the Army Medical Board at the same time that he was president of the College of Physicians, and he did endeavour to the utmost of his power to confine the appointments of the medical officers to the persons belonging to the College of Physicians?—He was not at the Army Medical Board as president of the College of Physicians, and he did not succeed in his endeavour.

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2791. It appears that he did succeed in his endeavour for a long series of years ; for in his evidence before the Military Commissioners he states, that out of so many appointments, a large proportion had been confined to the physicians belonging to the College of Physicians?—I think there are very few now who are engaged in the army.

2792. The question is not, what is now ; but whether Sir Lucas Pepys, being president of the College of Physicians, and at the head of the Army Medical Board, did not endeavour to the best of his power to confine the appointment of medical officers in the army to the members of the College of Physicians : he avowing that in his evidence before the Military Commissioners, and in his letter to Lord Palmerston. Is not that, therefore, an exception to your observations?—It may be.

2793. You have stated that the College of Physicians, to your knowledge, have made no attempt to prevent surgeons and apothecaries practising medicine?—Not in my time.

2794. The law decisions have prevented their doing so ; but are you not aware that for the first two centuries of their existence there was a constant attempt on the part of the College, by fine and imprisonment and otherwise, to prevent the surgeons and apothecaries practising physic?—I am aware that such attempts were made ; and that it was determined against the College of Physicians.

2795. And that they abandoned the attempt, when the law decisions had rendered such attempts fruitless on their part?—Of course when it was decided that they ought to be abandoned.

2796. Was the interference of Sir Lucas Pepys upon that occasion the interference of the individual, or of the College?—It was not the interference of the College as a body.

2797. But merely of Sir Lucas as an individual?—He happened to be president at the time that that interference existed ; but the question was never brought before the College, that I have heard of. His connexion with the army was totally distinct from his connexion with the College.

2798. Are you aware that Dr. Wright, having been appointed to accompany an expedition under Sir Ralph Abercrombie to the West Indies, Sir Lucas Pepys endeavoured to supersede that appointment, because Dr. Wright was not a licentiate of the College?—I am not.

2799. Are you aware of a letter written in 1824 to the principal of the University of Edinburgh remonstrating on the manner in which degrees were obtained there?—I think the registrar of the College was requested to write a letter to Edinburgh to make a complaint.

2800. Are you aware of the occasion on which that letter was written, and the substance of it?—I do not recollect the exact occasion. It was alleged, that degrees were conferred in Edinburgh without restraint.

2801. Have the goodness to read the letter.

[The same was read, as follows:]

“ Reverend Sir,

“ London, 2 July 1824.

“ I AM instructed by the Royal College of Physicians in London to submit the following statement to your consideration :

“ When a candidate offers himself for examination to the president and censors of the College in London, if he has a diploma from the University of Edinburgh, no further testimonial is demanded of him ; but in other cases, it is required by the statutes of the College, that he should produce letters testimonial of his having resided two academical years ‘ *animo medicinae studendi* ’ (previously to the date of his diploma) at that or at some other university. Now it has lately come to the knowledge of the board of censors here, and in fact it has been in some instances admitted by the candidate himself, that after having taken out the ticket of only one medical professor at the commencement of two successive seasons, he has immediately quitted the University ; and yet he has produced letters testimonial, signed by the registrar of the University of Edinburgh, purporting that he has resided two years. The College of London have thought it right to bring this fact under the consideration of the reverend the principal of the University of Edinburgh, as they deem that the interests and dignity of the profession are concerned in the prevention of such an abuse.

“ I have the honour, &c.

“ Wm. Macmichael,

“ Registrar College of Physicians.”

2802. Are you aware of the answer which was returned?—No, I am not.

2803. The College of Physicians do not require residence in the same university, do they?—I think not in the same university.

2804. Are

2804. Are you aware that the time at which Dr. Powell made his Harveian oration in which the words "instante hoste" occur, was the time in which medical reform was being agitated, that it was about the period when meetings had taken place at the house of Sir Joseph Banks by various members of the faculty?—I do not recollect that fact.

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John Ayrton Paris, Esq. M. D., called in ; and Examined.

2805. YOU were lately a physician to Westminster Hospital?—I was.

2806. You are a fellow of the College of Physicians?—I am.

2807. You are author of several works on medical jurisprudence?—I am.

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2808. What is the origin of the bye-law, by which a degree at Oxford or Cambridge is, in ordinary cases, required of a candidate for a fellowship?—I apprehend it is perfectly legal; every corporation has a right to make a reasonable bye-law for its government, and I consider that bye-law as a reasonable one; I believe that is the legal opinion. It has been so ruled by the law authorities.

2809. What opinion do you entertain of the policy of that law as regards the public interests?—That it is very salutary.

2810. Is it attended with advantages to medical science, that such a degree be required of the candidate for a fellowship?—Undoubtedly.

2811. What was the state of medical science in England in comparison with other countries, at the time of the institution of the College?—It was very far below that in other countries; the practice was in the hands of quacks, empirics and old women.

2812. What is its state, comparatively speaking, now?—As far as I can form a judgment upon that question, I should say that the medical profession in this country stands higher than in any other country in Europe.

2813. Is that result to be ascribed to the College?—To the high qualifications which are required for those composing the College.

2814. You think the superior credit and respectability attaching to the profession are to be attributed to the system pursued by the College?—That is my opinion.

2815. What is your opinion, generally, respecting the constitution and policy of the College?—There are, I think, certain alterations that might be made with advantage; I think that there should, in addition to the Latin examinations, be an English one, especially in regard to modern science. I think it totally impossible that we can examine a candidate with satisfaction on chemistry in Latin; and the College have decided that there shall, in addition to the Latin examination, be an English one on those subjects; but at the same time the Committee must distinctly understand, it is the resolution of the College not to abate the Latin examination one jot. That is to be continued in full force; but there is to be, in addition, on certain subjects, an English examination.

2816. State any other considerations which occur to you with regard to the constitution and policy of the College?—There appears to me to be nothing required. In consequence of the late regulations, we are now enabled to avail ourselves of any talent that may display itself among the licentiates. We have annually an election of any licentiate who may have distinguished himself; and the Committee must be aware, from the evidence, that a number of licentiates have been so incorporated, and that the practice continues.

2817. Can the licentiates, as a body, be considered in any degree as unjustly depressed?—I think not, indeed.

2818. Have you seen the petition of the licentiates?—I have.

2819. Is there any foundation for many of the complaints made in that petition;—No, I do not consider that there is.

2820. Are you aware of any grievance under which they labour?—I really am not aware of any.

2821. You consider this bye-law as lawful, because it is reasonable?—Yes.

2822. In what respects do you think it a reasonable bye-law?—Because it is the duty of the College of Physicians to provide a succession of the most highly talented men that the country can produce; and for that purpose, they judge it right to require a preliminary education, such as can be furnished only, in their opinion, by the two universities, and by a residence within the walls of a college. They consider that as more likely to offer a guarantee for moral character, as well as high intellectual attainments; and as the best calculated to promote that object.

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2823. Do you find, in the charter of the College, any express provision in what manner the succession in the College shall be kept up?—No; it is left to the exercise of their judgment.

2824. When you say it is left to the exercise of their judgment, do you mean that they are at liberty to exercise it arbitrarily, in whatsoever manner they please?—Yes, certainly, they are to exercise it in the way best calculated, in their opinion, to attain their object.

2825. For instance, if in the list of the College for the year 1771, there are found amongst the members, Charles, Duke of Richmond, and John, Duke of Montague; do you think this is exactly coming within the proper objects of the College?—They were honorary fellows.

2826. It does not state that they were honorary fellows?—No, not in that list.

2827. Did the honorary fellows exist at that time?—Yes; not perhaps under the name of honorary fellows.

2828. Do you mean that in 1771 the class of honorary fellows existed in the College?—I do not know that they would under that denomination; but they were admitted as such, not as practising physicians.

2829. Was there, by the bye-laws of the College, in 1771 any such class as honorary fellows?—No, I believe not.

2830. Will you look at the Pharmacopeia of the College in 1771, and state whether, in the list of fellows attached thereto, you do not find the names of Charles, Duke of Richmond, and John, Duke of Montague?—Yes.

2831. Do you think, that to elect into the College men of high rank, but certainly not practising physicians, comes within the proper scope and object of the College?—No, I do not think it does.

2832. Was that a class of persons by whose election the perpetuity of the College was to be kept up; and if not, by what class was it to be kept up?—Persons properly educated to practise their profession; in addition to which, they were to have, in the opinion of the College, such an education as would influence their moral conduct; for the College have always had a strong feeling upon that point, that beyond the education necessary for the acquisition of the profession, there should be a discipline of the mind.

2833. In the charter you state there is no express provision in what manner the perpetuity of the corporation shall be kept up. Is not this the only restriction upon the persons who, at the time of granting the charter, were to constitute the College, that they should be all men of the faculty of and in London?—Yes.

2834. In keeping up the perpetuity of the College, were the College bound to adhere to the rule laid down in the charter for the first constitution of the College?—Circumstances have so altered since the time the College was instituted. There were then probably not more than six or eight physicians in London.

2835. Is there, in the charter, any other restriction on those who were to constitute the College, than that they should be all men of the faculty of and in London?—No, I do not recollect that there is any other.

2836. Look over the charter, and state whether there is any other?—No, there is no express restriction; but there must be one implied. It is clear there is a body governing, and a body to be governed; therefore that cannot include the whole profession.

2837. The question was, whether there was any other restriction as to the persons who should constitute the College, than that they should be members of the faculty of and in London?—Just so.

2838. Do you not conceive therefore that, under that charter, the original fellows of the College had, and that their successors now have, an undoubted right to elect into the fellowship such persons (being men of the faculty of and in London) as they may think proper?—Really that is a question I am not lawyer enough to answer.

2839. Is any other restriction to be found in the charter, than that they shall be men of the faculty of and in London?—No, there is no other actual restriction, I believe. But it is left to the fellows of the College to perpetuate their succession in the way best calculated to accomplish their objects.

2840. Do you mean to say that in laying down rules for electing into the fellowship, they are not to be bound by the spirit and scope of the charter, but may make what arbitrary rules they please?—I think the spirit of the charter is that

that they shall perpetuate their succession in the way most likely to benefit the public. *John Ayrton Paris,*
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2841. In electing successors into the College, were they to be bound by the same rules which originally influenced the then Government of this country in the first constitution of the College?—The College consisted of a very few persons; in short, there were very few physicians at that time that could be called to such an office, and they were to perpetuate their succession.

2842. Was the bye-law (in force for about 200 years) which restricted the community to a definite number of fellows, an unlawful innovation on the right of the fellows to elect into the College whom they pleased?—It was illegal.

2843. Therefore in their then bye-laws, they did that which was illegal?—Certainly; they had only a right to make reasonable bye-laws, of which the Court of King's Bench will always form a judgment.

2844. Is not a bye-law, restricting in a greater degree than the charter itself the persons eligible, an unlawful innovation on the rights of the fellows;—Yes, if I understand the question.

2845. Then any bye-law, restricting the eligibility to the graduates of Oxford and Cambridge, you would consider to be an illegal bye-law?—That is assuming, what I have not conceded, that others are not eligible.

2846. Is any such restriction, confining the election to the graduates of the two Universities, or even giving a preference to such graduates, to be found in the original charter?—No.

2847. Then is it not the consequence of your original answer, that any restriction of this kind is unlawful?—It is not sanctioned by the charter, decidedly; but the College, I apprehend, possesses power beyond that conceded to them by the charter.

2848. The charter grants power to the College to make all reasonable bye-laws?—Yes.

2849. Is it not for the College to show that giving any great preference to the graduates of the two Universities in election into the College, is a reasonable bye-law?—Certainly; and I think they have shown that.

2850. In what way have they shown it?—It has been shown repeatedly, I apprehend, before this Committee in evidence, that there are reasons for conceiving that the education at Oxford and Cambridge ensures that sort of preliminary education, both from the discipline of the mind and the information which they obtain at those Universities, as to fit the student afterwards to receive a better medical education, to profit more by their medical studies in their future life.

2851. Do you mean that there are no persons who are fit, either by their moral education, or by their scientific or literary acquirements, or by their medical attainments, to find admission into the College, but such as have been educated at the two Universities?—No, I do not mean to maintain that. On the contrary, the College have admitted a number of licentiates, and are in the habit of doing so; that is the expression of their feeling.

2852. By admitting into the College other parties than those educated at the two Universities, do they not concede that there are other persons than those who have been so educated, that are fit to be admitted into the College?—Certainly.

2853. Are not all the fellows equally competent to form a judgment, who are and who are not fit persons to be admitted into the College?—Yes.

2854. According to one of the dispensing bye-laws, (the only one under which any of the licentiates have hitherto found admission into the College,) is not the president made the only judge, who the parties are that have the fit qualifications for admission into the College?—No; the candidate for admission is proposed at the comitia minora.

2855. By whom must he be proposed?—By the president.

2856. If the president does not propose him to the comitia minora, whatever they may think of the qualifications of any licentiate, they would have no power to recommend his introduction into the fellowship?—No.

2857. Is it not therefore true that the president, under that bye-law, is made the only judge, who are the fit licentiates to find admission into the College?—Yes.

2858. That is the only one of the dispensing bye-laws that has ever been acted on?—Yes.

2859. Does not this additional objection apply to the statute giving preference to the graduates of the two Universities, viz. that it imposes a qualification, not depending upon the College itself, or any portion of the College, but upon the two

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Universities, who, in legal acceptation, are strangers to the College?—No; I think quite the contrary.

2860. Why do you think quite the contrary?—It is quite clear that if the Universities of Cambridge and Oxford confer a degree, and the person possessing that degree comes before the College, they are two distinct jurisdictions, and there can be therefore no grievance, nothing like favouritism; there are two ordeals instead of one; that is a greater security.

2861. It may be very proper, for greater security, to obtain a character from the place where parties were educated; but the question is, whether imposing an exclusive qualification, that qualification depending upon two bodies strangers to the College itself, is not an unlawful restriction upon the right of the fellows to elect into the College whom they please?—No, I think not.

2862. Was it in contemplation, on or about the time of the opening of the new building of the college, to admit a number of licentiates into the fellowship?—Yes.

2863. What was it that was in contemplation?—I forget the exact number proposed. There was a difference of opinion upon the subject; I think four or six were proposed to be admitted at once.

2864. Were 10 to be proposed?—There was a further proposition for admitting from six to 10.

2865. Did not some difference arise between the fellows and the president upon the subject of that proposition?—There was a discussion.

2866. Did not the president propose that he should nominate all the licentiates to be admitted, and did not some of the fellows object to that proposition?—I believe there was something said upon that subject, as to the propriety of the president having that power, or whether it should be vested in the College at large.

2867. Was not the consequence of this discussion, that the proposition of introducing any licentiates at all fell to the ground?—Yes; as to the large number it was. At a subsequent meeting of the College, it was agreed that one should be admitted every year.

2868. Therefore the proposal of allowing the president to nominate all the licentiates to be admitted into the College, did give rise to such difference of opinion, as led to the frustration of the project of bringing into the College at that time any licentiates whatever?—No, it was not the fact; that feeling had its influence; but there was also a disagreement as to numbers.

2869. That was one of the causes which led to the frustration of the object?—I believe it was.

2870. Without any other cause?—We could not make up our minds as to numbers.

2871. Was there a discussion on any other point?—No, not that I remember.

2872. Who was it that opposed the president's proposition as to the mode of bringing licentiates into the College upon that occasion?—I really do not recollect with whom it originated.

2873. Adverting to the discussion that arose at that time, do you think it desirable that the president should be the only person to recommend to the College the licentiates to be introduced into the fellowship?—I think it would be better, perhaps, vested in the body at large.

2874. Did you ever know of any licentiate who refused to be admitted into the College by the special recommendation of the president?—Yes.

2875. Who?—Sir Gilbert Blane.

2876. How long ago was that?—I believe it was offered to him twice.

2877. Is he not a most distinguished physician?—Yes.

2878. He served in Lord Rodney's ship at the battle with the French fleet in the West Indies?—Yes.

2879. Has he not written various important papers on the diseases of armies in hot climates?—Yes.

2880. And on medical statistics?—Yes.

2881. A person who would do great honour to the College?—Certainly.

2882. Do you recollect that Dr. Wells, after the period of his seeking admission into the College, declined to be introduced by Dr. Baillie?—I believe he did; but it would not have been very pleasant to him, he thought, to come into the fellowship under such circumstances.

2883. His attempt to find admission into the College was in 1797 and 1798; the

the offer of Dr. Baillie was in 1813?—Yes; but there was a strong feeling on the subject kept alive in Dr. Wells's mind.

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2884. Do not these examples show, that the bye-laws of the College are such, as in their present state to prevent men of great distinction and high moral qualifications from being admitted into the College?—No.

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2885. Were not those two gentlemen that have been named men in every respect who would have done honour to the College, if admitted?—Yes; but at that time the admissions were once in two years; now it is a licentiate every year. The door is opened wider.

2886. You are aware that the bye-law you refer to has not been acted on every year?—There has been an exception, I believe, from accident.

2887. May not the same motives still operate on many individuals, who would object to being introduced as matter of favour; whereas they would willingly accept an election made by the free voice of the fellows at large?—I cannot say what their feeling might be on the subject.

2888. Are you aware, that in the last nine or ten years, only seven licentiates have been admitted into the College under the 10 years' bye-law? Does this sparing admission into the fellowship enable the College to avail itself of any talent existing in the body of licentiates?—That is a question I would decline answering; for it is in other words asking, what my opinion is of the body of licentiates.

2889. Do you mean to say that out of the whole body of licentiates who have existed during the last 10 years, the proportion of those who had such qualifications as would justify the College in admitting them, was only as seven to the whole?—No.

2890. You think that the door ought to be thrown open wider?—No; that does not follow.

2891. If the operation of the present laws has been such as to reduce the number of admissions to seven, and you think that that admission has been too small, in what way is it that you would so enlarge the power of admission as to introduce what you would consider a proper number?—The College is already far too large, as it exists in its present form. It would be, in my judgment, mischievous to increase it to a great extent; bringing in one licentiate every year appears, so far as I can form an opinion upon the subject, as much as the College ought to do consistently with its utility; it would become unwieldy.

2892. If it is desirable to reduce the number of admissions, would it not be a more reasonable way to diminish the admissions of the graduates of the two English Universities, and to enlarge the admission of the best qualified of the licentiates?—No, I think not.

2893. Do you not think that the most qualified of the licentiates, generally speaking, are men superior in point of education, both general and medical, to the least qualified of the fellows, who are graduates of the English Universities?—Those are comparisons which I feel a great difficulty in making, and I really must decline giving an answer to that question.

2894. The number of the resident licentiates of the College is at present 142; the number of the resident fellows is 60. Is seven the only number of highly qualified men out of the 142, that it would be possible to select?—It would be very difficult to make a selection; the person selected should be very prominent as a licentiate.

2895. But not very prominent if he happens to be a graduate of the English Universities?—That is a very different question; we have there a guarantee of his preliminary education, which we have not in the other case.

2896. Has not the question in regard to the legality of those bye-laws been frequently discussed before the Court of King's Bench, especially before Lord Kenyon, in Dr. Stanger's case, in 1796; and were not those bye-laws expressly declared by Lord Kenyon and all the judges in that case to be good, legal and reasonable?—Yes.

2897. Are you aware that Lord Kenyon had been standing counsel to the College of Physicians?—Yes.

2898. Was he likely to be actuated by any recollection of that kind?—I should think he was the last man to be actuated by personal feeling.

2899. Is it not a common thing, where a judge has been placed in that situation, for him to decline acting as judge on a trial?—I am not aware of that fact.

2900. Are you aware of any other seminary in the empire, where the moral character

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character of the adult student is equally the subject of observation, and his intellectual improvement as much promoted, as at Oxford and Cambridge?—I think not.

2901. In what way is it that the moral conduct of the students is so specially insured at the two English universities?—I think there is a great distinction between Cambridge and Oxford, in this respect; that at Oxford they are living within the walls of a college, and immediately under the eye of a college.

2902. Of which university were you?—Of Cambridge; they are under the eye of a superior, there are muster-rolls at chapel and hall; and in short they are under a system of discipline which does not obtain at any other university; certainly not at Edinburgh.

2903. Having been a graduate at Cambridge, are you not aware that at some of the colleges there is a very large proportion of the under-graduates who do not reside within the walls?—No, not a large proportion. There are some few of Trinity.

2904. Previous to the new building at Trinity College, do you believe it was the larger or the smaller proportion that resided out of the walls of the college? I should say the larger proportion resided within the walls.

2905. Whether the larger or smaller proportion, did not a very large proportion reside without the walls of the college?—For a term or two.

2906. Are you aware that previous to the new building, it was exceedingly difficult for a young man who was not a scholar or fellow-commoner, to obtain rooms in the college?—No, I was not aware of that.

2907. Taking the young men who were educated at Trinity College, Cambridge, since the year 1800, do you not believe that a very large proportion of the young men educated there, have not resided, during a great part of their *status pupillaris*, within the walls of the college?—No, I am not aware of that. I stated it to be my belief that for one or two terms there were many resided out of the college.

2908. Do you believe it was confined to that?—I believe so.

2909. In what years were you educated at Cambridge?—My Bachelor's degree was in 1808. I went there in 1803.

2910. Do you believe that at that time, during the first year of their residence, unless they happened to be scholars or fellow-commoners, the larger number of students were able to obtain rooms within the walls of Trinity College?—I did not suppose so large a proportion lived out of the college the first year.

2911. Are you not aware that from 10 to 11 years ago a great number of young men passed through their whole academical course, and took their degrees, without ever having resided within the walls of the college?—No. I know there were some few; I did not suppose there were many.

2912. Are you aware of the proportion of young men now residing out of the walls of the college?—No, I have no knowledge.

2913. Besides the moral qualifications, what are the other superior qualifications which you think belong to the graduates of the two English universities?—There is every opportunity given to them of becoming acquainted with the different branches of science, as well as of literature; they undergo examinations from time to time.

2914. What guarantee does the simple fact of a man having taken a Bachelor of Arts degree in the University of Cambridge afford, of his knowledge in classical literature, mathematics, or natural philosophy?—He undergoes various examinations. I believe there are now examinations instituted after the second year for junior sophs.

2915. Are you aware of the degree of classical knowledge required for those examinations?—No, I am not.

2916. Speaking of those who graduated before the institution of the "Little Go," are you aware of the amount of mathematical knowledge of which the degree of Bachelor of Arts was the guarantee?—Certainly there was probably not so much knowledge required as there is at present.

2917. Was it more than a knowledge of the first six books of Euclid, some of the simplest rules of algebra, and common arithmetic?—I believe not.

2918. Is it a reasonable bye-law to give almost exclusive preference to the graduates from the English universities, when so very moderate a proficiency, at least at one of them, would have enabled a student to obtain his degree?—That is speaking of the degree of Bachelor of Arts, of which we know nothing at the College.

2919. Do you mean that you take no cognizance at the College of a person having taken a degree?—Certainly. *John Ayrton Paris,*
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2920. You attach importance to the preliminary education at the College?—
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2921. In the case of a person having proceeded in arts, would not a very moderate degree of proficiency in the preliminary studies in science and literature enable a person to obtain a Bachelor of Arts degree?—Yes.

2922. Suppose he does not proceed in arts, but proceeds in medicine, what degree of proficiency in classics or mathematics would then be required of him previous to his obtaining a medical degree?—He must undergo an examination the second year.

2923. Since the institution of what is commonly called the "Little Go," he must undergo a classical examination; but from the period of 1751 down to the institution of the "Little Go," preference was given to the graduates of Cambridge who had not undergone that examination, was it not?—Certainly.

2924. Does the "Little Go" require any very superior qualifications, to enable a person to pass it?—No, not very superior certainly.

2925. Is it not so moderate, that it is expected that every student shall be able to pass it?—Yes.

2926. It cannot be therefore a very high qualification?—No.

2927. In case of a person proceeding, not in arts, but in medicine, it is only such amount of acquirement in literature as would be required for passing the "Little Go"; and this amount of acquirement might, with ease, be obtained in some other university?—Yes.

2928. Therefore, it is no very high degree of acquirement, either in literature or science, that will enable a person to obtain either the degree of Bachelor of Arts or to proceed in medicine?—I acknowledge that a person may pass through examinations and obtain a degree with a very moderate quantity of knowledge.

2929. And those are qualifications such as may be easily obtained in other universities than the two English universities?—Yes, the information necessary for passing, no doubt.

2930. If this degree of proficiency were obtained in another university, would it be difficult for the College to ascertain, by examination or otherwise, whether the candidate for a fellowship really possessed it or not?—Yes; I think it would.

2931. How would it be difficult?—I advert to my former answer. We consider the residence at an English university to be exceedingly useful, as a guarantee for the moral character of the candidate. He obtains that which we cannot very easily get at by an examination.

2932. It appears from the practice at one of the universities, that the obtaining a degree by no means insures residence within the walls of a college; with regard to the literary and scientific acquirements, is it not by examination that the universities themselves ascertain that the candidates for a degree do possess those acquirements?—Yes.

2933. If the universities by examination ascertain that the candidates for a degree do possess those acquirements, what impossibility is there in the College of Physicians by examination ascertaining the same?—We can ascertain the acquirements by examination no doubt.

2934. The sole point in which you conceive the difficulty lies is, that it is not easy to ascertain whether they possess the moral qualifications?—That is not the only point; but it is the chief point.

2935. What is the other point?—The other point is the acquirements.

2936. That difficulty, however, you think it would be possible for the College of Physicians to surmount by examination?—By severe examination.

2937. Wherein lies the insurmountable difficulty of ascertaining the moral qualifications?—It is that state of mind produced by the English university.

2938. Can you inform the Committee whether there are at present examinations twice a year at Cambridge, embracing every department of science and literature?—I believe that there are; when I was at college we had regular examinations all through the college.

2939. Do you know whether those who enter in medicine, are required to undergo the College examinations required of those who proceed in arts?—I was required to go through them; I had a Tancred scholarship, and therefore was compelled to go out in medicine.

2940. In what college were you?—Caius.

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2941. At what period did you make your declaration?—I was obliged to do it, from the nature of my scholarship; a Tancred scholar is required to go out in physic, not in arts; I am not sure whether some late regulation may have been made.

2942. Do you mean to say you were required during the whole three years and a quarter of your being in *statu pupillari* to attend all the college lectures both in classics and mathematics?—Yes, I was, and I did attend them.

2943. Caius College is the college which those who mean to proceed in medicine, are particularly disposed to frequent?—It has always been a favourite college for medical men.

2944. Can you state whether the practice at the other colleges in your time was for the *medicinæ studiosi* to be required to attend the college lectures in classics and mathematics?—I believe so.

2945. Do you mean generally?—I believe so.

2946. Do you know that to be the fact?—I know it to be so at that college.

2947. If you were informed that at Trinity College it is not now required of students in medicine, except for the first year, would that be contrary to what you know to have been the fact in your time?—Yes; I believe that all the colleges followed the same rule.

2948. Did you ever make it the subject of inquiry whether other colleges followed the same rule as your own?—No.

2949. Are you aware of the amount of knowledge required as the minimum at any of the college examinations?—No. The different members of the college are classed according to what they do.

2950. However low the place any student may occupy in any one of those classes, is he prevented obtaining his degree, if he possess a certain minimum of knowledge?—No, I believe not.

2951. In attendance on the lectures of the college tutors during the second and third years, it is required that the student shall inform himself on the subject on which the lectures are given?—No, I do not know that it is absolutely necessary; if he decline answering, he is considered an idle man.

2952. Was it requisite for you at Caius, if you had not been so disposed, to have read Newton, in order to answer the questions of the college tutor?—No.

2953. Looking to the general result of the education afforded at Oxford and Cambridge, and comparing those with other public places of education; do you think the general knowledge obtained, and the general character acquired by persons who have studied at the English universities, is such as to make them equal, or superior in these respects to persons educated at other public places of education?—That is my belief; I think it is equal if not superior.

2954. Do you speak from your knowledge of persons in the medical profession, or of persons generally?—I speak of persons generally.

2955. You stated that no rule is laid down by the charter for any preference to be given to the graduates of the two English universities?—No.

2956. In other learned professions, admission into which is unfettered by any charter prescribing to what class the persons to be admitted shall belong, or where they shall have been educated, is it usual to restrict the eligible to the graduates of the two English universities?—No; I do not know that it is; but the law makes the same distinction in favour of persons educated at Cambridge and Oxford; there is a certain latitude allowed as to their keeping their terms.

2957. There is a certain advantage in keeping terms given at the inns of court to those who desire to become barristers, provided they have been educated at the two English universities?—Yes, I believe that to be the case.

2958. But, except in the mere keeping the terms, the door is wide open to persons, wherever they may have been educated, for entering into the profession of the law?—I believe so.

2959. Would not some such arrangement as that be reasonable also for the College of Physicians to adopt?—I see no reason for rescinding the bye-law; I think that the system has worked well for ages.

2960. For whom has it worked well?—For the public.

2961. Has it worked well for the licentiates?—It has done them no injury.

2962. Are they not better judges of that than the fellows?—No, I do not know that they are.

2963. You are not aware of any substantial injury they have sustained?—No.

2964. Are you aware of objections to the *Pharmacopeia*?—There is a great objection

jection now to the last Pharmacopeia, inasmuch as it does not include all the remedies now known; but a new one will shortly appear which will include all the remedies.

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2965. Do you think the Pharmacopeias which have been published, have been defective, considering the state of chemical and pharmaceutical science at the time of publication?—No.

2966. You do not think the editions of 1812 and 1824 were deficient in that respect?—No, I do not think they were.

2967. Was the edition of 1824 preceded by the usual notice of exclusive right of publication, granted by the King in Council?—Yes.

2968. In a science so constantly improving, is not 10 years rather too long an interval to elapse between the publication of two editions?—The formation of a Pharmacopeia is a very laborious work; it takes a long time; we have to collect the opinions of the profession as to the efficacy of certain medicines; it has been the rule always adopted in the College (and I believe a very wholesome one) not to admit any one until it has been fairly tried, and its efficacy decided. If we had an ephemeral Pharmacopeia, it would be filled with quackery of every description.

2969. Perhaps the fault in former times has been one rather of too hasty admission, than of exclusion?—Yes.

2970. Are you acquainted with the different Pharmacopeias published in foreign countries?—Yes.

2971. Do you think the London Pharmacopeia is equal to those?—I do indeed.

2972. Fully equal?—Yes, fully equal.

John Robert Hume, Esq. M. D., called in; and Examined.

2973. YOU are a licentiate of the College of Physicians?—I am.

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2974. When did you become so?—I became a licentiate when I came over from France with the Duke of Wellington, in 1819.

2975. Where had you graduated?—In Edinburgh. I am a fellow of the College of Edinburgh.

2976. You are inspector-general of army hospitals?—I am.

2977. You were physician to the Duke of Wellington during the Peninsular campaign?—I was surgeon, rather: I was inspector-general at head-quarters.

2978. Had you at any time an intention of graduating at Oxford or Cambridge, with a view to becoming a fellow?—No, I had no intention of settling in London, till I came here accidentally. I was with the army from a very young man. I have been 34 years in the army.

2979. Did you sign the licentiates' petition?—I did not.

2980. Do you approve of the petition?—I cannot say that I did. My reason for not signing it was, that I had not seen the charter, and that I was uncertain whether the statements contained in the petition were well founded. I happened to be in Scotland at the time; and was not applied to, till the petition was drawn up. In short, I have found no practical inconvenience from being a licentiate; and I did not sign the petition, thinking that bringing the medical profession before the public, is not the best way of raising it in the public estimation.

2981. Had you any other reason for not signing it?—No other reason.

2982. Do you approve of the president's nominating licentiates to the fellowship?—I see no objection to it.

2983. You think that confining to him the power of nomination, is attended with no inconvenience?—I think the president merely proposes, and the fellows then ballot; but I am not acquainted with the minutiae.

2984. Do you approve of confining the initiation of such a proposal to the president?—I should think the answer to that question would depend very much upon the generally favourable opinion to the existence of the College at all, as a select body. If you justify the College of Physicians being a select body, there must be some mode of introduction of those who are not considered originally qualified to be fellows, into it.

2985. Would such a mode of election be advantageous to other bodies?—I can hardly give an opinion upon that. I always understood, that the president merely nominated; and that the fellows merely balloted.

2986. Unless the president nominate, the fellows cannot ballot?—No; but each fellow can propose a licentiate for admission.

2987. There are two bye-laws; one under which any fellow can propose a licentiate:

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tiate: but under that bye-law, during 70 years, no licentiate has ever found admission. The other allows the president alone to nominate; and this is the only bye-law for admitting licentiates to the fellowship that has ever been acted on?—If it depends upon the circumstance of no fellow having proposed a licentiate, I think it is a very singular thing. But it may be, that licentiates have been proposed, and have declined being admitted upon those terms. It is disagreeable for many men of a certain age to submit to an examination.

2988. Should you like to undergo three examinations, before the whole assembled College of Physicians?—I do not know that I should, without some preparation. If I had time to prepare myself, I should not hesitate.

2989. Would not an examination before the whole College be very disagreeable to most licentiates, who are 36 years of age, after being at least seven years in practice?—I have just said that that depends upon their particular feelings.

2990. In case they were found deficient on any particular point on which they were examined, might not the notoriety of their deficiency affect their practice?—I think it would.

2991. Does not that afford some reasonable explanation of the reasons, why the licentiates have not hitherto availed themselves of that mode of admission into the College?—I think so.

2992. Particularly if at the period, when the licentiates were most intent upon gaining admission into the College, their admission was opposed by the fellows in the spirit of party?—Yes; but I have no conception of the spirit of party existing in the College, or among any body of learned men. I have never known that to be the case.

2993. Is it not possible that the reason why no licentiate has subjected himself to that examination, was that the object would not be attended by advantages that were worth the trouble and inconvenience?—I think that may be one reason, and a very good reason.

2994. You have seen a copy of the petition of the licentiates?—I have.

2995. It is there stated, “That the physicians practising in London are inviously divided by the bye-laws of the College into two orders; one is denominated fellows; the other, constituting by far the majority, is designated (and by implication degraded) by the term licentiates.” Are you sensible of any degradation of that kind?—I am not. I have lived in the very best society in London; I have never felt myself at all degraded in any way, nor would I allow myself to be degraded.

2996. You are not sensible of any unjust or illegal exclusion?—I never met with any but the greatest civility from the fellows and licentiates of the College, since I came to London; which is upwards of 10 years.

2997. Are the fellows justly chargeable with any usurpation of corporate offices, privileges, and emoluments?—I have never seen such usurpation, but the contrary.

2998. Would it have been an advantage to you in your profession, to have been admitted a fellow of the College?—I do not think it would, at my period of life: I came here 10 or 11 years ago.

2999. Would it have been an advantage to you at an early period of life?—It might: but I cannot say. I have got a very fair practice. I know several physicians, Dr. Holland and others, who, without being fellows, have had as good business as many fellows of their standing. Other men’s feelings may be different from mine. I am a Scotchman, and was educated in Scotland.

3000. It is stated in this petition, “That the College demand and receive a large sum of money from the fellows and licentiates, for the supposed privilege of practising as physicians.” Do you consider that the demand is unreasonably large?—I should think not. I think it is 50 guineas, or something like it. It did not strike me at the time to be exorbitant. I have had no demand made upon me since.

3001. You stated that perhaps one of the reasons why the licentiates may not have sought admission into the College, was, that they might not think it worth the trouble?—That is an opinion of mine.

3002. Do you mean that you would consider as nought the admission into the College?—Almost as nought.

3003. You have been abroad a great deal?—I have.

3004. In what degree of estimation are physicians held abroad, relatively to English physicians?—It depends on the respectability of the man. If the question alludes to the estimation in which the medical profession is held abroad, I would say,

say, in Great Britain they certainly occupy a much higher place in society than they do in any part of the world I have ever been in.

3005. Would you apply that to Paris?—Certainly I do. I know Paris well; I was there as physician to the embassy.

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Henry Holland, Esq., M.D., called in; and Examined.

3006. YOU were first a licentiate, and are now a fellow of the College of Physicians?—Yes.

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Esq. M.D.

3007. In what year did you become a licentiate?—In 1814.

3008. Where had you graduated?—At Edinburgh.

3009. When did you become a fellow of the College?—In 1828.

3010. You became so, on the recommendation of the president?—Yes.

3011. You were physician to Queen Caroline, and to the late Mr. Canning?—I was.

3012. You had been a licentiate about 12 years, when you were elected a fellow?—Yes.

3013. Is there any advantage in the connexion maintained between the College of Physicians and the English universities?—I do consider that there is advantage in it.

3014. In what way is there an advantage attending it?—As far as I can judge of the influence of the English universities, not having studied there, but taking my impressions from the men I see in the profession, I consider that the relation which is there established between the College of Physicians, and the higher classes of the community, is productive of good effects. I conceive that it has tended to place the profession in England, in relation to general society, higher than it is in any part of the continent of Europe.

3015. You have travelled very extensively?—I have travelled considerably.

3016. Are you able to give a statement of the course of education for the medical profession abroad?—No, I am not. I know the course pursued in several countries of Europe; but I am not able to speak generally on the subject of continental education; and my knowledge was acquired chiefly 16 or 18 years ago.

3017. What, in your opinion, would be the result of removing all encouragement to taking English degrees?—It is extremely difficult to estimate the result, where the circumstances are so complicated; but it is my impression, that if anything tended to lower the scale of physicians in general society, such change would be injurious to the profession; not only to the College of Physicians, but to the profession at large.

3018. Do you consider that a young man, educated at an English university, on going to other places for medical instruction, will be likely to neglect his studies, because he takes no degree there; or in consequence of the habits he has acquired at an English university, will be the better disposed to receive information and profit by it?—I feel some difficulty in speaking of the English universities; but as matter of general impression, with reference to their discipline, I consider that it must be beneficial to subsequent studies.

3019. You are of opinion that the being kept in a state of moral discipline and in habits of intellectual exertion, would be likely to lead to the profitable employment of time elsewhere?—I consider that the influence of the English universities is chiefly valuable, in the relation which it establishes between the College of Physicians, and society at large.

3020. Is it desirable that there should be, for the governance of the profession, a certain select body?—What is meant by governance of the profession?

3021. The question had reference to that sort of governance which the College now exercise?—The College of Physicians, according to my knowledge of it, exercises a governance chiefly in granting licences to practise to licentiates and fellows. I know practically of little other governance, except that which is indirect, and which, in many instances, is more valuable than a direct governance.

3022. What do you understand by the indirect governance of the College?—I consider that the College exercises a general influence, very important to the welfare of the profession. There must be some corporate body who, by acting together, shall exercise such influence. It is desirable that in their connexion with the highest class of society, by the best education the country affords, they should in their corporate capacity, stand forward in the profession, so as to give

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a head and influence to it, in the manner which the College of Physicians practically does.

3023. You consider the principal advantage of the College of Physicians, as now constituted, to the general body of physicians, is, that it serves to raise the profession generally in the scale of society?—Yes, I think it does this.

3024. Does any artificial distinction, such as where and in what university a man was educated, form in other professions an established rule for admission into, or exclusion from, certain ranks of society?—I should say, with reference to the standing of any man in society, that something is derived from the place at which he has been educated.

3025. Is that the criterion for deciding, whether a man shall or shall not be admitted into society, and be held a man of consideration in it?—The College of Physicians, in its present system as to the admission of licentiates, evinces the views it entertains on this general question. It would be unfitting in me personally to say much on this subject. In speaking of the universities, I speak of the connexion between them and the College of Physicians as desirable; at the same time expressing my opinion, that there should be a frank and general admission of others who have become eminent in the profession.

3026. Are you not acquainted with many licentiates of the College, who have mixed in the first classes of society, and would have done honour to the College if admitted into it?—With very many.

3027. Then you think that the principle of exclusion of the licentiates from the College is carried too far?—I think that the principle was carried too far anteriorly to the last 10 years.

3028. Are you of opinion that the admission to the fellowship of one licentiate in a year, is a sufficiently numerous admission of licentiates?—If this were regularly to go on every year, I believe it would be so.

3029. Is the present mode of admitting licentiates to the fellowship, on the recommendation of the president only, an advisable mode?—I have always considered that in balloting on any one so proposed, I exercised my free and independent judgment.

3030. Is it not the case, that though you may exercise a free and independent judgment whether any person proposed is fit or not fit to be elected, you can exercise that judgment upon such persons only as may be proposed by the president?—Certainly.

3031. Is that the most advisable mode of proposing persons for election?—I think it might be better otherwise.

3032. What is the mode you would consider preferable?—I consider as preferable, on the whole, another plan, recently proposed, and which I understand to have been already under the notice of the Committee.

3033. As to the mode of remunerating apothecaries, ought they to charge for the medicine or for their attendance?—This is a question I have considered a good deal, and I find many difficulties on both sides. Upon the whole, I think the mode of remuneration for the attendance is more satisfactory; but all questions of medical polity are very complicated and delicate; and very doubtful in the result.

3034. Should they be prevented by law from charging for attendance, if they so please?—Having considered that question, I hesitate in giving an opinion on the subject.

Mercurii, 16^o die Aprilis, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Christopher Stanger, Esq. M.D., called in; and Examined.

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3035. YOU are the gentleman who nearly 40 years ago took legal proceedings against the College of Physicians?—I am.

3036. On that occasion it was the *victa*, not the *victrix causa*, that you preferred?—It was.

3037. Where did you graduate?—At Edinburgh.

3038. In what year?—In 1783.

3039. Did you subsequently obtain your licence to practise in London?—I did, in 1789.

3040. When

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3040. When did you apply to be admitted a fellow of the College?—Subsequently, in 1796.

3041. What steps did you take to obtain admission?—I first of all waited upon Sir George Baker, the president, having previously given notice to all the fellows that I claimed to be admitted to examination as a candidate, and to submit to the same examinations as the candidates from Oxford and Cambridge.

3042. You claimed to be admitted under the ordinary rules?—Yes.

3043. Had you any interview with the president, or with the comitia of the College?—With both: first with the president, at his own house; and afterwards at the comitia majora.

3044. Did you offer to pass any examination in Greek, and to submit to any test of your competency, however severe?—I did. I claimed to be examined in the same way as the Oxford and Cambridge men, and to submit to any examination that Oxford and Cambridge graduates were subjected to.

3045. Were you refused examination?—I was.

3046. After being refused examination, did you apply to the Court of King's Bench?—I did.

3047. Was not the first application informal?—It was informal in proceeding, and set aside for its informality.

3048. After the first proceeding was set aside, did you apply to the College for information respecting the seven years' bye-law?—No. I applied there for a mandamus, to be admitted to examination, as a candidate; and avoided the informality which led them to object in the first instance.

3049. Are you the author of a work intituled, "A Justification of the rights of every well-educated Physician of fair character and mature age, residing within the jurisdiction of the College of Physicians, to be admitted a Fellow of that Corporation, if found competent, upon examination, in learning and skill"?—I am the author of that book.

3050. Which contains a short-hand report of the proceedings on both the occasions on which you applied to the Court of King's Bench?—Exactly so.

3051. Were you in court on both occasions?—I was.

3052. And you know that Mr. Gurney took the short-hand reports, and that those reports are faithful reports of the proceedings upon those occasions?—I do.

3053. Did you ever apply for a copy of the bye-laws of the College?—There was a printed copy which I had seen, which was accessible to anybody; as far as my recollection goes, I did apply and was refused.

3054. Were you personally acquainted with the late Dr. Wells?—Intimately.

3055. Was he one of those who, with yourself and other licentiates, combined at that time in an endeavour to assert what you considered your rights?—He was.

3056. What opinion did you entertain of Dr. Wells, as a man of honour and integrity?—I considered him a man of the strictest honour and integrity.

3057. What did you think of him as a scholar?—A superior and excellent scholar.

3058. As a physician?—As a physician competent and able.

3059. As a philosopher?—Superior; a very scientific man.

3060. Did Dr. Wells apply to be admitted under the seven years' bye-law?—He did.

3061. By whom was he proposed at the College?—By Dr. Pitcairn, and seconded by Dr. Baillie.

3062. Have you read the work that was published by Dr. Wells, intituled, "A Letter to Lord Kenyon"?—I have.

3063. Have you a recollection of the statements in that work, generally?—I have.

3064. From your knowledge of the proceedings at the time, do you believe that the matters of fact stated in that work are true?—I never knew a man upon whom I would have had a more perfect reliance for correctness and accuracy than Dr. Wells.

3065. Had you conversation with Dr. Wells about that time as to those proceedings?—Frequent conversations.

3066. Your attention is requested to a passage in his work, relating to the proceedings he took in order to obtain admission into the College. Do you recollect having any conversation with him at the time, in confirmation of his statement? [*The passage quoted in Question 68 was read to the Witness.*] Dr. Wells further proceeds to state, that a motion was made to get rid of Dr. Pitcairn's proposal,

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by the previous question, and that out of 23, the whole number present at the meeting, 10 voted against the previous question, and 13 for it?—I remember, in the first place, that he told me of his intention of applying, which I approved; and afterwards we had subsequent meetings, so that I have not the smallest doubt that that was matter of conversation between us, though I cannot exactly say when and where.

3067. Do you recollect any conversation with him on the subject of his giving notice to the College or to the president of his intention?—I cannot say that I do, but from its being stated in that book, I have not a doubt of its accuracy, from my own knowledge of Dr. Wells.

3068. Do you recollect anything with regard to the circumstances of Dr. Sims's application to obtain admission to the College?—No further, than as a matter of general notoriety at the time.

3069. Who proposed Dr. Sims?—Dr. Burgess.

3070. Was the seven years' bye-law, under which the licentiates were to find admission into the College by being proposed by a fellow, kept secret from the licentiates, at the time that Dr. Sims was proposed?—I should think not: it was brought forward at my trial, and must have been known to Dr. Burgess, when he proposed Dr. Sims, and to Dr. Sims who applied.

3071. Was it published by the College, or in what manner did the licentiates come to the knowledge of it?—I have no doubt that it was promulgated and known, both to the members of the College and the licentiates.

3072. What in your opinion are the disadvantages of not being a fellow of the College?—In the first place, I think that the circumstance of being fellows of the College, unites a number of very influential men, who have a preference for their own body and for the interests of their own body; and they mutually serve each other, partly from attachment, and partly from a view to interest. There are also several appointments in the College, which may be very beneficial to young practitioners, bringing them before the public in an honourable capacity, as a censor, as an examiner, as a licenser of mad-houses, and as examiner of apothecaries' shops; circumstances which are all beneficial to a young man. In cases of any competition for more desirable situations in the profession, such as the leading hospitals in this city, and the practice in Brighton and other watering-places, to which people resort in the summer season, the combination and union of the interests of the fellows has a very considerable effect.

3073. Do you think that the fellows of the College possess some advantage from the *esprit du corps* that belongs to them, in obtaining appointments to the different hospitals?—I do.

3074. You state that from your own experience, while you were in practice?—I do.

3075. Has there been a general feeling amongst the licentiates, that it would tend to promote their interest, as practising physicians, if they could obtain admission into the College?—That has been the strong impression.

3076. And accordingly, so long as you remember, has there always been a desire, on the part of the licentiates, to return to what they considered the legitimate interpretation of the charter: that is, of allowing the licentiates, as being men of the faculty in London, to gain admission to the fellowship of the College?—That always has been my impression; and as a proof of the importance of it, I would further add, that the number of fellows has been trebled since I applied for my admission: which proves that medical practitioners find it to their interest. There were 44 when I applied, and there are now about 120.

3077. Did not your claim to admission to the fellowship rest upon a construction of the charter and of the bye-laws, which was quite contrary to that which the judges put upon it?—My opinion was confirmed by Lord Mansfield's opinion, for I did not know all the grounds upon which licentiates might claim, till some time after I had been admitted a licentiate. I then began to investigate the Acts of Parliament, and to look into the opinions in the several previous cases; and then I was convinced, that we had a legal right to be admitted.

3078. Did not Lord Kenyon and the judges upon the bench, at the time your application was made, put quite a different construction upon the charter?—They put a different construction, principally resting upon the seven years' bye-law. Lord Kenyon most impressively said, that coupled with this bye-law, the licentiates had a right to practise and to be admitted into the College as fellows: and that it

was impossible, after having brought forward a bye-law of that kind, that they should not adhere to it.

3079. Did not Mr. Erskine say that "it is reduced to this question, whether this bye-law, set forth in Sir George Baker's affidavit, coupled as it is with the other two dispensing bye-laws passed at the same time, is not consistent with the letter and spirit of the charter"?—He did say this as a question, but I do not consider either of the three bye-laws consistent with the letter and spirit of the charter.

3080. You are aware that there is another bye-law, by which the president is empowered to propose a fellow?—Yes.

3081. How often was the president at liberty to propose a fellow at that time?—I think once in two years; but it had not been exerted for some time.

3082. Do you know what the state of that bye-law is now?—I believe that it remains, as it was, with the president, but he has not exerted it.

3083. Supposing the president is now at liberty to propose a licentiate annually for the fellowship, and that he has exerted that power; would you consider that the severity of the bye-law, restricting admission to graduates of Oxford and Cambridge, was greatly moderated since the period when your claim was made, and when Lord Kenyon pronounced that judgment?—I should not think the advantages of the licentiates at all increased, but rather prejudiced by any such privilege. If the president had a right of admitting licentiates annually in any number, it would not at all reconcile the matter to my mind; because I claim as a right, what they would grant as a favour; and which I think they are not entitled to do.

3084. Was not Lord Kenyon's judgment pronounced upon the ground, that the restricting bye-law was qualified?—It was, and he rested chiefly, not upon the privilege that the president had, but on the seven years' bye-law.

3085. Can it be said to involve a right upon the part of the licentiates, when it was contingent upon a recommendation by the fellows?—It was a right of no estimation in my opinion, whether it rested solely with the president or with him conjointly with the fellows.

3086. Might it not be implied that the president would act openly and conscientiously?—He might act capriciously; he might have a son, or a nephew, or an intimate friend, a licentiate; and temptations ought not to be thrown in the way of persons, where there is an equitable right.

3087. Practically, the licentiates having been admitted, you will allow that the qualification is greater now than it was then?—Inasmuch as the privilege is extended to them; but it is a privilege of no value, but rather prejudicial, because it makes them look to the president, rather than to the real claims of merit; which ought alone to influence them.

3088. You said that there are appointments in the College which would be serviceable to young men, such as that of censor?—Yes, and licensers of mad-houses.

3089. Is the appointment of censor one that could be properly discharged by a very young man?—That would depend upon his acquirements and talents; many young men are very superior to old men.

3090. Does it not belong to the office of censor to examine?—It does.

3091. Is it not rather an office requiring the highest degree of qualification in point of education?—It certainly requires and implies a very considerable degree of skill.

3092. Is it a desirable office on account of salary?—Partly on that account; but principally on account of the honour and credit that is attached to it; the office of examiner always implies superiority.

3093. With regard to the power given to the president under the ten years' bye-law, you say, that you think it possible the president might act capriciously?—I think it more than possible; I think it probable; because he would have to select a person out of between 200 and 300; amongst those 300, there might be 100 who would be nearly equally entitled: and then in deciding between these, favouritism and intimate acquaintance in habits of associating together, no doubt would have considerable influence. A president might very well say, there are 20 or 30 persons who are exceedingly well entitled; but there is my friend, so-and-so, whom I know equally well and better than any of the rest, and who if he is inferior to the rest, is not much so. So that in such cases the balance would generally be cast by favouritism.

3094. Is not that referred to the body of the fellows, and not left in the power

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of the president?—He may appeal to them if he pleases; but he is not obliged to do so.

3095. Is it not the fact that the president must propose, but that the fellows must approve?—I am not sure.

3096. Under that arrangement, would there not be a check against favouritism?—There would be no check that would counterbalance the evil. Generally speaking, the president is a man of higher standing than the rest; so that probably the president's nomination would always be acceded to. At the same time, he would not propose a very inferior man.

3097. If he were to do so, do you think the fellows would lend themselves to any such proposal?—Not if there was any decided objection.

3098. Is not this the purport of the statute, that if the fellows disapprove of a candidate nominated by the president, they have the power of rejecting him; but if they think there is another person more suitable, they have no power of substituting him in the place of the other?—They have not*.

3099. In the trial that took place, was not Mr. Erskine the counsel for the College?—He was their leading counsel.

3100. Do you recollect the following passages in Mr. Erskine's speech. "Can it be supposed, or will any gentleman stand up and say, it is consistent with probability that a man of eminent learning and high qualifications, who, notwithstanding he has not had that species of education [meaning education at one of the English universities], which I will show from the time of the charter to this day has been constantly adopted; yet if he be a person who has undoubtedly qualifications for it, is it to be supposed that there is not one fellow of the whole College who would propose such a person?" Do you recollect a passage to that effect?—Perfectly; I was in court.

3101. Again: "In the bye-law which I have just stated, any one fellow who may propose the examination of an individual, though such individual could not, according to the ordinary bye-laws of the College, be admitted to examination; but to leave the door open, and to prevent the observations that were made in the case of Dr. Fothergill, and under the auspices of the most learned men of the profession, this bye-law was made: therefore I think I have gone the length of showing that the present bye-laws can be attended with no possible inconvenience." Do you remember a passage to that effect?—I do.

3102. Again: "I will only ask my learned friends by-and-by to explain to your Lordships how it is consistent, with reason or common sense, to say that the public can suffer, or this learned profession be affected in its dignity or advantages, if no person should have an opportunity to force himself into their College, unless he comes within the scope of their bye-laws, sanctioned from all antiquity, and comes within the sense of these bye-laws, although no door is shut against them at all, but that any one fellow of the College may, notwithstanding that statute, propose them for examination, &c. It is not easy to conceive that a man can be entitled to so much favour, because of his eminent qualifications, as that he can supersede all the rules and provisions of the country, and yet shall not be able to find one person within the walls of a college, consisting of near a hundred members, to propose him, although such a man would add dignity and lustre to the College." Do you remember that passage?—I do.

3103. Do you remember these observations from the judges upon that occasion. Mr. Justice Lawrence: "Where is the difficulty of a gentleman's getting some one fellow of the College to propose him?" Mr. Law, the counsel: "There has been no person admitted; there have been many trials, but nobody has ever got through that wicket, nor ever will"—I remember that distinctly.

3104. Again, Mr. Justice Lawrence: "Do you imagine if they think Dr. Stanger, or any other physician, is a fit person, that they will not propose him?" Lord Kenyon: "There is a wicket of that kind put in our own profession; for, as I understand, all the four Inns of Court have for some time insisted, that one of their body shall propose a gentleman to be called to the bar, and that precaution has been attended with extremely good consequences. I am sorry, from what one hears, that it has not been quite a sufficient guard now and then, through a little inadvertence or misinformation; but certainly it is attended with good consequences." Mr. Law: "That is a delegation of the power of inquiry to one whose special

* The Witness, on correcting his Evidence, substituted for this answer, "Such is the case."

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special business it is; and I believe every gentleman upon whom that delegation falls, discharges his duty properly, and makes that inquiry." Then Mr. Justice Grose says: "But why should not this supposed duty be as honourably and as well executed by them as in our profession?" Do you remember that?—I do. If I might be permitted to make a remark here, I would say, that it is extremely singular that none of the fellows who are upon terms of intimacy and of friendship with the licentiates, should ever point out to them that they might take the benefit of the bye-law, which was intended to be honourably fulfilled. It is very remarkable also that the licentiates, who are upon terms with many of the fellows, should not solicit or attempt to get at it; and the only reason that they do not take the benefit of the bye-law is, that they found that it was unavailable, particularly after the case of Dr. Wells. I was upon terms of considerable intimacy with the late Drs. Warren, Reynolds, Pitcairn, Baillie, and with many fellows of the College, who would have done many things to serve me in any other situation than that which respected the fellowship of the College, and who were very available to me when I got into the Foundling Hospital; and in other canvasses that I had to make, I found them quite as friendly as many of the licentiates.

3105. Were you in constant habits of intercourse with those fellows?—I was.

3106. Do you remember these passages in Mr. Erskine's speech upon the second application you made: "Then what are we assembled here upon? why, upon this grave and notable question, whether the bye-laws which I have read, that they are taken as one body, those that are subsequent qualifying, restraining and modifying those that are antecedent; whether all these taken together constitute a reasonable body of bye-laws within the meaning of the charter granted by the King, and confirmed by an Act of the Legislature? or whether these bye-laws shut out any person who had a right by some privilege inherent in them as British subjects, under this charter and this Act of Parliament, from becoming members of this grave and learned body?" "Would a mandamus go to the Bishop of London, if he refused ordination to a person who set forth his learning, but had not been at either of the Universities, and was therefore rejected? But have the College of Physicians done that? No; they have done no more than this: If you had been at the University, and have acquired a degree and testimonials without dispensation, we presume that you are learned from the place from whence you came, and the discipline you have been engaged in, and we examine you at once; but if you have not, do we reject you? No; but we require that you should be introduced for examination by some one of the fellows of the College, and then we will examine you. Is it consistent with common sense to say that there is anything unreasonable in that?" Do you remember that?—I do.

3107. Then he goes on: "Your Lordships have the same authority, assembled in your judicial capacity as judges, over our voluntary societies, as you have over a college by mandamus. I apprehend, if a person were to apply to your Lordships, and say 'I have been rejected at Lincoln's Inn: Why? Because I could find nobody who would give in my name to the benchers to be called to the bar:' you would reject such petition with indignation; you would say that those learned bodies, who have jurisdiction exactly similar, only that it is directed and referred to a different profession, in the regulation, and in the learning and integrity of the members of which the public have a similar interest, inasmuch as they exercise a profession very important in every view of it; your Lordships would say that he ought not to be admitted who could not find one person to propose him as fit to be examined: and that is all that we are here contending for; because, if a man can find any one fellow of the College to propose him, he may be admitted, provided they think him fit. Now, I will consent to the learned serjeant making this rule absolute, if he can prove that this bye-law is unreasonable, for we are here upon the reasonableness of the bye-law. I read that part of the charter which gives them authority to make bye-laws, and I defy the wit or imagination of man to put another question upon the court here, than whether this class of bye-laws, taken altogether, be unreasonable? I consent to the rule being made absolute, if any one of my friends, or all of them together, can in their imagination (I do not appeal to any experience they can bring, but if they can in their imaginations, however fertile they may be), figure to yourselves an inconvenience that may arise from them. They may say: 'Oh, there may be a conspiracy which may exclude a virtuous and enlightened man.' Setting aside the main improbability that members of a learned body could league themselves in a conspiracy so base and so scandalous, as to refuse to examine a man proposed to them by one of their own order, under their

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own laws, from a professional jealousy, lest they should be eclipsed by that person." Do you remember that passage?—I do.

3108. Then, again: "And yet what is the argument? that when bowing to the great learning and ability of Lord Mansfield on that occasion, when the College having no other object in the world (and what other end and object can they have) than the regulation of a profession which I will say, and let Dr. Stanger take part of the honour if he pleases, a profession which not only preserves the health of our relations and friends, and gives greater security to human life, but which I say also gives us a class of men who are an ornament to society and to this country, with a knowledge of the languages, and the various branches of philosophy which give that insight into nature and its works which are acquired in the learned institutions, which now are to be broken down, and all sort of persons are to be suffered to do—what? Not to practise physic, for they practise it already, but they are to be let in for the purpose of governing one of the wisest and the most learned bodies; of governing men who, one and all of them almost, are deeply skilled in everything that learning and science have brought forth in any age; and yet, forsooth, it is to be considered as if the charter and Acts of Parliament were likely to suffer, because a man has kept his learning so much to himself that nobody could ever find it out, so as to be able to think it was wise or decent to propose him, or else that he is such a phenomenon in human shape, that there must be a conspiracy among them to keep him out, lest he should eclipse them all. I am sure that Dr. Stanger does not wish to represent himself as such a person, but I am certain that if Dr. Stanger would have applied to the College, as men of the first learning in every age have applied to it, he would have been admitted." Do you remember that?—I do.

3109. Was not this principally relied upon in the argument of Mr. Erskine; that this seven years' bye-law was a bye-law which was really intended to be acted upon, and which did give an opportunity to the licentiates for admission to the College?—So entirely, that I am convinced that Mr. Erskine was very anxious to accomplish that point, that he might nail down and fix the College so that they could not deviate from that bye-law. I believe he was more zealous for that, than for anything else in the case.

3110. Were you present when Lord Kenyon delivered his judgment?—Yes.

3111. Do you remember the following passage in his judgment: "If the restrictive statute had been a *sine qua non*, if it had controlled the parties who are to form their judgment, and taken from them all power of decision upon candidates, it would have had that seed of death in it which Lord Mansfield found in that bye-law which he decided to be bad; but this is not so; here every person has a right to address himself to the honourable feelings of those breasts to which Dr. Stanger must at last have addressed himself if this mandamus went. If they find him to be (as I am inclined to believe he is from what I hear of him) possessed of all the requisites of medical learning and moral character, he will address as powerful arguments to those gentlemen, every individual of whom is called upon to exercise his opinion upon the subject. He is not to wait to be seconded; the bye-law does not require that: if any one proposes him, the question is submitted to a majority; it goes then to that tribunal which I hope and believe is the sanctuary of honour and good faith, and he may as well address himself to them now as if this mandamus went. They are not bound to admit; all they are bound to do is to examine." Do you recollect Lord Kenyon uttering words to that effect in his judgment?—I do; and that he addressed himself individually to me when he did it, for I sat in front of him.

3112. From all this, were you and the licentiates led to entertain any expectation that the College of Physicians did mean to act upon the bye-law, and that some day you would find yourself proposed and submitted to examination for the fellowship?—We were very doubtful how they would act, considering their antecedent conduct.

3113. Did Mr. Erskine in conversation with you say that he should have preferred to plead your cause, but that he was retained by the College?—He did. His expression was, "I would wish exceedingly to be your counsel in this cause, but what can I do? I have a retaining fee. We are like hackney coachmen, first come, first served."

3114. Was not Mr. Erskine a lawyer who would have rather delighted in a difficult cause?—That is matter of opinion.

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3115. Is not it likely that being a man of liberal opinions, he would rather on that account have been upon your side?—I think so.

3116. After waiting some little time, finding that the fellows did not move, did Dr. Wells come forward to address himself to the honourable feelings of the College?—He did in about a twelvemonth.

3117. What was the opinion of the licentiates as to the manner in which the College met Dr. Wells's application, by moving the previous question?—That they had acted very unworthily and very unjustifiably.

3118. Do you remember Dr. Wells's pamphlet coming out?—I do.

3119. What opinion did the licentiates at that time entertain of the justice of Dr. Wells's cause, and of the fairness or unfairness with which his application to the College had been met?—They all thought that his pamphlet did him great credit, and that he had been most unjustly treated.

3120. How long is it since you retired from practice?—Three years.

3121. From the period of your application to the court to the present time, in what light have the licentiates regarded the manner in which the College has treated them, in continuing to exclude them from the College?—They think that the College have acted consistently in that; that they have always resisted doing their duty and treating them justly.

3122. Was not the period of 1796 and 1797 a time when everything that partook of popular principles was rather discredited?—Very much so; and at the same time, if I may be allowed to state them, there were several other facts which were disadvantageous to our cause. The bye-law had been made (after Lord Mansfield's opinion was given) principally by Lord Kenyon, who was their chief counsel in making such bye-laws as would keep us out. In the next place, Mr. Justice Lawrence was the son of the president of the College, and therefore he had been born and bred up in hostility to the licentiates. Mr. Justice Grose was a Cambridge man, and Mr. Justice Ashurst was also an university man; and the feeling of the country was considerably against any kind of reform at that period.

3123. And therefore the period was an unfortunate one for the licentiates to try their cause?—Remarkably so.

3124. From the opinions expressed by Lord Mansfield, if the licentiates had brought forward their cause in an unobjectionable manner in point of form while his Lordship was Chief Justice, is it not highly probable that their application would have met with a different fate?—I have not a doubt of it.

3125. While you were in practice, on occasions when questions regarding infectious diseases or other points in medicine have been referred by the Government to the consideration of the College, do you remember the licentiates ever being called in to aid the College with their opinions?—No, I do not.

3126. Do not you think that the being called in and consulted upon such occasions is an office of which the licentiate physicians would be proud?—It is a mark of respect that they are entitled to, and which they would be proud to be consulted upon.

3127. Then even supposing, for the sake of argument, there are no pecuniary advantages attached to the rank of fellow above that of licentiate, are the being placed in a situation to be consulted upon such points and to receive the highest honours of the profession, such advantages as are likely to be very desirable to honourable minds?—I certainly do.

3128. Those are marks of honour from which the licentiates are in a great measure excluded?—They are.

3129. Do you know any instance of a licentiate who was anxious to be proposed by a fellow, and who was not undeserving to be so proposed, who could not find a fellow who would propose him?—I cannot say that: but I have no doubt that there were many who would have been glad to have been proposed, and would have submitted themselves to the examinations, if they had had a chance of success.

3130. Is it not possible that many of them might not consider the object to be obtained sufficient to compensate for the inconvenience attending the examination?—It happens that those who are best entitled and have been the best qualified, might be more averse to undergo examinations which they would expect to be very severe, at an advanced period of life: but out of the total number most of them were capable, and many of them exceedingly so, and I believe they would have been desirous of it.

3131. Have the licentiates ever been asked to assist in the formation of a
Pharmacopeia?—

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Pharmacopeia?—Not that I know of; and if they had been, I think I must have known of it.

3132. Was this the practical effect of Dr. Wells's rejection; that the licentiates considered that if under the seven years' bye-law they did apply for admission into the College, they would have no chance of succeeding?—Dr. Wells was confessedly one of the ablest of the body; and Dr. Baillie and Dr. Pitcairn were two of the most influential men in the College; and coupling those circumstances together, I think that the licentiates did not expect that there would be any chance.

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3133. ARE you a Licentiate of the College of Physicians of London?—I am.

3134. When, and where did you graduate?—At Edinburgh in 1815.

3135. When did you become a licentiate of the College of Physicians?—In the year 1822.

3136. You are the author of a work upon fever, and physician to the London Fever Hospital?—I am.

3137. Did you practise medicine in Edinburgh?—I did.

3138. What are the different grades of medical practitioners in Edinburgh?—They are divided into two classes; the one composing the College of Physicians, the other the College of Surgeons.

3139. Of what college were you a member in Edinburgh?—I was a fellow of the College of Surgeons.

3140. Were not some of the leading physicians, now practising in Edinburgh, formerly fellows of the College of Surgeons in Edinburgh?—Yes.

3141. Should you class them under the head of general practitioners?—I should class them as physicians.

3142. Is their practice exclusively that of physicians?—I should conceive that their practice is chiefly restricted to medical cases.

3143. Is it the practice of some of the leading Edinburgh practitioners to dispense their own medicines to their own patients?—It is. The two leading physicians at Edinburgh at one time dispensed their own medicines.

3144. What occasioned them to cease doing so?—When they became fellows of the College of Physicians, of course they ceased to dispense medicines.

3145. But the becoming a fellow of the College of Physicians is by no means supposed to disqualify them from continuing to be members of the College of Surgeons?—By no means.

3146. Are there not pecuniary advantages attending the continuing to belong to the College of Surgeons in Edinburgh, after a person has been a member for some time?—Each fellow of the College of Surgeons has an interest in a widows' fund.

3147. Does a portion of the fees which every candidate pays upon his admission into the College of Surgeons of Edinburgh go to a widows' fund, from which his widow, if she happen to survive her husband, would reap advantage?—A large portion of the fee paid by fellows of the College on admission goes to this fund.

3148. When you became a licentiate of the College of Physicians in London, was it required of you that you should disfranchise yourself from the College of Surgeons of Edinburgh?—It was made a condition that I should be admitted to examination, only after I had become disfranchised. I could not therefore even be examined, till after I was disfranchised.

3149. Did you thereupon apply to the College of Surgeons of Edinburgh to be disfranchised?—I felt considerable difficulty how to act; because I knew that I could not be separated from the College of Surgeons; at least, I was told previously to my removal to London, that there was no such mode of proceeding known to the College at Edinburgh.

3150. Did any correspondence take place between the College of Physicians in London and the College of Surgeons in Edinburgh, on the subject of your proposed disfranchisement?—I stated to the president the peculiar circumstances under which I was placed with regard to the widows' fund: he told me that this point had not before occurred to the College of Physicians, but still they could not alter the law in my favour: and he advised that I should correspond with the College of Surgeons in Edinburgh on the subject; which I did accordingly.

3151. What sum of money was it you had paid on admission into the College of Surgeons at Edinburgh?—Between 250 *l.* and 300 *l.*

3152. Do

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3152. Do you remember what is the annual amount to which, if you were married and had a widow surviving you, she would be entitled?—I believe, at the present state of the scheme, about 60*l.* a year; besides which, my sons and sons-in-law, if found qualified after undergoing examination, would be entitled to all the privileges I enjoy, on payment of a very few pounds.

3153. What was the correspondence that took place upon the subject between you and the College of Surgeons?—They gave me only a nominal disfranchisement, because the College of Surgeons, on consulting counsel, found that a fellow could not be separated from the corporation, unless he committed some act which would render him liable to expulsion, according to the laws of the College.

3154. Did you consult counsel to know whether the College of Physicians could lawfully refuse to examine and admit you a licentiate, upon the ground of your being a non-disfranchised member of the College of Surgeons?—I did not.

3155. If there is no such disqualification of a member of the College of Surgeons, Edinburgh, under the charter of the College of Physicians, should you not think there is great reason to doubt whether they have power to require disfranchisement?—I should certainly think so; but I was aware that the College of Physicians was a body so difficult to deal with, as regarded licentiates, that I took the assertion of the president to be final. I conceived, indeed, from the firm tone of the opinion delivered to me by the president, that further proceedings would be useless.

3156. You did not peremptorily demand it?—I did not, but stated to the president the circumstances under which I was placed with regard to the widows' scheme; which was the chief point that interested me.

3157. In point of fact, you are now nominally disfranchised. Do you conceive your widow will be entitled to the same benefit, as though you had not been so?—I do, because I still contribute to the fund.

3158. There is an annual contribution?—There is.

3159. Is your name still upon the list of the College of Surgeons?—I was so informed by one of the fellows, who was recently in town.

3160. Did you suffer any inconvenience or annoyance in meeting with any physician in London, before you were admitted a licentiate?—I did on one occasion.

3161. Under what circumstances?—A physician whom I met in consultation, refused to meet me as his equal, on the ground that I had not been admitted a licentiate of the College of Physicians. This was pending the discussion with the College of Surgeons.

3162. How long did you practise in London, before you applied for a licence?—I applied, almost immediately on coming to town, to be received on examination; but a delay took place from the circumstances adverted to. Upon my corresponding with the College of Surgeons, a committee was appointed, and a case was submitted to counsel: there was consequently considerable delay in getting the opinion, and in searching for precedents. My admission into the College of Physicians was delayed necessarily for more than 12 months; and during this interval, the circumstance alluded to occurred.

3163. Was the party who declined meeting you, aware of the peculiar circumstances under which you had been placed, and that a correspondence was going on?—I do not think he was: he refused to meet me, on the ground that he would be subjected to a fine by one of the bye-laws of the College of Physicians.

3164. With regard to the members of the College of Surgeons, in Edinburgh, is it the practice, previously to their becoming fellows of the College of Physicians of Edinburgh, for them to renounce the College of Surgeons?—It is not.

3165. Is not there a clause to this effect in the Act of the 32 Hen. 8; that surgery is a part and parcel of medicine, and that all who are members of the College of Physicians of London have a right to practise surgery?—I believe there is such a clause.

3166. There being that clause in that Act of Parliament, and there being no passage whatever in the charter of the College stating that the practising as a surgeon is a disqualification for a licentiate or fellow of the College of Physicians, do you believe that if, without previously renouncing the College of Surgeons, Edinburgh, you had insisted on being examined for a licence, the College could legally have refused to examine you; and if you had passed an adequate examination, to grant you a licence?—I should conceive not.

3167. In the case of *The King v. Askew*, in the judgment of Lord Mansfield there is this passage: "I think that every person of proper education, requisite

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learning and skill, and possessed of all other due qualifications, is entitled to have a licence." You passed an examination before the censors and president, and they did find you to be a person who had proper education, requisite learning and skill, and possessed of all other due qualifications, such as entitled you to have a licence?—I was examined and found qualified.

3168. You conceive, therefore, that the renunciation of the College of Surgeons, which the College of Physicians contended for, was illegally demanded?—Certainly I conceive it was illegal.

3169. Were you three years pupil with one of the surgeons of the Royal Infirmary of Edinburgh?—I was, and upwards of two years in the capacity of house surgeon and physician's assistant. Some time previously, I had been clinical clerk to one of the professors of the University.

3170. You afterwards took your degree of doctor of medicine in the University of Edinburgh?—I did.

3171. You then became a licentiate in the College of Surgeons?—I did.

3172. The being a licentiate did not entitle you to practise in Edinburgh; therefore you became a fellow?—The College of Surgeons have a jurisdiction over Edinburgh, so that none can practise legally in Edinburgh who is not a fellow of the incorporation.

3173. Previous to your being admitted a fellow of the College of Surgeons of Edinburgh, you had taken your degree as a doctor of medicine in the University?—I first took my degree of doctor of medicine, and afterwards became a licentiate, and subsequently fellow of the College of Surgeons of Edinburgh.

3174. How often do the physicians and surgeons of the Royal Infirmary of Edinburgh visit it?—Daily, and punctually at a fixed hour.

3175. Do you remember what was the number of physicians and surgeons of the Infirmary in your time?—There were two physicians in ordinary, two surgeons in ordinary, besides consulting surgeons and a clinical professor: the latter officiated for nine months of the year.

3176. Were you one of the gentlemen who signed the petition to Parliament?—I was.

3177. From what you observed since you came to practise in London, do you think it is a desirable thing for the licentiates to gain admission into the College?—I think it is their right.

3178. But independently of their right, do you think any disadvantages attach to them from exclusion?—I think there are disadvantages.

3179. Is exclusion from the posts of honour disadvantageous?—Decidedly so.

3180. Is not the tendency of such exclusion to operate disadvantageously on the character of the licentiates, by withholding from them some of those honourable distinctions, by which good conduct is promoted?—I think it certainly must.

3181. It reduces the practice of the licentiate to a practice for emolument?—Yes.

3182. What posts of honour do you particularly allude to?—There are various offices in the College, which certainly it must become the ambition of the members to fill.

3183. Do you consider that there are no posts of honour open to the licentiates?—I do not know any connected with the College.

3184. With regard to your disfranchisement from the incorporation of surgeons at Edinburgh, that was under a bye-law of the College of Physicians?—Yes.

3185. You consider that bye-law to be illegal?—I do.

3186. Are you aware that the bye-laws of the College of Physicians are always submitted to counsel?—I have never seen a copy of these bye-laws, they have never been presented to me.

3187. Supposing they are submitted to counsel, is not that the best security the College can have for their legality?—There is a difference of opinion among the members of the bar as to the legality of the bye-laws.

James Copland, Esq., M.D., F.R.S., called in; and Examined.

Jas. Copland, Esq.
M.D. F.R.S.

3188. YOU are a Licentiate of the College?—I am

3189. When and where did you graduate?—I graduated at Edinburgh in 1815.

3190. When were you admitted a licentiate of the College in London?—I think in 1820. In 1819 or 1820.

3191. You are a fellow of the Royal Society?—I am.

3192. Have you been extensively engaged in investigations, connected with medical literature?—I have.

3193. Are you engaged in publishing a Dictionary of Medicine?—I am.

3194. What influence in your opinion has the College of Physicians had on medical science in this country?—I cannot conceive that the influence has been a favourable one. I think the restrictions as to admission into the fellowship have in some degree tended to retard the advancement of medical science.

3195. Will you explain what restrictions you allude to, and explain in what way those restrictions have had this effect?—The restriction of the fellowship to graduates of Oxford and Cambridge has excluded a great many well-educated and scientific men; men well educated, not only in the various departments of science and literature, but also in medicine.

3196. In what way has that exclusion had an injurious effect?—The restriction I have stated has indirectly been the means of excluding scientific and industrious physicians from admission into public institutions, especially hospitals, in London. Hospitals are among the very first, and perhaps are the principal sources of medical education and science; they are amongst the chief sources of advancement in medical science; for they furnish the most important facts in medicine; and, not only pathological researches, but also therapeutical investigations, are most advantageously carried on in large hospitals, provided the physicians be well instructed in medicine, and zealous. Now the London hospitals have been virtually shut against the admission of all other physicians but those who have graduated at universities where medicine is not taught; and who, consequently, must be insufficiently imbued with a desire of medical research; and who, owing to the monopoly in their favour, are not induced to obtain reputations by attempting any improvements in the science.

3197. Are you aware whether the College of Physicians, in case of their being consulted by Government on the subject of any epidemic diseases or other great medical questions, are in the habit of consulting with the licentiates on the matters referred to them?—I believe not.

3198. By thus omitting to consult with the licentiates, do they not show, by their own act, that they consider the licentiates as belonging to an inferior grade in the profession?—I conceive so.

3199. Do you consider medical science in this country on a par with medical science in other parts of the world?—It may, perhaps, at the present day be nearly equal with the state of medical science abroad; and in some respects be quite equal, if not superior to it; but, I conceive, the advancement has been very slow, until the peace became the means of disclosing numerous sources of information in foreign institutions and writings; of which we have availed ourselves. I believe that at the commencement of the present century, we were about half a century behind the state of medicine in the greater part of Germany, if not in France.

3200. Previous to the time of John Hunter, in what state was medical science in this country as compared with the rest of Europe?—It was much behind that of the Continent, even subsequently to the period of John Hunter.

3201. Is it not rather from the school of surgeons, John Hunter and his pupils, that the principal improvements in medical science in this country are to be traced?—A great many of them are to be traced to John Hunter; but also many to his brother, Dr. William Hunter. There are other sources: the investigations of Whytt, the Monroes, Black, Alston, Cullen and others, at Edinburgh; and of Baker, Fowler, Haygarth, Fothergill, Ferriar, Withering, Percival, Rollo, Beddoes, Wright, Blane, and many others, in England.

3202. Dr. William Hunter was an accoucheur?—Yes; he was an anatomist and physiologist as well; but, as a practitioner, he was an accoucheur.

3203. Do you consider the leading improvements in this country to have been made rather by the modern school of surgeons and anatomists than by the fellows of the College of Physicians?—Formerly several of the fellows certainly contributed somewhat to the advancement of medicine; but, I conceive, since the University of Edinburgh became a celebrated school of medicine, (that is about 100 years ago or a little more, when the first of the Monroes attracted attention by his investigations), that there arose then a class of physicians in this country, who by their investigations tended more to promote medical science than the fellows of the College.

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3204. Are you acquainted with the various medical transactions published by medical bodies in this country?—I am.

3205. What comparison do the medical transactions published by the College of Physicians bear to the other works of the same kind published by other bodies in this country?—They form but a small part of the medical literature of the country, even as respects the transactions of societies.

3206. What were the first medical transactions that were published in Great Britain?—The first, I believe, were the Medical Essays published at Edinburgh in the year 1730 or 1731.

3207. For how long a period did they continue?—They were published in six volumes for the following 10 or 15 years.

3208. When were the Physical and Literary Essays published?—They were published about 10 or 15 years subsequently, probably from 1754 to 1765, or 1770. I am not sure of the dates. There were three volumes of them.

3209. That second series is that in which Dr. Black's first experiments on lime, magnesia, and carbonic acid, were published?—I am not sure of that. Several of them were published there.

3210. What were the first medical transactions that were published in London?—I think the Medical Observations and Inquiries.

3211. From what period to what period?—I apprehend about 1753 or 1755; they were continued to 1784, and consist of six volumes.

3212. Were those papers principally written by fellows of the College or licentiates and surgeons in London?—They were written by licentiates, surgeons and practitioners throughout the country; but the greater proportion of the papers were by licentiates and surgeons in London.

3213. Did any fellows of the College contribute to that series?—I am not aware that any did, with the exception of Dr. Brocklesby.

3214. Was he a fellow?—Yes, he was a fellow at that time. I am not sure whether he was originally.

3215. When did the first volume of the Transactions of the College of Physicians appear?—I believe the date of the earliest papers which were read for publication at the College, was about the year 1767 or 1768; and I suppose the first volume may have made its appearance two or three years after that.

3216. How many volumes have been published?—Six.

3217. What is the date of the last volume?—1820.

3218. From the commencement of their undertaking publications, in the course of 65 years, they have published only six volumes?—Six volumes.

3219. Have the papers in those transactions been mostly communicated by the fellows or licentiates?—Mostly by fellows. I suppose about two-thirds by fellows.

3220. And one-third by licentiates?—Very few indeed by licentiates; only two or three papers.

3221. By whom principally were the other papers contributed?—From various quarters. I believe papers from physicians and surgeons in different parts of the country.

3222. Did any medical transactions appear contemporaneously with those of the College?—Several: there were very valuable collections of papers, original and translated from foreign sources, published at Edinburgh by Dr. Duncan, entitled Medical Commentaries. They appeared, I think, from the year 1773 down to 1794, and extended to 20 volumes. They were followed by a collection in eight volumes also published at Edinburgh, entitled Annals of Medicine, which appeared from the year 1795 till 1804, when they were succeeded by the Edinburgh Medical and Surgical Journal, published quarterly, which has now extended to 40 volumes, and contains a great number of valuable papers, and analyses of British and foreign works. There also appeared contemporaneously with the medical transactions of the College, the Memoirs of the Medical Society of London, the first volume of which was published in 1786 or 1787, and down to 1817 there were published seven volumes, containing a number of very excellent practical papers. There also appeared from the year 1791 to 1800, Dr. Simmons's collection of Medical Facts and Observations, in eight volumes; and, from 1793 to 1812, a collection of papers published by a private society in London, entitled "The Transactions of a Society for the Improvement of Medical Knowledge." This collection consists only of three volumes, but comprises a number of very valuable papers by Dr. Wells, Dr. Baillie, Sir Gilbert Blane, and several other eminent men, some of whom are still living.

3223. Are the fellows or licentiates the principal contributors to those?—*Jas. Copland, Esq.*
Chiefly licentiates. Dr. Baillie was an exception, however. Since 1808 or 1809, *M.D. F.R.S.*
have appeared the most valuable perhaps of any collection of papers that have
been published in Europe since the commencement of this century, namely, the
Transactions of the Medico-Chirurgical Society, which have extended now to
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3224. From the examination of these contributions to medical literature, during
the last and the present century, to which class do you think the greatest improve-
ments in medical science in this country are to be attributed; to the class of
fellows, licentiates, surgeons, or to what other class of practitioners?—At the pre-
sent day the ranks of the licentiates have been to a certain extent thinned by
adoption into the fellowship; several of our most eminent licentiates having been
made fellows. But from the commencement of the last, up to the commencement
of the present, century, or rather perhaps up to the present time, I conceive that
the licentiates have contributed more to the advancement of medical science than
the fellows; whilst I admit that there have appeared from time to time men
eminent, not only for learning, but also for their medical acquirements, among the
latter; and I believe that at the present day, the fellowship of the College is richer
in medical talent than at any former period; but I conceive, at the same time,
that the class of licentiates now is not surpassed in any respect, though the fellow-
ship is richer than at any former period, so far as I have ascertained from medical
research; and although several able licentiates have been removed to strengthen
the class of fellows.

3225. Did not Mr. Hunter's Treatise on Inflammation lay the foundation for
those principles of pathology which have since prevailed in this country?—In a great
measure; he not only thought deeply himself; but, by his writings, he led others
to think; although he was in some respects erroneous, owing chiefly to his deficient
preliminary education.

3226. What comparison do the transactions of the College of Physicians bear to
the transactions of the other medical bodies?—A great proportion of the medical
transactions and collections of this country has not emanated from societies, but
from private associations. I conceive, from the enumeration I have given, that the
medical transactions of the College of Physicians can be considered as forming
only a small proportion of the medical literature of the period in which they
appeared.

3227. When you were examined by the censors did you offer to be examined in
Greek?—I did not. I waited, however, upon the president, before being examined,
and having had a regular preliminary education at Edinburgh, in literature and
philosophy, I made the inquiry, whether or not this circumstance would be taken
into their consideration, or whether I could be permitted to be examined for
a higher grade in the College than that of licentiate-ship. I was then informed by
the president of the time, Dr. Latham, that no one could be examined for admis-
sion as a fellow, unless he was a graduate of Oxford or Cambridge.

3228. Therefore the president informed you that you could not be examined in
Greek?—I did not specify Greek; but stated that I had had a preliminary educa-
tion, and inquired whether it would avail me in future or not, in respect to admis-
sion into the College.

3229. Are there not papers of great value and importance among the transactions
of the College of Physicians?—There are several important papers, some of them
contributed by eminent men still alive.

3230. Are you aware of a paper contributed by Sir George Baker on the
endemic cholera of Devonshire?—I am.

3231. Showing that the poison of lead was the cause of the disease?—He com-
municated a series of papers to the College upon that subject.

3232. Was not the discovery he made a great national benefit?—I conceive it
was a benefit.

3233. As showing the cause of a disease, similar to the painters' cholera, under
which the people of that country suffered?—It was an addition to our knowledge of
the causation of disease.

3234. Are you aware whether it has led to the practical superseding the use of
leaden apparatus in the cyder presses, or not?—I suppose it has. I cannot speak
from my own knowledge. It has led to precautions no doubt.

3235. What opinion do you entertain generally of the discovery?—I conceive
it was an important addition to medical knowledge. Indeed all the writings of

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Sir George Baker are not only classical, but also practical. His work on dysentery is also a good and important work.

3236. His work also on the influenza?—Yes; that on epidemic catarrh.

3237. Is not the original paper on *angina pectoris* by Dr. Heberden among those transactions?—Yes.

3238. Do not you consider that a paper of great value?—It is a valuable paper; but it is one amongst a number that then appeared, but not of extraordinary value.

3239. Is it not the original paper upon that subject?—He was one of the earliest to investigate that subject.

3240. Is it not the original paper?—I am not sure. I know it is an early paper, and I have assigned to him the honour of having first accurately described the disease.

3241. Do you know who it was that first called the attention of the profession to the disease called rheumatism of the heart? There is a paper of Dr. Wells on that subject?—Dr. Wells contributed a very important paper upon that subject; that was his own, for he was one of the most original of our pathologists. He was perhaps the first who pointed out the state of the urine in dropsy; also the true pathology of the dropsy consequent on scarlet fever, also the connexion of rheumatism with disease of the heart; but this subject had also been investigated by others about the same time. I am not sure whether Dr. Wells or Sir David Dundas, or some one else, was the first to direct attention to this subject.

3242. Do you know whether it was not Dr. David Pitcairn who first called the attention of the profession to that disease; the rheumatism of the heart?—I do not recollect; it possibly may have been.

3243. Do you approve of the present system of medical education in the United Kingdom?—I do not approve of it certainly, not even in Edinburgh; certainly not in London. As it is in Dublin, I am not so well acquainted with it. I conceive medical degrees in Edinburgh are granted at too early a period of life; for a student, if he has passed through the curriculum of the university, may graduate as early as 21. I conceive if he has entered on medical studies, so as to graduate at 21, that he has not had time enough to acquire preliminary education. Preliminary education also is not required at the university for a medical degree, although it may be considered an advantage by the professors and senatus academicus; the circumstance of the examinations and disputations being in Latin being thought a sufficient, although a very imperfect, criterion of such education. The sources of medical education in Edinburgh are very satisfactory; and the courses of lectures sufficiently numerous and comprehensive to educate a man well in his profession.

3244. Do you speak now of the new curriculum?—Yes: the courses of lectures are given at considerable length; the subjects are not epitomized to the students, or given in the abstract, but are fully discussed, and in such a manner as tends to develop the talent of the student,—as leads him to investigate,—not merely to recollect what he has heard, but also to inquire wherefore it is, and mentally to digest it.

3245. If the present four years' course were preceded by a good preliminary education, and if the student entered into his course of medical study at a somewhat later and fitter period of life, should you consider the present course of medical study at Edinburgh as extremely good?—Extremely good; perhaps the best in the world, as it respects clinical instruction. When I was there the clinical wards of the Infirmary were daily attended by the professors; and the particulars of each case were fully detailed, and entered into books open to the inspection of the pupils, with the daily change in the symptoms and in the treatment. And the views of the physician, and practical topics connected with the cases under treatment, explained in the lectures of the clinical professor, which were given fully and frequently. I conceive, however, that London might be made the best school in Europe, at least in this country.

3246. From the great population, and extent and variety of disease occurring?—Yes; and our extensive hospitals; but a reformation would be required in the performance of the duties of the London hospitals, in order to constitute them efficient schools of medicine.

3247. If a new Hippocrates were to appear, and wished from the register of the various cases which had occurred in the hospitals of London, to form a new code of medical aphorisms, would he find such facility for consulting the past history of diseases

diseases in those hospitals as to be able to form an important body of medical knowledge?—He would not find any such materials, nor meet with any such facilities.

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3248. Are not the London hospitals extremely deficient in keeping a registry of all the past cases of disease which have occurred there?—They were very deficient at the time I was conversant with them; but, for some years, I have seen very little of them. When I first came to London, they were very deficient. I conceive medical knowledge could hardly have been acquired in them on the part of pupils, unless they were favoured in a manner very different from what pupils generally appeared to have been.

3249. Would a physician, not attached to one of the London hospitals, desirous of consulting their registers, with a view to the improvement of medical statistics, be allowed easy access to such registers, and find them in such a condition as to derive important information from them?—I am not aware that registers are kept in the hospitals sufficient to answer that purpose.

3250. Would they not be most important institutions for throwing light on medical statistics, if proper registers were kept?—I conceive so. The hospitals in London would tend very much to promote medical knowledge generally, if they were, as it were, wrought, in the manner in which most of the hospitals on the Continent were lately, or some years ago, when I visited them, or even during the times of Van Swieten, De Haen, Stoll, Bang, Reil, the Franks, and others, who furnished very valuable series of clinical investigations and hospital reports. In London, the short time devoted by medical students to the attending of lectures, and the length of the apprenticeship prescribed by the Society of Apothecaries, have tended to deteriorate the character of the lectures delivered at the medical schools; for the pupils are induced to attend several courses in a limited time, in order to render what they have acquired productive; and the lecturers endeavour to suit their necessities, by giving as few lectures as may possibly constitute a course. Consequently the branch of science taught by individual lecturers is epitomised; an abstract only of the different topics is brought before the student, instead of a comprehensive view of the subject, and his memory merely is crammed, for the purpose of undergoing an examination, before his judgment is informed, and without being made fully acquainted with the various opinions entertained respecting the different topics discussed, in such a manner as might develop his mental faculties; which are, I conceive, at his period of life, at an advanced stage only of development. The greater proportion also of pupils have very little, and very few have sufficient, preliminary education; and the student is not at all obliged, nor is he encouraged to come to his studies with a preliminary education. In short, the character of the courses, and the preliminary information of the pupil, require regulation and supervision.

3251. Do you think that the new curriculum of study prescribed at Edinburgh is deficient as not prescribing the order in which the various branches of medical science shall be studied?—It may be deficient in that; but, I believe, that most students are informed privately by the professors of the course they should pursue in their studies. It might be better if it were made matter of public information.

3252. Are you aware of the course of medical study in the university at Paris, where a distinct course is laid down for each year?—It is about 15 or 16 years since I was in Paris; the curricula are now altered; they have been changed two or three times since then. I conceive at that time that the Parisian plan of medical education was, upon the whole, a very good one. This, in the book before me, is very satisfactory.

3253. You conceive it desirable to prescribe a series like that now shown to you?—I think it would be beneficial upon the whole.

3254. Have you seen the new curriculum of study that is about to be recommended by the College of Physicians?—I have not seen it.

[The same was shown to the Witness.]

3255. Is the new curriculum of study defective in not prescribing in what order the various branches of medical science shall be studied?—If no order be prescribed, and if preliminary education be not exacted, the intended curriculum of study must be so far defective; but where the preliminary education is comprehensive, the want of due order in attending courses of lectures will be less felt, than where it has been neglected.

3256. Will you proceed to state your opinion of the medical education in Dublin?—I conceive that medical education is extremely good in Dublin. From

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information I procured, and from what I saw, when lately in Dublin, I infer, that the hospitals there are well visited, the medical duties well discharged, and the studies of the pupils very attentively superintended. The courses of lectures, also, on the different branches of medicine, are full and satisfactory, much fuller than in London; but I am not sure whether they are equally full with those in Edinburgh: also clinical instruction is given in several of the hospitals by very zealous and able men.

3257. In your time at Edinburgh were any pains taken to ascertain whether those who entered for the various courses of lectures, did always actually attend or not?—It was certainly expected that the pupils would matriculate, or enter their names in the album of the university.

3258. How frequently in each course?—Only at the commencement of each course: that has now been altered, and, I believe, in consequence of an exposition of the abuses that arose therefrom by the medical press.

3259. At what time did that exposition take place to which you refer?—In 1823, by the witness, when editor of the London Medical Repository.

3260. Does preliminary education acquired elsewhere than in Oxford and in Cambridge, however extensive it may have been, avail a candidate for a licentiate-ship at the College of Physicians?—It gives him no right to admission. I was informed by the president and by other official men in the College, that without a degree from Oxford or Cambridge, a physician could not be admitted to the fellowship except in the manner provided by the seven years' bye-law, which has been carefully rendered impracticable, or by the ten years' bye-law, on the nomination of the president, however comprehensive his preliminary education may have been, or his acquirements are.

3261. Even in passing for a licentiate-ship, does he obtain an advantage from producing a testimonial of possessing superior qualifications?—Unless there has some alteration taken place recently, I never heard of such a testimonial being of any avail as to admission.

3262. Were you ever a candidate for any of the London hospitals?—I was a candidate for the Middlesex, about nine or ten years ago.

3263. Who was your opponent?—Dr. Francis Hawkins was the successful opponent. I believe there were one or two others, but I did not go to the poll.

3264. Why did you not go to the poll?—I found in canvassing the governors, that the influence exerted for a fellow of the College by his associates had put success out of the question; and therefore it was only an unnecessary trouble to go to the poll.

3265. Do you believe that, in case of a vacancy at the greater part of the London hospitals, the fellows of the College do really possess an advantage in the canvass?—I conceive that they possess a considerable advantage, especially in respect of some hospitals, and those at the west end of the town, as St. Bartholomew's, the Middlesex, the Westminster, St. George's, and, I think, the hospitals also in the Borough; but there are a few licentiates, who are physicians to hospitals, and who, having been pupils at these hospitals, had acquired the influence of the medical officers and treasurers; the treasurer appearing to have the greatest influence in the appointment of physicians to the Borough hospitals.

3266. Can you state, out of the whole number of physicians to all the different hospitals in London, what proportion are fellows of the College, and what proportion are licentiates?—There are about 30 physicians to all the hospitals at present existing in London, and of these from four to six (not less than four, and not more than six) are licentiates; 24 or 25 are fellows.

3267. In what way do you think it is that the candidates who are fellows of the College, are able to obtain an advantage in the canvass?—I conceive that, by belonging to a corporate body, the members of which are individually known to each other, they are bound together by this corporate tie, and feel a greater *esprit du corps* than the disunited licentiates, and are more desirous of assisting their own fellows, and indeed thereby of indirectly advancing the interests of the College. They are enabled to do so chiefly by so many fellows being influential members, not only of society, but of the profession.

3268. Does not the influence exercised arise very much from the extensive practice of the person exercising it?—Certainly: a physician in extensive practice would necessarily have more influence.

3269. Supposing that the physician in extensive practice were a licentiate, he would

would have equal influence?—Supposing he were disposed to exert it, he would have privately great influence.

3270. You state that the London hospitals have been made less available than they might have been for the advancement of medical knowledge. Do you know any hospitals abroad where the result of the experience acquired therein has been submitted to the public, or to the profession?—Reports of the more important cases treated in the hospitals of Vienna have been given to the world through Van Swieten, Stoll, De Haen, Hildenbrand and others; in the hospitals of Wilna, Pavia, and some other places, by the Franks, father and son, and by the younger Hildenbrand; at the hospital at Halle, by Reil; and at Copenhagen, by Bang. The transactions of the physicians of Berlin, published in about 30 volumes, the transactions of the Royal Medical Society of Copenhagen, and the immortal works of Bonet and Morgagni, are chiefly results of hospital practice and observation, and, with the foregoing, form most valuable works of reference to the practitioner and medical instructor. In this country, the clinical experiments of Dr. Home of Edinburgh, the reports of Dr. Ferriar of Manchester, and more recently of Dr. Cheyne and others, in Dublin, were examples set to the hospital physicians of London, and which have been followed by a physician, Dr. Bright, who has been for many years an honour to the licentiates, and who has lately published very able hospital reports. The reports of cases also treated in hospitals in India, by Mr. Annesley, are also very valuable. The results of the experience acquired, and the facts which have appeared, for many years, in the Parisian hospitals, have become matter of publicity by the publications of the professors and old pupils. We are indebted to those institutions for the most inestimable facts published by Pinel, Broussais, Andral, Laennec, Lallemand, Tacheron, Cruveilhier, Louis, and a number of others.

3271. Would it be a good rule, and one of the conditions of being appointed physician, that registers should be kept, and reports furnished of the various cases occurring in the hospital?—I conceive, if physicians would furnish reports of the most important cases, they would render a most valuable service to medical science. Reports have been made by pupils of late in the periodicals, but from the hands of the physicians themselves they would be still more valuable. I can, however, state from my own knowledge, that a physician canvassing for two hospitals, on different occasions, stated to the electors, that if he were elected he would give reports of cases treated by him, and otherwise render his appointment subservient to science. He, however, received no support from the electors. The avowal probably injured his cause with them, as well as in other quarters; although no one could be better qualified for the appointment, either from education or from comprehensive observation.

3272. Do you think the seven years' bye-law is an improper mode of obtaining admission into the fellowship of the College?—I conceive no licentiate at all acquainted with the history of the College would think of attempting to obtain admission by it.

3273. Why is it that the licentiates feel aggrieved at not being admitted into the fellowship?—The College is an ancient and learned body; the highest corporate body in our profession; consequently the admission to the fellowship is considered to be an acquisition of the highest honour in the profession; and I believe that, in all professions, but more especially in ours, honours are not altogether empty words; they are in fact valuable entities, contributing indirectly, but very materially, to the advantage of a physician.

3274. Anything that tends to bring a physician into notice, and place him in situations of respectability and responsibility, particularly in early life, you conceive must tend to his advantage in the practice of his profession?—Undoubtedly.

3275. If he were in the College, on committees for the Pharmacopeia, and for inquiring into the nature of particular epidemics, if he distinguished himself by his industry and intelligence on those committees, would not these tend to his general advancement?—The College has long been the only influential medical body in this country; and their influence with the Government might have been most beneficially exerted in favour of medical science, and have obtained for it that encouragement, or facilities for its advancement, of which it was so much in need.

3276. Whatever opinion the Court of King's Bench may have pronounced on the legality of the bye-laws of the College, are you of opinion that the restrictive bye-laws complained of, as imposing a restriction upon the eligible, not recognised by the charter or act of incorporation, is a stretch of power beyond what is lawful?—I

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believe that is the impression with the licentiates, at least among those whom I have conversed with on the subject, or whom I know; and it is my opinion.

3277. Do you think that the number of fellows of the College ought to be much increased?—I conceive that all physicians who are well educated, and graduates of respectable universities, should be placed upon a footing of equality; at the same time they might be subjected to the influence of a smaller governing body.

3278. In what sort of body should you propose that the government of the profession should be vested?—It would be a question whether the governing body should be within the College itself; or that the College, consisting of such regularly educated physicians, should be under the dominion of a governing body, in connexion with the State; with the Minister of the Home Department.

3279. You speak of a governing body not consisting of medical men?—The greater part should be medical men; but I conceive that it should be a governing body that should take cognizance of all branches of the profession; and that partial legislation for one branch only, is only likely to promote dissensions in the profession, and is not likely to tend either to the advancement of medical knowledge, or a proper state of feeling in the profession.

3280. You would have the College subject to a government entirely separate from themselves?—A government to which they should be amenable, and which would govern, not only them, but all the departments of medicine.

3281. In short, you would alter the whole medical system?—I think so; I think that in order to be efficient, it would require to be suited more to the state of science generally, and to the wants of the public, than it is at present.

3282. In what respects is it unsuitable now to the wants of the public?—I conceive that the separation of the profession into surgeons, physicians, and apothecaries, is injurious in this respect, that the surgeons are not required to furnish any proof of medical knowledge, and far less of any preliminary education; that their examination, and the privilege of practice conferred upon them, is strictly surgical; while at the same time nine-tenths of that practice is purely medical; and this circumstance alone is calculated to promote a bad feeling amongst the different members of the profession. I conceive that the physician and the surgeon should be both educated alike, as on the Continent; and, after having received the same preliminary and the same professional education, then let any one take up the branch of surgery, or the branch of pure medical practice, according as it may suit, either his studies, or his peculiar ideas or wishes.

3283. The question referred to the system of licentiates and fellows?—I conceive that the division into fellows and licentiates is invidious, and calculated to keep up a bad feeling amongst the members of the profession.

3284. But you would propose an alteration in the whole system?—I conceive that the whole system should be altered, without however abolishing the Colleges; I conceive that they might be so reformed, amalgamated, and placed under the government of a body in connexion with the State, as to be rendered more useful to science and also to the public.

3285. Ought not the governing body, in order to command a willing obedience from all parts of the profession, to be above the suspicion of partiality to the members of its own body?—Certainly.

3286. Do you think that the present College is above that suspicion?—Not altogether I should think.

3287. Are you aware that Sir Lucas Pepys, in his evidence before the Commissioners upon the medical branch of Military Inquiry, and in his letter to the Secretary at War, Lord Palmerston, avowed that he had shown preference in the appointments of the medical army officers to the graduates of Oxford, Cambridge and Dublin?—I have heard so.

3288. If the legality of the exclusive bye-laws of the College depends upon their reasonableness, do you consider the present exclusive bye-laws reasonable; and if you consider them reasonable do you consider them legal?—Certainly not. I consider that they are not reasonable; and if law be reason, therefore that they would not be legal.

3289. With respect to the six months' course of lectures given at the London University, can you state whether they are received by the Court of Examiners at the Apothecaries' Company as a single course, or as equivalent to two courses of three months' duration?—I believe they are received as equivalent to two courses.

3290. Is that an instance of the too-hurried and defective system of education which you think the regulations of the Apothecaries' Company have a tendency to

encourage?—I conceive that each department, in order to be well taught, requires about six lectures a week during six months; and that a course less than that, in proportion that it is less will be deficient.

3291. Would the mode of keeping a record of cases in the Edinburgh Infirmary be a good mode to be introduced into the London hospitals?—I think so; but it would require a clerk to be attached to each physician; and the daily attendance of the physician. The appointment of physician's clerk would be eagerly sought after amongst the advanced students, and it would be a great benefit to those who possessed it.

3292. If there were a *concourse* at an hospital for such an appointment amongst the medical students, do you not consider that there would be many competitors for it?—I consider there would. It might be given to the most deserving.

3293. Would such a plan of registry greatly aid the student in his studies at the hospital?—Certainly.

3294. Would it benefit the patients, by greater attention being drawn to their cases, from the necessity of drawing up an account of each case?—I conceive that it would under proper restrictions; the inquiries as to symptoms being made entirely by the physicians, and put down, with the treatment to be adopted, in the minute book, the student should not be allowed to tease the patient by unnecessary inquiries; and, under that restriction, I think it would tend greatly to the advancement of science, to the improvement of the pupils, and to the benefit of the patients.

3295. You have stated that Sir Lucas Pepys acknowledged some partiality. Are you aware of any partiality by the College in more modern times?—I am not aware of any particular act. I consider that the College has acted like other corporate bodies; that the fellows of the College, so far as I have known them, are men of strict honour and of the highest respectability; for whom I have the greatest esteem; at the same time I consider that the policy of the College has been prejudicial to the advancement of science. It is the system of which I complain, I have no cause of complaint against any individual.

3296. You were understood to complain that the fellows have not consulted sufficiently with the licentiates with regard to epidemic diseases?—I stated that they have not been consulted by the College.

3297. Do you allude to the cholera?—Not particularly to the cholera; but I am not aware that they have been consulted upon former occasions.

3298. Do you know whether there was any licentiate in London at the time when the alarm of the cholera prevailed, who had seen the disease?—There may have been; but I am not acquainted with the facts of the case. Sir William Russell was very likely in London at the time; but I am not sure whether he was a licentiate or not, when he became a member of the Cholera Board.

Jovis, 17^o die Aprilis, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Alexander Henderson, Esq., M. D., called in; and Examined.

3299. YOU are a licentiate of the College of Physicians?—I am.

3300. When and where did you graduate?—I graduated in Edinburgh in 1803.

3301. When did you become a licentiate of the College of Physicians?—In the year 1808.

3302. Have you paid any attention to the bye-laws of the College?—At one time I paid considerable attention; of late, I confess I have not done so.

3303. Are you still in practice?—I can scarcely be called in practice.

3304. Did you ever make application to be allowed to consult the library of the College?—I did, in the year 1812.

3305. What was the nature of that application?—I first sent a note to the beadle of the College, stating that I wished to consult some of the books of the library, and begging to know whether I might not obtain access to the library.

3306. Had you any correspondence with any other officer, or with any fellow of the College upon that occasion?—The answer of the beadle was, that I was not entitled to the use of the books of the library, as being a licentiate. I afterwards wrote to the registrar of the College, stating the nature of my application to the

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beadle, and begging to know whether the answer returned to me was correct: the registrar's answer was, that the beadle's answer was correct.

3307. Have you copies of the correspondence?—I have.

3308. Will you produce the letters?—The first is to Mr. Miller: “ Dr. Henderson presents his compliments to Mr. Miller, and wishes to be informed whether he may not have books from the College library; and, if so, what are the proper time and form of application.” Mr. Miller sent back this note, with the following answer written on the back of it: “ Mr. Miller's compliments to Dr. Henderson, has to inform him he is not entitled to the use of the College library, as being a licentiate. But, if he is acquainted with any fellow of the College who will lend him his name, by that means they may come to his hand, for they are subject to a penalty if not returned in proper time.” The note to the registrar, dated June 12th 1812, is as follows: “ Sir, being desirous to consult some books in the College library, I applied to Mr. Miller to know whether I might not be allowed to have them from the library, but received for answer that I was ‘ not entitled to the use of the College library, as being a licentiate.’ As I apprehend there must be some mistake in this, I take the liberty of addressing myself to you, and of requesting that you would be so good as to inform me, whether any College statute now exists by which I am precluded from the use of the library?” I believe the registrar returned a verbal answer to this. Eight days after, I sent him another note, presenting my respects, and begging to remind him of the note I had taken the liberty to address to him the preceding week on the subject of the College library; to which Dr. Hervey promised an early answer. On the 19th of the same month I received this note: “ Dr. Hervey presents his compliments to Dr. Henderson, and has to inform him, that Mr. Miller's answer to the application of Dr. Henderson was correct.” On the 23d of June I wrote to Dr. Hervey as follows: “ Sir, I am sorry to be obliged to trouble you again on the subject of the College library; but, as the answer which you have given to my inquiry concerning it, is not so explicit or satisfactory as I could have wished, I must entreat the favour of more particular information. To you, who must be so intimately acquainted with all the transactions of the College, it would be needless to repeat the history of the library, or to enlarge on the purposes of its foundation; but you will permit me to observe, that if recent enactments forbid the use of it to the licentiates, (which I am loth to believe the case), the College was actuated by a very different spirit at the commencement of the last century, when they appointed a committee ‘ to find out some way to make the College library useful.’ And, after receiving the report of this committee, adopted their recommendation, ‘ that the library shall be free to all the members of the College.’ Lib. Annal. Coll. Med. Lond. vii. pp. 263-4. That the licentiates did enjoy this advantage for a considerable length of time, is proved by the words of the statute ‘ De Bibliothecario,’ as inserted in the last printed edition of the laws: ‘ Liceat cuilibet, vel collegæ vel permissio, modo tempore admissionis suæ libras duas cum solidis duobus in usum bibliothecæ solverit, libros quosdam domum deportare,’ &c. Whether or not the sum which I paid, in usum Collegii, at the time of admission, was meant to include the above-mentioned payment in usum Bibliothecæ, I will not presume to determine; but should it not have been so, I shall be very willing to pay that or any other contribution which may be deemed reasonable, provided I am admitted to the free use of the library. If the privilege I contend for, were new or unusual, I might feel some hesitation in advancing my claim; but as it appears that the freedom of the library was voluntarily conferred on ‘ all the members of the College’ in the year 1708, and continued to them till at least the year 1765; and as it is the liberal practice of all other learned societies, not only in this kingdom, but throughout Europe, to render their collections as accessible and extensively useful as is consistent with the objects of their establishment, I should not hold myself justified in submitting to exclusion from the College library, without requiring to know on what grounds and by what authority such exclusion is enforced. You will therefore, I hope, not refuse me that explanation which I have before taken the liberty to request. I am, &c.” To this letter the answer returned by the registrar was as follows: “ College of Physicians, June 25th 1812. Dr. Hervey presents his compliments to Dr. Henderson, and begs to inform him, by order of the College of Physicians, that the use of the library is, by the statutes of the College, confined to the fellows and candidates of the College. Dr. Hervey is directed at the same time to state, that through the medium of a fellow or of a candidate, Dr. Henderson may be accommodated with any book from the library which he may wish to consult.”

3309. Will

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3309. Will you compare those two editions of the bye-laws, the one the edition of 1765, and the other the present edition, and state whether in the interval the *Permissi* have not been excluded from the right to the use of the library?—It appears that the words “*socio vel candidato*” are substituted for the words “*collegæ vel permissio*.” The words in 1765 are, “*Liceat cuilibet, vel collegæ vel permissio* ;” in the present edition they are, “*Liceat cuilibet, vel socio vel candidato*.”

3310. You have stated that you are acquainted with the bye-laws; are you acquainted with the bye-laws respecting the mode of obtaining admission to the fellowship?—I am acquainted with the bye-laws so far as I have been able to obtain information from the last printed edition, and the history of the proceedings in the case of Dr. Stanger, and that of Dr. Wells.

3311. You are acquainted with the three modes of admission; the ordinary one, as to those who are graduates of Oxford and Cambridge; the second, the mode of admission by the recommendation of the president or the 10 years’ bye-law; and the third, the admission of any licentiate of seven years’ standing on the proposal of a fellow?—I am.

3312. There is no express authority to be found in the charter for any such preference or limitation to the graduates of Oxford and Cambridge?—No, certainly not. From a passage in Sir Edward Wilmot’s Harveian oration, delivered in 1735, it appears that Dr. Freind was the author of the bye-law by which admission to the fellowship became confined to the graduates of the English universities. The passage is as follows: “*Ad clarissimum virum Johannem Freind ordine accedo. Academiæ suæ decus, utriusque deliciæ, utramque maximi æstimavit, et in perpetuum amoris testimonium, eam reliquit legem, quâ ferente illo, jubentibus vobis, cautum est, ne hujus loci sedes, nisi Academiarum nostrarum filiis, in futurum pateat.*” *Oratio Harvæana 1735, p. 21.*

3313. If the defence that is made in support of this statute be, that is is a reasonable bye-law, and therefore legal, do you think that it is reasonable or legal?—I always thought it most unreasonable.

3314. Were you intimately acquainted with the late Dr. Mason Good?—I was.

3315. Was he an eminent man as a scholar and a physician?—He was very much distinguished.

3316. Did he fail on his application to become a licentiate?—I understand that on his first examination by the Censors’ Board, he was rejected.

3317. Did you hear whether, after his being rejected, any of the examiners called upon him to express their dissatisfaction at the result?—He told me that he had been informed that the motion for his non-admission had been carried by a majority of three out of five; and two days after he received separate visits from the three censors who were present (one of the censors, I believe, was absent), each of whom expressed his regret and astonishment that such a circumstance should have occurred.

3318. Did he state that they explained in what manner the result had been contrary to their expectations?—No, they did not enter into any explanation. One of them advised him to go to Edinburgh for a couple of years.

3319. What course did he take subsequent to his first rejection?—I believe that the present president of the College prevailed upon him to appear again before the Censors’ Board.

3320. Was that at the expiration of a twelvemonth?—I am not competent to say what length of time elapsed; I rather think a less time; and he was then admitted.

3321. Your name does not appear to the second list of the signatures to the petition of the licentiates?—No. I signed the first; by some accident or other, my name does not appear to the second petition.

3322. Were you applied to to sign it a second time?—I had a notice that it was lying for signature at the house of Dr. Holland.

3323. Was that omission intentional or accidental?—I can hardly say that it was intentional; it was merely accidental.

3324. You did not think it necessary in fact to sign it?—I did not.

3325. The principal complaint in the petition is founded on the restriction of the admission of licentiates into the fellowship of the College?—I believe so.

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3326. Did you sign it the first time, under the impression that the bye-laws restricting such admission had been pronounced to be illegal by the law authorities?—I certainly never entertained any doubt in my own mind on the subject; that was the impression upon my mind.

3327. If you had known the reverse to be the fact, should you then have signed it?—That I can hardly say. I, at one time, paid considerable attention to the history of the College; and I rose from the perusal of all the publications which had appeared upon the subject with that impression.

3328. If you had not had that impression, and had known that the great law authorities had pronounced an opinion in favour of the legality of those bye-laws, would you have signed the petition?—Of course my opinion of the College would have been different in that case from what it now is.

3329. Do you know anything of an association among the licentiates?—I know there is, or has been, such an association.

3330. Do you know whether this petition originated in that association?—I believe it did.

3331. Do you know of how many that association consists?—No, I do not.

3332. Do you know whether there are any physicians among them of extensive practice?—That I can hardly say; I have not looked over the names attached to the petition with any degree of attention.

3333. Do you know whether Sir Gilbert Blane's name does not stand on the petition presented to Parliament last session?—I recollect his name.

3334. Do you know that he is one of that association?—I cannot say that he is one of the present association.

3335. Do you consider that association to represent the feelings of the body of licentiates?—From the names which I recollect to have seen attached to the petition, I should think it might be so considered.

3336. Are the names attached to the petition all comprised in that association?—That I do not know.

3337. Did you ever apply to a fellow to assist you in procuring access to the library, as it was suggested to you to do?—No, I never did.

3338. What was your reason for forbearing to do so?—Because I found that the College library was to be considered in the same light as any private library to which I might by possibility obtain access.

3339. Do you think that it would be convenient, with the present establishment of the College, that the whole number of the licentiates should have free access to the library?—I do not see why it should not.

3340. Do you think there is any substantial difficulty in the way of such access?—I have stated what the answer I received on the subject was; and I found that, except by troubling some fellow with whom I might possibly be acquainted, to obtain a book for me, I could have no use of the library.

3341. Do you think there would be any difficulty or impropriety in an application to a fellow?—I have no hesitation in saying that the necessity of such an application does away, in a great measure, with the utility of a public library.

3342. How can it be said to do away with the utility of a public library?—Because I cannot always expect a fellow of the College, who may be engaged in extensive practice, to accompany me to the library whenever I may want a book.

3343. Did you ever hear of a fellow refusing to attend to such an application?—No, I never did.

3344. Do you think that the putting a fellow or candidate to the inconvenience of attending a licentiate would be likely to deter the licentiate from making the application?—From my own feeling, I have no hesitation in saying yes.

3345. Was it that feeling that deterred you?—It was.

3346. Are not junior students of medicine, residing in London, put on precisely the same footing as the licentiates in respect of the penalties given to the licentiates for consulting the library?—Certainly.

3347. The sum that is paid by the licentiates for admission into the College, exclusive of stamps, is 41 *l.* 15 *s.* (the whole, including 15 *l.* 2 *s.* paid for stamps, being 56 *l.* 17 *s.*), is it not?—I think thereabouts. There has been some alteration since the time when I was admitted. I do not think the whole exceeded 50 *l.* at that time.

3348. Do you consider that this payment ought to entitle a licentiate to admission to the library?—More especially, as it appeared from the published laws of 1765 that a certain portion of that sum was appropriated to the library.

3349. You

3349. You are a fellow of the Geological Society?—I was.

3350. Do you recollect what the composition is in lieu of payment to that society by the fellows, the fellows having the privilege of borrowing books from the library?—I forget what the present composition is.

3351. It does not much exceed or fall short of the sum paid for admission into the College of Physicians?—It was at one time 40 guineas.

3352. For that sum the right is given to take away the books from the library?—Certainly.

3353. The same rule prevails at the Royal Society, does it not?—I believe so.

3354. In the petition of the licentiates, the term monopoly is used; taking that charge, and the charge of narrowing the field of public competition together, are the Committee to conclude that the substantive complaint against the College is, that the course pursued by them interferes injuriously with the fortunes and success of the licentiates?—I have always thought so.

3355. You think a licentiate has much less chance of success in life than a fellow?—A licentiate coming to London without connexions or interest, certainly has much less chance.

3356. Is not that diminished chance to be attributed to his want of connexions and interest, independently of any regulation of the College?—There are certain good things in the College which are to be given away to those junior fellows; and it is very well known that the College always acts with an *esprit du corps* which is natural, and favours the interests of the fellows much more than that of the licentiates.

3357. What are the good things to which you allude particularly?—I allude to certain lectureships, to the place of censors, to the place of registrar, and to the appointing of commissioners of lunatics, which I believe is now done away with. But all those places, however insignificant they may be in point of emolument, tend to bring young physicians into notice.

3358. Do you think that a licentiate labours under any difficulty in regard to general practice?—With regard to private practice, certainly he does not.

3359. He labours under no impediment?—Not that I am aware of.

3360. It belongs to the office of the censors to examine the candidates?—It does.

3361. Is it not necessary that the person appointed to that office should be possessed of the highest qualifications?—I certainly do think it necessary.

3362. Is not a young physician, who has been at the pains and expense to procure the best education in the empire, entitled to something like distinction?—I should have little objection to answering that question in the affirmative; but, if it be meant that the graduates of Oxford and Cambridge have always been at the greatest pains and expense to qualify themselves for the exercise of the profession, I have no hesitation in saying that I am aware of instances where much greater pains have been taken and greater expense incurred by licentiates.

3363. Do you know the period of time which must elapse before a medical degree can be obtained at Oxford or Cambridge?—I believe that, nominally, the time at Oxford is eleven years; but only six or seven years elapse before the candidate obtains his bachelor's degree; and, afterwards, residence at the University, I believe, is dispensed with.

3364. What is the qualification required by the College regulations from the licentiate; what period of residence at the University?—I think only two years.

3365. Is there any preliminary education implied in a degree at Edinburgh, or is the examination for a degree at Edinburgh purely medical?—It is purely medical; but it implies, for one thing, an acquaintance with the learned languages, which pre-supposes a certain degree of preliminary education.

3366. In Latin and Greek?—Yes.

3367. Is there an examination in Latin and Greek?—The examination in Edinburgh is conducted in Latin; but every medical student is supposed to be more or less versed in Greek.

3368. But there is no direct examination?—There is not.

3369. Is there any thing which proves the acquaintance of the candidate with the Greek language?—Nothing directly.

3370. Do you think that all the qualifications commonly understood to be attested by a degree at the English universities, could be as well attested by examination at the College of Physicians?—Yes, I certainly think they might.

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3371. Would not that require a very long examination, and much inquiry into moral character?—It might, but not a longer examination than is usual in medical schools where degrees are conferred.

3372. The question refers particularly to preliminary education?—The College has no hesitation in pronouncing on the general qualifications of a licentiate; and I do not see why the same rule should not apply to all that are admitted within the walls of the College.

3373. Do you consider that a preliminary education is requisite for a physician?—I consider it indispensable.

3374. The examination at the College is purely medical, is it not?—It is.

3375. So that there are no direct means there of ascertaining the extent of the preliminary education by examination, as the matter stands at present?—None, except by the general tenor of the answers that may be given to the questions.

3376. Are you aware of any other seminaries within the empire, whose testimonials, with regard to preliminary education and general character up to the usual period of graduation, would be of equal value with those of Oxford and Cambridge?—Perhaps I should show too great a partiality, if I were to say that the testimonials afforded by some of the Scotch universities, are at least equal in value, so far as actual residence goes, with those given at Oxford and Cambridge.

3377. Is a residence at Edinburgh absolutely necessary for a medical degree?—I am really not aware what the rules of the Edinburgh College may be at this time: in my time it was a residence of three years altogether; or, if the whole time had not been spent at Edinburgh, one year was sufficient there, and the other two in another university.

3378. Has not that residence been sometimes evaded?—I believe residence at all universities is in many cases curtailed or evaded.

3379. Is it not sometimes evaded in Edinburgh?—I certainly cannot say from experience that I have known it to be evaded.

3380. You are not prepared to say that it is not impossible that it may be evaded?—Certainly not.

3381. Did you evade it?—No.

3382. Have you known any to evade it?—I have not.

3383. With regard to the decision of the courts of law which has been alluded to, may it not happen, if this opinion be correct, that the very ground upon which the bye-laws are illegal, never came into question before the court? Wilcock says, in his Treatise on the Laws of the Medical Profession, p. 46, "The ground upon which this question was professedly decided was erroneous; but the decision itself was right, and should be referred to other grounds alluded to by Mr. Justice Lawrence. It was determined, on the ground that the bye-laws were valid, whereas the bye-laws are void. It ought to have been so determined on the ground that every corporation, to which no other exclusive mode of filling up the vacancies which may occur in the body is prescribed by statute, custom or charter, has an incidental right of perpetuating itself by electing as members any persons they might prefer, provided that they came within the clear object of the corporation." The author then goes on to state, that although the decision of the court upon the particular application was correct, inasmuch as the reasons adduced by the party for admission into the College were bad, still there were other reasons that never were adduced at all, under which the existing bye-laws might have been declared invalid. Is it not, therefore, very possible that, although the party applying was unsuccessful, there may have been other reasons not adduced, which might have been very valid for setting aside the existing bye-laws?—I think that is very probable.

3384. With regard to the advantages possessed by the fellows of the College above the licentiates; is it not likely to be of great use to a young physician, on his first coming to London, to be admitted to the candidateship and then to the fellowship, and to mix with the fellows at the meetings of the College? and would not this alone serve as an introduction to the profession?—Most certainly.

3385. Does it not frequently happen that a young physician's practice begins, by a senior physician, in great practice, requesting him to attend some patient, whom the senior physician is too much engaged to attend?—Yes.

3386. Is not an acquaintance formed at the meetings of the College, with the seniors of the profession, extremely likely to introduce the fellow, not only to the lectureships and particular appointments of the College, but also into practice in the way adverted to?—I certainly think so.

3387. Therefore

3387. Therefore you by no means consider the fellowship as a thing of nought and no value, as regards the introducing a physician into practice in London?—I always thought it of considerable value in that respect.

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3388. You have stated that those persons who were to examine into the fitness of others to practise, and who were themselves to constitute the body to govern the profession, ought to be men of high general and professional attainments; does the College make any endeavour to ascertain whether the applicants for a licence possess those high attainments which you regard as a proper qualification for the fellowship?—Not that I am aware of.

3389. Do not all the universities which confer medical degrees, with the exception perhaps of one English university, endeavour to ascertain, by examination of the candidates for a degree, the proficiency of those candidates in professional knowledge?—I am not sufficiently conversant with the mode of proceeding in the English universities, to answer that question properly. Till within the last few years, there was not at either of the English universities any examination with regard to medicine whatever.

3390. Making any exceptions of that kind, do not the Scotch universities which confer degrees, endeavour at present to ascertain by examination whether the candidates for the degree possess the requisite qualifications?—They do.

3391. If the Scotch universities can ascertain by examination whether the parties possess the requisite medical information, what is to prevent the College of Physicians from ascertaining by examination the same point also?—I am not aware of any reason.

3392. From your knowledge of the fellows and licentiates of the College, and of the medical students of your day at Edinburgh, should you say that those not educated at the English universities were any way deficient as regards their knowledge of medicine?—Certainly not.

3393. Are they inferior in other respects to the fellows of the College?—I have no hesitation in confessing that, in point of classical learning, they certainly do rank below the members of English universities, not having devoted so much time to classical studies as the members of the English universities generally do; but in other respects it does not appear to me that there is any inferiority whatever.

3394. Is not an exclusion from the honours of the profession a removal of one of those motives to honourable exertion on the part of the licentiates which are held out to the fellows?—I am of that opinion.

3395. Do you think that extending admission into the College and its honours to every competent physician, would increase the motives to honourable exertion, and strengthen the securities for virtuous conduct on the part of the members of the faculty in general, and thereby promote the safety of the public?—I think that throwing open the doors of the College would certainly have a very beneficial effect on the profession in general.

3396. Are the licentiates considered as belonging to a somewhat inferior grade in the profession?—I imagine that they must be so considered by the fellows of the College, speaking of them merely as a corporate body.

3397. To be consulted by the Government on epidemic or other diseases, on medical police, or on any other great medical question that may arise, is not this regarded as a mark of distinction by those consulted; and would not the licentiates, were they as well as the fellows consulted on such occasions, consider themselves called to the performance of an honourable duty?—Undoubtedly.

3398. Is this one of the honours from which the licentiates as a body are excluded?—They are excluded as a body; but if I, recollect right, there have been instances within these few years of individual licentiates being consulted by Government.

3399. When the College has been consulted by the Government, has the general rule of the College been to consult with the licentiates or not?—The general rule certainly has been the reverse.

3400. In a question which was put to you, it was assumed that the licentiates are excluded from the honours of the profession?—From the honours of the College.

3401. You do not consider, then, that they are excluded from the honours of the profession?—As far as the honours of the profession are connected with college offices, they certainly are excluded.

3402. Are there not other honours from which they are not excluded?—There

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are other honours, such as the places of King's and Queen's physician, and various other public appointments.

3403. They are eligible to such honours?—They are certainly.

3404. Do you not consider the fellowship of the College as a part of the honours of the profession?—I do.

3405. What plan of reform appears to you most likely to be beneficial to the public?—I must beg leave to be excused answering that question, because, not having paid sufficient attention to the subject, I do not think I could give a satisfactory answer.

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John Richard Farre, Esq., M. D., called in; and Examined.

3406. YOU are a licentiate of the College?—I am.

3407. You are a physician to the London Ophthalmic hospital?—I am.

3408. When and where did you graduate?—I graduated at Glasgow, in the year 1802; but I practised for nine years previously under a diploma of the corporation of Surgeons of London; and I might have practised to this day on that diploma without hindrance, as all the rest of the surgeons do. I became a member of that corporation in 1793. I entered His Majesty's service as assistant staff-surgeon on that diploma. I practised operative surgery abroad, and also medicine abroad and at home; but I did not think it fair, when I intended to settle in London, to continue my practice of medicine on a surgical diploma, as surgeons do to this day; therefore I graduated at Glasgow.

3409. Did you graduate at Glasgow with a view to becoming a licentiate of the College?—I did. I preferred the London school, and still prefer it.

3410. What residence was required of you at Glasgow?—No residence at all, and I chose Glasgow because it was the only university at that time of note, that did honour to the London school, placing it on the footing of an university, and admitting the merit preeminently due to its vast sources of medical and surgical instruction. I resided at Edinburgh afterwards to fulfil the conditions required by the College of Physicians.

3411. What examination were you required to undergo at Glasgow to obtain your degree?—I was required to undergo three *vivâ voce* examinations, conducted in Latin, precisely the same as the examinations at the London College, de Physiologiâ, de Pathologiâ et de Therapeiâ, and in addition, to write two medical dissertations in Latin.

3412. In what year did you become a licentiate?—In 1805. I can speak comparatively as to the examinations. They were both liberal, yet both strict; but I preferred the examinations at Glasgow, because they were more extensive and better adapted to try medical knowledge.

3413. Did you sign the petition of the licentiates?—I did not.

3414. Did you approve of the petition?—I did not.

3415. In what respect did you disapprove of it?—I disapprove of it, because I think professional matters should not be submitted to any tribunal but their own.

3416. What opinion do you entertain of the present bye-laws of the College?—I have never read a single one.

3417. Do you know the general scope of them?—I never looked at them.

3418. Have you any desire to obtain admission to the fellowship of the College?—I would not accept it, if they were to offer it. I am very much obliged to the College; for, coming into this country a perfect stranger, I could not possibly have entered into competition as I have done with the fellows, and have obtained a liberal support from the public, but upon their present plan.

3419. You are in extensive practice?—I have been and am engaged in extensive practice.

3420. Do you think that the fellows have any advantage above the licentiates?—Not in practice, in the least.

3421. If not in practice, have they in any other respect?—I think in no respect.

3422. Do you approve of the physician confining his practice to the treatment of internal disease only?—I do not. I should not have been qualified for the office of a consulting physician, if I had followed the rules of the College.

3423. Does the pure surgeon practise surgery exclusively?—By no means; he practises physic more than he does surgery.

3424. A very large proportion of the cases which come before him require rather medical than surgical treatment?—Many are entirely the cases of the physician.

I meet

I meet surgeons frequently on those cases, and they are superseding the physician very much, westward as well as in the city.

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3425. To what do you ascribe their superseding the physician?—Because the public will choose for themselves, and it is probable that they may take lower fees; but not long, they do not long do that.

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3426. You mean that they raise their fees as soon as they begin to succeed in their profession?—Yes.

3427. Does any other motive than that of paying lower fees, induce the public to prefer consulting the surgeon rather than the physician?—I think not. I think the physician is superior to the surgeon in medical cases, that he is better educated in clinical observation and practice. I will, however, take this opportunity of explaining the ground upon which the surgeon has gained an advantage over the physician, and I regret to state that it is partly owing to the fault of the College. Originally, the surgeon derived his anatomy from the physician; and we are indebted to a Harvey, because anatomy was once honoured in the College of Physicians: but when anatomy became disregarded, and the College had thrown away the source of rearing other Harveys, John Hunter arose, and carried off the palm of surgery. He was neither a Latin nor a Grecian, but he was greater than both, by reading the book of nature. We are more indebted to John Hunter than even to Harvey, on whose discovery the basis of medicine as a science rests: we are more indebted to John Hunter, for throwing light on the science of medicine.

3428. Did not the works of John Hunter on pathology form the basis of all the improvements which have taken place in the cure of disease?—Yes, where they are perfectly understood. At present they are not at all understood on the Continent.

3429. By which department of the profession do you think the greatest improvements in either the theory or the practice of medicine have been made?—I think the profession in London is indebted both to the physician and the surgeon. It might have been more indebted to physicians, if physicians had continued to follow the ancient rule; but by neglecting anatomy, they have lost their strong hold on professional knowledge. They have struck out the basis of it, and have disregarded it. Baillie helped them a little, by becoming a teacher of anatomy, and by extending the study of morbid anatomy. We are much indebted to Baillie.

3430. Your having been in general practice has, perhaps, contributed not a little to your improvement in medical knowledge, and to your success in practice?—I am called indifferently in consultation, on cases of surgery, cases of midwifery, and cases of physic; which I could not have been, if I had not studied as a surgeon, previously to my becoming a physician.

3431. You think that the practice of surgery in early life, lays the best foundation for future eminence, either for a pure physician or a pure surgeon?—I do.

3432. And that such previous practice is best both for the advantage of the practitioners and the public?—I think it is. It brings the physician more immediately into contact with disease.

3433. Is it possible, and if possible, is it expedient to divide medical from surgical practice?—There is an advantage in the division; but I consider that the surgeon ought to be a physician, and the physician ought to be a surgeon; but that it is still more necessary for the physician to be a surgeon, than it is for the surgeon to be a physician.

3434. Will you explain why?—There are only two modes in which a physician can arrive at real knowledge; as Dr. Hunter expresses it, by attending the sick, and by dissecting the dead. He cannot derive it from books. Now the process of attending to the signs, and then examining the thing signified by a *post mortem* examination, implies, first, a very extensive acquaintance with practical anatomy. Else, he may be deceived; and therefore, in the outset of the profession, when ideas are first formed, and if wrongly formed, are perhaps never superseded (so that he remains more or less in error all his life), it is of vast importance to come into contact with the disease; to see it, to feel it. A surgeon has this great advantage over a physician. The subject of his inquiry being external, he sees it, he handles it, he submits it to his senses. The physician, on the contrary, the subject of his inquiry being internal, must become acquainted with it by signs. To explain this by an illustration, I shall bring the matter on so difficult a point more immediately before you. I will suppose that, in the surgical department of ophthalmic medicine (for medicine embraces surgery), a physician is called to a patient who is labouring under iritis (inflammation of the iris). He perhaps sees

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the patient on the fourth day of the disease, at which time lymph is deposited on the iris, and the organization of that lymph has already commenced. The pupil is beginning to be irregular, and to be fixed upon the capsule of the crystalline lens by adhesive inflammation; whilst the inflammation, running posteriorly along the choroid, has affected the retina and deprived the patient of vision. He is blind at this period (the fourth day) under acute iritis. This is the morbid action, which may be seen through the cornea, as through a glass. The physician prescribes the remedy, and gives mercury with a view of producing a countervailing action. On an average, it will be found that about eight grains of the submuriat of mercury will suffice to arrest this morbid action, and to restore vision; and that, with nearly the same certainty that bark will cure an intermittent. Now I will suppose that, in 24 hours, as it often happens, the mercurial action is manifest. He will perceive, at that instant, that the further deposit of lymph is arrested, that the red vessels begin to disappear and are absorbed. Next in order, the lymph, which had been effused, is absorbed; the vision is restored, and the patient in a few days sees perfectly. I am now supposing that a physician is learning medicine, by studying the surgical treatment of a disease of the eye. He sees the morbid action, and the countervailing action of the remedy; and he learns in what way he can arrest the same process of adhesive inflammation, on the heart, on the lungs, on the brain, on the liver, and, in short, on every organ and texture of the body.

3435. Are you acquainted with Dr. Thompson and Dr. Abercrombie of Edinburgh?—I know them both.

3436. Are they the two leading physicians in Edinburgh?—I believe they now are. When I was in Edinburgh, they were not.

3437. Were they not general practitioners?—Yes. When I was at Edinburgh Dr. Thompson was a general practitioner. He is a man of great industry and great talent. So also is Dr. Abercrombie.

3438. Have not the great improvements that have been made in ophthalmic medicine and surgery, been effected by physicians and surgeons of eminence in extensive practice, rather than by those who may be called the mere oculists?—In order to give an answer to that question, I must reply a little in detail. In 1804, John Cunningham Saunders proposed the establishment of an infirmary for curing diseases of the eye. No such establishment existed in the British empire at that time; and I know by my surgical education at the principal London hospitals, Guy's and St. Thomas's, that the practice of ophthalmic medicine and surgery could not be acquired in those two schools, simply because there were no patients to be seen. A certain degree of manual dexterity had enabled the oculist to carry off the rich; and the poor always follow in their train. The poor, therefore, would not consult the profession on diseases of the eye; and the establishment of this Eye-Institution became the means of restoring diseases of the eye to the profession. It was established in this manner. Saunders was a West-of-England man, and had no London connexion. He had served an apprenticeship in the West of England, and then came to London. He so quickly distinguished himself in anatomy, that, in two years, he was appointed the demonstrator of anatomy to St. Thomas's Hospital. Finding that he possessed extraordinary talent, I inquired into the possibility of introducing him into one of the London hospitals; but I found that it was impossible: they were shut against him. He could only be admitted in one way; talent could not admit him. He must be admitted by money; by entering as an apprentice to one of the surgeons of those hospitals; and it was because he was again required to undergo a novitiate of seven years, that this institution was established for him. He proposed it himself; and, aided by some of the public and private benevolent characters with which London abounds, he effected the object. By virtue of that effort, the diseases of the eye have been restored to the profession, both to physicians and surgeons. We have educated between 1,200 and 1,300 physicians and surgeons at that institution.

3439. With the exception of the late Mr. Ware, can you cite any persons, exclusively oculists, who have materially improved the treatment of ophthalmic diseases?—No; and Mr. Ware did it very imperfectly. He had not even instructed the profession in the knowledge of the very subject I have just touched on (iritis).

3440. Amongst the members of the profession, to whom the treatment of ophthalmic diseases is under obligation, there are Dr. Veitch, Mr. Saunders, Mr. Lawrence, Mr. Travers, Mr. Kelly, Mr. Gibson, Mr. Guthrie, besides the continental writers?—Yes, and a great many others.

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3441. If you were to cite them numerically, it would be found that, in the treatment of the diseases of the eye, the profession is principally indebted to physicians and surgeons, rather than to the mere oculists?—For the science of ophthalmic medicine they were indebted to physicians and surgeons.

3442. Is not the treatment of the diseases of the eye reduced at present to a greater degree of precision than almost any other branch of medicine?—It is.

3443. To what do you attribute that?—To what I at first stated, namely, to the physician and surgeon coming directly into contact with the disease, so as to see what they are about, in plain English.

3444. It is to the united treatment of physicians and surgeons, you think this is in a great measure owing?—Yes.

3445. Does not this afford an argument in favour of a certain degree of union between medical and surgical science and practice, and against any forced and arbitrary separation of the profession into two branches?—I could wish to see them more intimately united, and that by some council of their own, they should determine what separations were expedient.

3446. You stated that you were entirely ignorant of the bye-laws of the College of Physicians. It appears, however, that you are acquainted with some; those, for instance, by which they endeavour to discourage the union of medicine with surgery, and to exclude if possible from their profession those who practise surgery?—It was therefore that, preferring knowledge to honour, I chose the London school. I have educated two sons as physicians out of the same purse, and I might have educated myself at Oxford or Cambridge, if I pleased. But although, were I to educate myself again, I should pursue the same line of study which I have done, yet I did not deem it right to deprive my sons of honours, which they might think I ought to lay open to them.

3447. Your sons have been educated at one of the English universities?—They have been highly educated at Cambridge.

3448. Are they destined for following the medical profession?—They are both physicians.

3449. It is probable that they may be fellows?—It is probable.

3450. It is possible that you may in one way or other arrive at the honour of a fellowship of the College?—I would not accept it. This is not said out of disrespect to the College of Physicians; but I could not consent to be placed at the feet of men whom I had contributed to educate. If they would place me according to the date of my diploma, I should not object to be a fellow of the College; but I would not accept it upon their present plan.

3451. If you were inclined to accept a fellowship of the College, you might perhaps be placed on the books of the College below those physicians whom you yourself have educated?—Certainly.

3452. What opportunity do you think the president of the College of Physicians has of informing himself of the qualifications of those licentiates who practise in the city?—No other opportunity than that which is common to every member of the profession.

3453. It is only then in the course of meeting them in consultation, that he has an opportunity of knowing them?—That would be a very insufficient opportunity.

3454. Has he any other, unless he happens to be personally acquainted with the individuals?—None that I know of, except by what the individual has done in his profession.

3455. You were understood to say that there are grounds for a distinction between medicine and surgery?—Certainly.

3456. Will you have the goodness to explain those grounds?—The name of surgeon (chirurgeon) implies what was originally intended for the office of the surgeon; and it is only of late years that he has become a physician, and has practised as a physician on his surgical diploma.

3457. Surgeon means handicraft?—We will extend it a little. It means to refer to those diseases which he can handle, which he can treat by manipulation, a very important and very extensive field for observation. Both physic and surgery have materially helped each other in this respect; and I could show that, in various instances, it is but one profession. It is one and indivisible; but it is so extensive a subject of inquiry, that there is an advantage in the division of medicine into surgery and medicine.

3458. Without any positive legislation on the subject, either by the state legislature, or the subordinate legislature of particular corporations, would not the

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profession, if left to itself, divide itself into as many branches of practice as were needed, according to the wants of society and the taste of the practitioner?—A new class of surgeons has arisen, not practising pharmacy, nor much engaged in the higher department of operative surgery, but who may be considered almost exclusively as physicians, both in the city and westward. They are largely introducing themselves, and are introduced, into practice amongst the nobility and gentry, as well as amongst the citizens; and they press so hard on the junior physicians and the physicians in ordinary, that physic must revert to its original basis of anatomy. The College must encourage the cultivation of surgery and anatomy, both practical and morbid, and also midwifery, in order that the physician may be not only enabled to maintain his station, but also be qualified for the office of a consulting physician.

3459. Might not a facility of obtaining medical degrees in London tend to remove that sort of anomaly?—Not unless the physician is fully capable of coping with the surgeon on his own ground.

3460. The gentlemen of whom you speak would then have an opportunity of becoming actually physicians?—Certainly, that might remove the difficulty; but a surgeon does not think it necessary at present to take a medical diploma: he can accomplish all he wishes without it. I could have done so.

3461. You are aware, perhaps, that under the statute of 32 Hen. 8, made in support of the powers and privileges of the College of Physicians, surgery is declared to be a part and parcel of the practice of medicine?—Yes, but that is a dead letter; it is not done.

3462. That has been made a dead letter by the act of the corporation at whose instance and on whose behalf that statute was passed?—Yes. It ought not to have been so. Physicians must recover their ground.

3463. This being the case, and the Act referred to remaining unrepealed, are you not of opinion that a bye-law of the College of Physicians requiring any person claiming to be admitted one of their licentiates, first to renounce any college of surgeons of which he may be a member, must be illegal?—I consider it as a suicidal act. I speak of the lowering the character of the physician, and gradually sapping his eminence.

3464. You were a member of the College of Surgeons, in London?—I was a member of the Corporation of Surgeons, now extinct; and whether I should enrol my name on the College of Surgeons and continue to practise on that diploma, or go to the additional expense of a medical diploma, was with me the question. I thought it but just and fair, as I was about to practise physic, that I should practise under a medical diploma, and become a licentiate of the College of Physicians.

3465. Suppose that College had not become extinct, are you aware that, by remaining a member of it, and by becoming a licentiate of the College of Physicians, you would have had imposed upon you any duties to either of the Colleges of an inconsistent nature?—It would have been required of me to have withdrawn from the College of Surgeons; and the College of Surgeons would have imposed upon me a heavy fine for so doing.

3466. Are you aware that if you had remained a member of the two, it would have imposed upon you any duties of an inconsistent nature?—No, I should have preferred it myself.

3467. What opinion do you entertain of the expediency of apothecaries charging rather for their medicines than for their attendance?—It is a question of considerable difficulty. I remember being examined by Mr. Serjeant Vaughan, now one of our judges, upon that very point, in a case wherein 12 draughts were given per diem; and the hair of the judge appeared to stand on end at the idea. But although there may be an abuse in particular instances of administering medicine, there is a something in the disposition of the *vulgus profanum* that requires the *quid pro quo*. Nay, I have been informed by certain practitioners, that they will even object if the phial be not perfectly filled.

3468. Would you object to leaving it optional to the general practitioner in what mode he shall make his charge?—If it were asked me what I should prefer for the honour of the profession, undoubtedly the general practitioner should be paid for his time, and not for his medicine.

3469. Charging for the medicine leaves the general practitioner open to the imputation, that the quantity of medicine is rather suited to the augmentation of his bill, than the want of the patient?—Yes, such an ungenerous imputation would be

be avoided by paying the general practitioner for his time instead of his medicine. But the history of the Society for the Widows and Orphans of Medical Men painfully evinces that he does not deserve such an imputation.

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3470. Do you think there is any cause of complaint on the part of the public of the present medical system?—I think the public are pretty well satisfied.

Sir William Knighton, M. D., called in; and Examined.

3471. YOU were a licentiate of the College?—I was.

3472. You have now retired from practice?—About 10 years.

3473. You were a physician in rather extensive practice?—Yes, very.

Sir Wm. Knighton,
M.D.

3474. You were physician to his late Majesty?—I was; not latterly, previously to the last 10 years.

3475. Can you state whether the late Sir Walter Farquhar, Sir Gilbert Blane, Sir Matthew Tierney, and Dr. Southey, were physicians to his late Majesty?—Yes.

3476. Were all those gentlemen whose names have been mentioned, licentiates of the College?—Yes.

3477. Are you aware that those gentlemen were in any respect deficient, in point of moral character, or literary, scientific, or professional attainments?—Certainly not, quite the contrary.

3478. His late Majesty was considered, in an eminent degree, a good judge of high education, gentlemanly habits, and good manners?—The highest judge.

3479. It is to be presumed, therefore, that his Majesty would not have chosen, for physicians to be about his person, individuals who were in any degree wanting in such attainments?—Certainly not.

3480. Who were surgeons to his late Majesty?—When the King died, Sir Astley Cooper, Mr. Brodie and Mr. Wardrop; but there were also surgeons extraordinary. I do not remember their names, except that of Mr. Hammick.

3481. The surgeons, generally speaking, had not been educated at the English universities?—No. The late Sir Everard Home was also a surgeon of his late Majesty.

3482. It is to be presumed that those gentlemen who were admitted to the presence of his Majesty, to act as his surgeons, were not in any respect deficient in those qualifications which have been mentioned, of gentlemanly habits, good manners and education?—Certainly not; they were men of the highest qualifications, all of them.

3483. Have there been many gentlemen, among the licentiates of your acquaintance, who would do honour to the College of Physicians, or to any medical body into which they were admitted, in respect of their moral worth, literary and scientific attainments, and medical acquirements?—Certainly.

3484. Are you aware of the present bye-law of the College, under which persons find their admission into the fellowship of the College?—I know that principally from hearsay.

3485. You know that great preference is given to those who are graduates of the two English universities?—Yes; that is a fact we all know.

3486. You know that though the bye-law which entitles any fellow of the College to propose a licentiate, has been on the books of the College for 63 years, no licentiate has ever found admission into the College under that bye-law?—I did not know that.

3487. Are you aware that there is another bye-law, under which licentiates may be admitted into the College, on the nomination of the President of the College?—Yes; I conclude that from having seen licentiates admitted as fellows; but I have no other knowledge of it:

3488. There being three bye-laws under which licentiates may find admission into the College; the one law confining it to graduates of English universities, the second empowering a fellow to propose a licentiate (but which bye-law has never been acted on), the third, enabling the President to propose a licentiate, under which 19 licentiates have been admitted in the last 63 years; and looking to the acquirements which you know belong to a great number of the licentiates, do you think that the admission of the licentiates to the fellowship stands on too narrow a basis?—That is a very extensive question, and requires, I think, great consideration, before one should determine upon it.

3489. Does the selection of licentiates, on the recommendation of the President alone, appear to you expedient?—I have never given the subject that consideration

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which I ought to give it, to be able to give a satisfactory answer. I have often thought this, that if a licentiate of high character and attainments presented himself to the College to be examined, for the purpose of being admitted as a fellow, perhaps he ought to have the privilege of demanding that examination; but that, I think, requires great consideration.

3490. You have stated that there are, among your acquaintance, many licentiates who, in respect of their moral worth and their acquirements, would do honour to any society to which they might be admitted?—Certainly.

3491. What good reason could be given why facility should not be given to the admission into the College of men like those?—I suppose it rests with the privilege of the English universities.

3492. What do you mean by the privilege of the English universities?—It connects itself, does it not, with the College of Physicians?

3493. What do you mean by the privilege of the English universities?—I thought that a person graduating at the English universities was entitled to become a fellow of the College of Physicians.

3494. Are you aware that that difficulty, if it be one, is not a difficulty created by the English universities, but arises out of a statute made by the College of Physicians itself?—No, I was not aware of that; that gets rid of my word “privilege.”

3495. That being the case, and moreover there being nothing whatever in the charter granted to the College by Henry 8, or in the statute of Henry 8, confirming that charter, or in any subsequent Act passed by the Legislature, giving the remotest hint that the graduates of the English universities ought to possess any preference for admission into the College above any other grave and learned physicians, do you think that such preference as has been adverted to is advisable, and that such a statute ought to be continued on the books of the College?—Not unless it is for the benefit of the profession generally.

3496. Is it for the benefit of the profession generally?—That is a question which I should consider well. I was not prepared to be called here to-day, or I would have considered those questions.

3497. If such preference is to be for the benefit of the profession generally, but if no mention of such preference is to be found in the charter, or the Act of Parliament confirmatory of the charter, do you not think that the Legislature is a better judge of what ought to be conceded for the benefit of the profession than the College of Physicians itself can possibly be?—Very possibly.

3498. Do you think that any advantages appertain to the fellowship, over and above the licentiatehip?—Yes, I think there do.

3499. Of what nature are they?—I think, generally speaking perhaps, in the practice at this end of the town, fellows may be rather more sought after than the licentiates; at least heretofore it has been so.

3500. Does not that give a certain degree of consideration to a fellow?—I think so.

3501. May not the bringing him into contact with the seniors in the profession, at the meetings of the College, be of use to a young physician entering into practice?—Yes, and I think a fellow of the College has this advantage. Its being known that he has been educated at an English university is of some service to him with his College acquaintance, and so on.

3502. The president, the elects, and the censors, who are the officers of the College, a large proportion of them are generally men of standing in their profession, and of pretty extensive practice?—Yes, and of great learning.

3503. Do not some crumbs fall from the table of those seniors in the profession, as being men high in practice, that may be of use to junior physicians?—I think there have been many licentiates who have had as extensive practice as the fellows.

3504. If a young fellow, coming into the College, by being a fellow, is brought into contact with those seniors in the profession, do not some crumbs fall from the table of the senior, that it may be of advantage for the junior fellow to pick up?—Yes, it may be so.

3505. It is at your own request your name has been struck out of the list of licentiates?—Yes.

3506. Having been once a licentiate, and having voluntarily withdrawn your name from the list of licentiates, could you resume your station again, without undergoing another examination?—I take for granted, if I was disposed to resume practice,

practice, I need not undergo another examination. I only desired that my name should not be printed in the list, to avoid applications on medical subjects, as I was otherwise engaged.

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3507. Do you know whether the physicians to his late Majesty, who are licentiates, consider themselves as aggrieved in not being admitted as fellows?—No, I believe not. I never felt aggrieved. I can only answer for myself.

3508. Did you ever inquire of them?—Never.

3509. Do you think there are many instances in London, in which professional failure is fairly to be ascribed to the want of the fellowship?—Certainly not.

George Birkbeck, Esq. M. D., called in; and Examined.

3510. YOU are a licentiate of the College of Physicians?—I am.

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3511. When and where did you graduate?—In Edinburgh, in 1799.

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3512. Were you professor at the Andersonian Institution at Glasgow?—Yes; for four years I was professor of natural philosophy and chemistry there.

3513. During the period you were attached to that institution, it was first made extensively available for the instruction of mechanics in that city?—It was.

3514. Were you not elected to that chair very soon after you graduated at Edinburgh?—In about six weeks.

3515. When were you admitted a licentiate of the College of Physicians in London?—In the year 1808.

3516. Have you signed the petition of the licentiates to Parliament?—I have signed both petitions.

3517. What is the opinion you entertain of the grievances under which the licentiates labour?—I think that it is an unjust privation of the only dignities that belong to the profession, as well as of some sources of emolument, and of many circumstances under which favourable introductions would take place to the general body of the profession; producing a species of separation which there is no associating principle amongst us, the licentiates, calculated fairly to overcome.

3518. Do you think that to exclude a class of men from aspiring to the highest situations in the profession, is calculated to strengthen their motives to exertion, to improve the securities for their good conduct, and to increase the safety which the public might hope to derive from the exercise by such men of their professional duties?—Certainly not; it diminishes each of them. We have very few sources of distinction; and although the mere pecuniary rewards of practice may not be much affected by the exclusion, that desire which every aspiring man has to press forward towards the honours of his profession, is necessarily much repressed.

3519. What influence does the College possess over elections into situations in the hospitals, or other medical appointments?—None, but the combinations of its fellows; who, by being associated together, co-operate with an effect which the licentiates never have produced.

3520. You do believe then in there being an influence exercised by the individual fellows of the College, the effect of which is to give an undue proportion of the patronage belonging to the hospitals?—I do; and I have observed (since I have been in London), that it has been progressively determined in favour of the fellows.

3521. What opinion do you entertain of the bye-law which gives an almost exclusive preference to the graduates of the two English universities for admission into the College?—I think it totally inconsistent with the charter of the College; and I can see no ground for its adoption on any principal that would be considered professionally equitable.

3522. It has been contended in favour of such a bye-law, that although no trace of it is to be found in the charter, or confirmatory statute, yet it is one so reasonable as to be rendered legal. In your opinion is it a reasonable bye-law?—I confess I cannot see one reason in its favour. It appears that, in the year 1581, the first mention of the three grades, that is, fellows, candidates and licentiates, arose from a very inequitable bye-law now rescinded, confining the number of fellows to 20, and compelling those of whatever description, who might join the College, to join it under the term of licentiates; which by no means appears to have been confined to any description of graduates. I have never yet been able to perceive a reason for the distinction.

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3523. What opinion do you entertain of the bye-law which allows the President exclusively to propose a licentiate each year for admission into the College?—It appears to be conferring upon the president a very unnecessary and invidious, and, in many respects, a very undesirable task, which may give rise to a great deal of partiality and preference, much better avoided. The president cannot by possibility be exclusively acquainted with the fitness of licentiatees for introduction into the College upon that principle.

3524. Does not it subject the president to the imputation of acting from caprice, or a wish to oblige certain individuals, rather than from a desire to select those men of the profession who, from their learning and acknowledged acquirements, would be best calculated to do honour to the College?—There must necessarily be many disappointments under such an arrangement; and the president, whether truly or not, will be suspected of partiality and improper motives.

3525. Have you, practising as you do at the east end of the town, an opportunity of being frequently brought into communication personally with the president?—No.

3526. What opportunity do you think the president has of being acquainted with the licentiatees residing and practising in the city?—Very little indeed; unless they have some public character, which may have reached him by report.

3527. As regards the effect of such a bye-law, giving the sole power of recommending to the president, do you think it has any injurious effects on the licentiatees?—I think, if it does operate at all, it will operate injuriously, in promoting intrigue or producing subserviency, or some other similarly disgraceful effect; which, in an honourable profession, ought, if possible, to be avoided.

3528. The last time that the licentiatees entered into a legal contest with the College, it was contended by Mr. Erskine, their counsel, that the seven years' and the ten years' bye-laws so qualified the bye-law which restricted admission to the fellowship to the graduates of the two English universities, as to render that which, taken alone, was bad and illegal, good and legal; what is your opinion of that?—I confess I do not understand that kind of moral or professional cookery. But I see no neutralizing effect in either of the bye-laws: one of them is very unfavourable, as it regards the simple power of the president; the other is perfectly nugatory, inasmuch as it is bad in itself. When the latter has been attempted to be used, as it was in the case of Dr. Stanger and Dr. Wells, it was a total failure, and no one has ever been yet admitted within the College on that bye-law; it cannot therefore possess the virtue ascribed to it by Mr. Erskine, having never operated; it might have been otherwise if the attempt to bring it into action had been successful.

3529. If a high standard of attainments in literature, general science and medical knowledge, be deemed a requisite qualification for every member of that body which is to govern the physicians collectively, does it not become the College to ascertain to the best of their power what are the attainments of the physicians practising in London, with a view to select from the whole profession those who are most eminently qualified for admission into the governing body?—Unquestionably it would be desirable; and such would be the plan, if the object of the College were the promotion of the honour and utility of the profession.

3530. Where an arbitrary standard is set up, depending on the place where the individual happens to have been educated, is such a provision in your opinion inexpedient, and therefore unreasonable?—Certainly, that cannot in any way become expedient, and therefore reasonable, unless there was some place in which alone excellent professional education could be obtained, and that all the rest were objectionable on account of their inferiority.

3531. What is your opinion of the expediency of the present division of the profession into three separate branches of practitioners?—I think the triple division is established by the public; and I presume it is of advantage to them, otherwise they would not sustain it. The attempt, by legislation, to support it, would be impossible, and the College of Physicians has failed altogether in attempting to prevent a physician practising surgery. So undoubtedly would an attempt to prevent a surgeon from practising physic fail likewise. It is a distinction that can only arise out of two circumstances, the convenience of the individual practising the profession, and the inclination of the public in that respect. For myself, I have never considered that I am at all bound to avoid surgery, because I am a
physician;

physician; and I would not have avoided it, if my own feelings had not kept me decidedly out of the operative part of surgery; and if I were not so fortunate as to have sufficient occupation from practice strictly medical.

3532. Would not the tastes of individual practitioners and the wants of society together, suffice to establish, without the interference of legislation, all such divisions in professional practice as were expedient?—Unquestionably; and that will appear from the state of society. A people opulent and flourishing will require a division of labour in this as in all other points, and the division will extend in proportion to the pecuniary ability of the community in which it occurs.

3533. In point of fact, though very marked and decided distinctions exist in name, do those marked divisions actually exist in practice?—Certainly not. There are diseases which may be said to be quite without the reach of manual influence, which the surgeon treats; and I should say that there are others which are within the reach of it, which are strictly medical, which modern surgery now constantly treats through the system; and therefore, medically. It is not every disease which can be touched which is surgical; all the diseases of the skin, for instance, are tangible, and yet, I think, they are strictly medical. It is quite clear that the two branches gradually merge into each other, and that the only distinct difference is, that the manipulation, or what may be termed, in vulgar language, the carpentering part of the profession (the part which belongs to strict operation) forms a very distinct branch, as being the mechanical part.

3534. Has there not been a great tendency on the part of the public, of late years, to employ the general practitioners?—Certainly.

3535. To what do you attribute that?—First to the better education of general practitioners, and next to the change in the condition of society, which is adverse to the division of labour; and seeks for its assistance, in every department, in one individual, rather than in the more expensive form of three. I see in London at this time a very great difference in that disposition, and I attribute it in some measure to the change in the circumstances of the population of the city.

3536. What do you think of the College of Physicians requiring any candidate for the licentiate'ship, previous to his admission thereto, to renounce any college of surgeons to which he may belong?—I should certainly condemn it; because the practice of surgery is included in the language of one of the Acts of Parliament, as part of the practice of those belonging to the College of Physicians.

3537. Do you approve of excluding from the fellowship those who practise midwifery?—Certainly not.

3538. Those who practice pharmacy?—If they confine themselves to pharmacy I should. Considering that a scientific art or business, I should no more introduce them than the chemists.

3539. Do you see any objection in a physician not being a vender of drugs, but being allowed, if he so pleases, to dispense medicine to his own patients?—I see at least a great inconvenience in his combining that part of the business with his own occupation; but the question would be very soon answered by his own experience in favour of his not doing it.

3540. Even if he were to make no charge for his medicine?—Certainly; I think it would be a very great inconvenience.

3541. Would you see any objection, in case a physician doubted the probability of any potent drug being obtained in purity elsewhere, to his dispensing it himself to his own patient?—Certainly not.

3542. There may be particular circumstances, in which there would be an expediency in allowing a physician to dispense his medicine himself?—There may be such circumstances: Mr. Abernethy thought he had a better blue pill than his neighbours, and therefore handed a supply to his patient, instead of trusting to the chemist.

3543. There are some articles, such as quinine and prussic acid, which it may be difficult to obtain pure?—Yes; but I do not see why the physician should, at this day, think he has a monopoly of any pure drugs.

3544. Ought a definite line to be drawn prohibiting physicians, in all cases, from dispensing their own medicines?—Certainly not by legislation. I think it is quite out of the province of the Legislature to meddle with such a matter.

3545. What is your opinion of the present mode of remunerating apothecaries, by the cost of the medicine, not by their attendance?—I think it is exceedingly bad, for this reason, that it is a deception; it is a charge for that which is not the

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subject of the charge; there is a species of deception in the act; it is making it appear that the mere drug is the article of value, when the time and talent of the prescriber are really the things to be paid for; and, as I think that deception in all cases is bad, so I think this is bad.

3546. As to medical education, what improvement, in your opinion, ought to be made?—The simplest and shortest answer I can give to this comprehensive question, is, that much greater attention should be paid to the preliminary part of education, to the acquisition of general science. When that is done, I think the remaining parts of medical education, as it is called, in some of the universities, are exceedingly good.

3547. In which?—In Edinburgh, in Glasgow, and perhaps in the London University, and probably in King's College.

3548. Should there be more than one degree in medicine, or two successive stages, one implying superior general acquirement, and the other medical qualification?—I think it would be an advantage decidedly to have a degree for general acquirement, as a preliminary to one for medical acquirement; such a course would, I think, be an advantage in all professions.

3549. What time would be adequate for this system of education, comprehending the acquisition of general knowledge and of medical science?—I have never attempted to form an accurate measure of the time; but I think that less than four years for either department would be insufficient.

3550. In what manner ought the State to legislate upon this subject; should it endeavour to punish unqualified persons for practising physic, or for practising physic under a falsely assumed professional title?—I think that where a false title is assumed, punishment ought to follow; and that *mala praxis*, as it is termed, which really is destructive to health or to limb, should be punishable as it has been heretofore.

3551. You are aware that, in the first two centuries of the existence of the College of Physicians, they waged a constant and unsuccessful war against practitioners of every description, endeavouring by fine, imprisonment, and otherwise, to put them down, and to confine the practice to their own body?—Yes; and I observe the attempt was unsuccessful, as it necessarily would be from the interference of the public. They continued to employ those whom they wished to employ, in despite of the attempt.

3552. Ought punishment to be extended to all uneducated persons practising physic, or limited to uneducated persons practising physic and at the same time falsely assuming a professional title or distinction, that would imply, contrary to the fact, that they had received a regular medical education?—Perhaps, if legislation were to exist at all, it ought to extend to examining every individual who attempts to practise physic; and, if the examination proved the incompetency, restriction should follow; and probably further legal consequences, if that restriction were not obeyed.

3553. Are you aware of the great difficulty of putting down unqualified practitioners?—Perfectly.

3554. That it implies such inquisitorial power, that public opinion would probably resist its enforcement?—Decidedly so; it is deemed, not justly however, I suspect, an infringement on the liberty of the public.

3555. Looking at the great difficulty of repressing uneducated practitioners, would it not be expedient to limit punishment to persons practising physic under a falsely assumed professional title, which implied their having received, what they have not, an adequate medical education?—I do; and I think the Legislature can do nothing so effectual as providing, if they can, a sufficient supply of well educated practitioners to supersede the possibility of improprieties of that kind.

3556. Are you aware that it was an objection made by some of the professors at Edinburgh, to a proposal made by the Scotch Commissioners to raise the standard of medical education at the university, that you might raise it so high and make it so expensive, that the medical graduate could not hope for remuneration by practising for the middle and poorer classes of society; that a portion of the practice would be transferred to the uneducated; and therefore, that by such an attempt, the average qualification of practitioners would be lowered?—I am aware of the objection alluded to, and must admit, that if you make it too expensive, it will occasion a supply from some other source, and therefore will be inexpedient.

3557. It is therefore reasonable, in any attempt to reform the practice of medicine, that you endeavour to render good medical education as cheap as you possibly can?—I should say that all education should be put upon that footing.

3558. Does not the practicability of a reform of the medical practitioners, so far

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far as regards the raising the standard of their general acquirements and medical knowledge, turn entirely upon your making their education cheap?—Yes, I think in a great measure it does; because the cheaper you render it, the greater may be the extent to which it can be carried in reference to the individual.

3559. If you make it expensive, those who have incurred the expense, must be remunerated by the magnitude of their charges; a premium would in that way be given to the unqualified practitioner; and the average standard would be lowered?—Certainly, that is possible and probable.

3560. Do you think there should be a separate examination for a licence to practice medicine, or that the possession of a degree should confer a title of practising?—Undoubtedly the possession of the degree in its terms generally confers such title; for the diploma of Edinburgh entitles the bearer to practise medicine wheresoever he chooses; and I do not know why a second examination should be required, after such an examination as that passed through in Edinburgh.

3561. Particularly if, by any act of the Legislature, it were provided that medical degrees shall not be granted except to persons possessing adequate qualifications?—Certainly.

3562. So long as medical degrees are granted with any degree of laxity, do you think it is desirable that any separate examination should be instituted for a licence to practise?—It must be obvious that if there exist a defect any where in a matter so important, that defect should be somewhere corrected; but it is much better to begin without a fault, and not to patch it up by a second attempt.

3563. Ought the power of granting medical degrees to be given to any board or body in London; and, if so, to what description of board or body?—I do not think there is any body at present existing in London, to which that power should be given, but that there are all the materials out of which a body or board might be formed which might most advantageously exercise the power of granting degrees.

3564. Will you state to what description of body the power of granting medical degrees should be entrusted?—I think a board, composed of certain parts of the two colleges which now exist, I mean the London University and King's College, and of portions of the larger medical schools in the metropolis, might be appointed with great advantage for conferring degrees.

3565. Any board which, having adequate medical knowledge, would be free from the imputation of being composed exclusively of the teachers of the students to be examined, you think, would satisfy that purpose?—Yes; and if the College of Physicians existed on a liberal and extensive principle, it would furnish a part of the examining board, and the College of Surgeons and Apothecaries' Company might do the same; the tuitionary bodies furnishing their quota would be protected from any imputation; and there would then be constituted a very powerful, and certainly a very impartial, examining body.

3566. Looking as a matter of history to the past conduct of the College of Physicians, do you think the College of Physicians is such a board as ought to have vested in it solely that power of granting medical degrees in London?—I think it has not either acquired or merited the character that would entitle it to receive that power.

3567. Looking to the time past; do you think it is subject to the imputation that it has been inclined to show partiality to members of its own body?—I think so.

3568. If this imputation be justly made, that ought to disqualify it from having such power vested in it?—There would be reason to apprehend that the candidates from less favoured universities would not be so well dealt with, as those from the two English universities.

3569. In your opinion, has the charter of the College worked well, in the hands of the fellows, for the promotion of medical science, the advantage of the medical profession, and the public?—I think it has worked tolerably well for some of the fellows; but I do not see that it has worked well or worked at all for the public. I think it is calculated by its composition to do for the fellows something, much less than a more liberal college would have done; but still that it has almost exclusively benefited the fellows.

3570. Have you ever attentively considered the charter of the College of Physicians?—I have.

3571. And the judgments which have been given in the courts of law on the applications of the licentiates?—I believe I have perused them all.

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3572. Do you consider that the allegations in the petition of the licentiates are fully supported there?—I do, certainly; or I should not have signed it.

3573. One of the allegations is, that all physicians entitled to practise in London are equally entitled by the charter to admission to the fellowship of the College?—That appears to me to be the fact.

3574. Then you differ from the opinion given by Lord Mansfield. His opinion was this; that “it appears from the charter and the Act of Parliament that the charter had an idea of persons who might practise physic in London, and yet not be fellows of the College”?—I consider that this observation respecting the charter is correct, not as regards physicians possessing regular diplomas, but as contemplating the existence of other practitioners of a very different description; and that it was to guard against the danger from practitioners not possessing any collegiate authority, that the charter was intended.

3575. Do you think that opinion is consistent with this opinion of Lord Mansfield: “The president was to overlook not only the College, but also, ‘omnes homines ejusdem facultatis;’ so, when the College or corporation were to make bye-laws, these bye-laws were to relate not only to the fellows, but to all others practising physic within London, or seven miles of it. The restraint from practising physic is thus expressed: ‘Nisi *ad hoc* admissus sit, by letters testimonial under their common seal.’ Now what does this *ad hoc* mean? It must mean, ‘ad exercendam facultatem medicinæ admissus sit;’” there is nothing said there as to partial licences?—No; and I suppose that partial licences which were adopted, were adopted for those who were to practise midwifery, or some particular branch of practice. Those who did not join the College, (and “omnes homines ejusdem facultatis” might not join it,) were to be overlooked by the president, but were not therefore to be excluded. The words quoted have no reference whatever to graduated physicians: the whole of that I believe not to bear on graduated physicians, unless bearing equally on physicians who had graduated in all universities.

3576. You have referred to the opinion of Lord Mansfield; what do you consider to have been the effect of the opinion expressed by him?—Lord Mansfield, I think, has said that he did not consider the bye-laws favourably in reference to their effect; and I conceive Lord Mansfield in one remark he made, as to the effect of the bye-laws, has sufficiently condemned them by saying that they were calculated to produce dissension, and excite contests in the medical community, which does not appear to be the case with regard to the charter itself.

3577. The question refers to the charter?—The charter makes no distinction: there was no mention of any distinction till 1581. The charter makes no distinction, except as to the part of the community not educated properly as physicians.

3578. Do you not think that Lord Mansfield recognizes such distinction?—No; that was not my impression certainly.

3579. Do not you think that is the fair conclusion from the words he uses?—That conclusion may perhaps be drawn from them. Language frequently admits of two interpretations.

3580. Is not that the most obvious interpretation?—It was not the one that offered itself to me: therefore to me it was not the most obvious. Indeed the words which he uses, “The charter had no idea of persons who might practise physic in London, and yet not be fellows,” by no means prove that he intended to speak of physicians, and more especially of physicians who were graduates of particular universities.

3581. Are the Committee to understand that you consider the restriction of the fellowship as quite repugnant to the charter?—I do.

3582. Are you aware at what period the connection of the College with the universities began?—No, I do not know; and it never appeared to me to be a matter that belonged to the question; inasmuch as it has never been a part, I believe, of the conduct of the universities to enforce that exclusion; it has been the affair altogether of the College of Physicians.

3583. Do not you think that the intention of the charter may be inferred from the interpretation put upon it by the practice that early obtained in the body constituted by that charter?—My opinion of the charter has always been this; that it was conferred on all the physicians in London, for the purposes of professional improvement; and for the protection of the public in London, and seven miles round it, from the operation of those practitioners who had no collegiate authority

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to practise. The petition for the charter was in the name of six physicians, and all the other physicians in London; and I conceive that the charter being granted "quod ipsi omnesque homines ejusdem facultatis de et in civitate prædicta, sint in re et nomine, *unum corpus* et communitas perpetua sive collegium perpetuum," was intended for the benefit of the whole community of physicians.

3584. Have you any reason to believe that, in the early period after the institution of the College, all practising physicians were admitted into the College?—There is nothing to show any separation or exclusion. The terms are those I have stated: the petition was presented, signed by the six physicians whose names are recited in the charter, and the rest of the physicians practising in London; there is no mention of any separation in the charter.

3585. You consider that all physicians, afterwards practising, were entitled at once to be members of the College?—I see no reason why they should not, according to the terms of the charter.

3586. Do you believe they were so?—I have no means of forming a belief, not knowing the fact.

3587. Have you had any opportunity of examining the annals of the College, or the annals of the Universities, so as to know what was the practice in the early history of the society, shortly after the passing of the charter?—No.

3588. Would it be necessary to examine those documents minutely, so as to ascertain what the degree of connexion between the Universities and the College was?—Yes; as a matter of history, but not for the proper interpretation of the charter. Those documents have not however been accessible to me; I have only had access to the publications of Goodall and others at the time of any contest with the College. With respect to the practice of the College, I perceive that in 1581 there were exclusions; they then introduced a bye-law which was of a very singular and very unjustifiable nature, confining the fellowship to 20 members; therefore I see at that time there was exclusion; but for that bye-law, there certainly could be found no justification in the charter. It was then that exclusion began; and the College, although compelled to abandon the bye-law, I suppose, having once tasted the sweets of exclusion, afterwards contrived in another form to continue the practice of exclusion.

3589. You suppose exclusion to have first begun at that period?—I do suppose so: we have no record of any deviation from the charter prior to 1581.

3590. Perhaps the annals of the College may show, if they were consulted, that all the physicians in London were not members of it?—They might; and that might arise from several reasons. It was a body which they might not desire to belong to. The practitioners of that day might not resort so generally to those societies and establishments as they do at this moment. There would be, in fact, very little tendency in the practitioners to quit the profitable part of their operations, and spend their time within the walls in Knightrider-street.

3591. There must have been many engaged in the practice of physic, who did not belong to it?—Not very many; for a document connected with its foundation mentions the whole number of regular surgeons in London to be 12, and the number of legitimate physicians, it is probable, was not quite so great; that was in the early part of the 16th century.

3592. Was not it the practice, at that period, for lords and ladies to have physicians not engaged in general practice, but attached to their household?—I believe it was.

3593. That would take away from the general physicians the most lucrative part of the practice?—Certainly.

3594. Do you consider the present pharmacopeia rather in arrear of the actual state of the materia medica and pharmacy?—I think it not equal to the state of medical science of this day.

3595. Do you not think it is very expedient there should be editions at short intervals, so as to admit any articles which have been found on experience to be valuable?—Certainly; and I think it expedient too that a much larger portion of the profession should be employed in concocting it than has hitherto been so employed.

3596. You have paid attention perhaps to such matters?—I certainly have; in consequence of the College having sent to me, as a licentiate, in common with other licentiates, a specimen of the pharmacopeia and a *specimen alterum* some years ago, before they published their pharmacopeia; but it was sent under such

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terms, as I believe made all the licentiates retain the specimens, without sending any remarks.

3597. In what terms was it sent?—Merely a very formal request to return any remarks that might suggest themselves on perusal of the specimens; but without any invitation to co-operate on equal grounds in conducting the final management of the pharmacopeia.

3598. Did that mode of application produce co-operation, or had it the reverse effect?—It had the reverse effect; it had the effect of producing a very severe criticism, which would have been avoided, if they had requested the co-operation of the licentiates in a way that was suitable; I allude to Mr. Phillips's experimental examination, with which I had a good deal of acquaintance; and which I know would never have appeared, if the same parties had been properly applied to for their assistance.

3599. What opinion do you entertain of the ability of that criticism?—I think it is very able. I know that the experiments were carefully conducted on which it is founded.

3600. It was rather caustic?—Very caustic; whether more so than the case required, remains to be shown.

3601. But containing great truth of observation in its chemical remarks?—Yes; the results I saw, and the processes which led to them; they are generally quite correct.

3602. Is there any remark you wish to make, not elicited by the previous questions?—No.

3603. Do you think the King's College and the London University are bodies of that nature, that it would be expedient to trust to them the power of granting medical degrees?—I think it would; I think they have ability enough to entitle them to institute an examination which would secure the public against incompetent practitioners.

3604. Which course do you think would be the more expedient; to allow any number of such institutions as might be founded in London, each the power of granting medical degrees, or to have a general board, fairly constituted, which should examine all the students who were educated and came to solicit their degrees from such institutions?—I should decidedly prefer a general board; because I think those examinations, which in too many instances have been superficial and very incompetent, are of very great importance, and therefore ought to be managed with great skill and great deliberation; I think too that, if a board were so formed, it might undertake (what never has been undertaken in regard to medical examinations) inquiries into the general scientific acquaintance which the candidate had with the collateral branches, so important to the successful practice of his profession; and it would certainly do away with a great deal of that suspicion of partiality which may not unfairly be said to be entertained, where any college or school examines and passes its own students.

3605. Which do you think, in constituting such a board, would be the more expedient course under existing circumstances, to endeavour to constitute it altogether independently of the existing medical corporations, or to form it by delegation of a certain number of members from each of those corporations, coupled with any other members that might be necessary to render it a perfectly fair body?—I think that a college of physicians might be most advantageously constituted, and therefore might afford part of the elements of that board; a college of surgeons certainly may exist with great advantage to the general profession; they therefore might contribute their part; and a pharmaceutical establishment, such as the Apothecaries Company, which is greatly improved in its general character, might also contribute; and with contributions from those hospitals which are schools, materials would be had for such a method of inquisition, as would I think leave nothing to be desired in regard to granting degrees. The degrees would then be certificates of science, and the possession of that knowledge which is requisite for the profession.

3606. Would you add any laymen to such a board, who would of course be completely exempt from any professional prejudices?—There would be no objection to a scientific layman taking a part in the general scientific examination, and, as a supervisor, to take care that no professional prejudices prevailed.

James Johnson, Esq. M. D., called in; and Examined.

3607. YOU are a licentiate of the College of Physicians?—I am.

3608. Where did you graduate?—I never graduated in any university. I received my medical education in London.

3609. You are physician extraordinary to His Majesty?—I am.

3610. You are the author of a work on the diseases of tropical climates?—I am.

3611. You are the editor of the Medical Review, a journal in extensive circulation?—Yes, both here and in America, where it is reprinted.

3612. Had you occasion, in your publication, to animadvert on the charter and bye-laws of the College of Physicians?—Yes.

3613. Have you reason to believe, that the observations you made in the paper adverted to, excited the attention of the fellows of the College of Physicians?—Yes, I have.

3614. You have stated in the eighth volume of your Journal, that, for the remarks you made in the paper referred to, the College had it in contemplation to subject you to a vote of censure?—Yes; for that statement I have the authority of the gentleman who moved the College to cite, and, if necessary, to censure me.

3615. What is the name of that gentleman?—Dr. Paris.

3616. Were you ever cited before the comitia to justify yourself?—No, I was not. I expected it for a good while, but the citation never came.

3617. What was it Dr. Paris said to you?—He took me into a back room at Mr. Underwood's shop in Fleet-street, and told me that, though he respected me as a friend and as a brother practitioner, he considered it his duty to move the College to cite me before them, on account of the comments I had made upon the laws and the charter of the College; and that he gave me this warning, as a friend, of the storm that was about to burst over my head.

3618. Are you conscious that, in that paper, you exceeded the limits of fair discussion?—I think not.

3619. Did Dr. Paris inform you that a vote of censure had actually been moved?—No; only that he had moved the College for that purpose; and I understood, not from him, but from rumour elsewhere, that some meetings had been held, and that it was not judged prudent to cite me before them.

3620. Did you understand that this took place at the board of censors, or at a general meeting of the College?—I did not understand where it was.

3621. Were you informed that your Journal was struck out from the periodical works to be taken in at the College?—Yes; but they afterwards took it again, after a year or 18 months, and purchased the intervening numbers.

3622. That is the only punishment that was inflicted upon you?—Yes.

3623. Were you physician extraordinary to the Duke of Clarence?—Yes; I served with His Royal Highness; I was his actual medical officer and attendant in the navy; I was with him in the Impregnable, of 100 guns, when we brought over the Emperor of Russia and the King of Prussia to this country; I served 15 years in the public service in various parts of the world, and five years in private practice, before I applied for a licence.

3624. You served as surgeon on board several ships in His Majesty's service?—Yes; I did duty with the late Sir William Young, as physician in the Scheldt fleet, but without that actual rank.

3625. When His present Majesty came to the throne, had you any reason to expect an appointment as physician to His Majesty?—Yes, I had; he had always been very kind to me, and I was his physician extraordinary when Duke of Clarence; I expected therefore that the appointment would be continued to me when he succeeded to the throne.

3626. Has His Majesty kept his promise?—I did not appear in the physicians' list when it first came out.

3627. Had you any correspondence on this subject with the fellows of the College?—I wrote, in the first place, direct to the King, and I was immediately gazetted.

3628. Had you any correspondence on the subject with the fellows of the College?—I suspected, when I found myself omitted in the list, that some influence was exerted to prevent my being placed upon it, and I wrote to Sir Henry Hallford to that effect; but, before I got his answer from the country, I was gazetted, and I perfectly acquit him of any influence prejudicial to me personally. I under-

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stood that he had the making out of the list, and my name, and those of all the other licentiates (except two, who had been physicians to George the Fourth) were omitted. Sir William Burnett, who was at the head of the Naval Medical Department, was omitted, and he has never been inserted to my knowledge.

3629. What do you mean by your last answer, that you had reason to believe, on the first making out of the list by the president of the College of Physicians, the names of no licentiates were included in it?—Nothing but the simple fact that they were so, with the exception stated. I draw no inference from it.

3630. You know that they were omitted?—Yes, in the first instance; some licentiates were admitted afterwards. I refer to the physicians extraordinary.

3631. You mean that certain licentiate physicians, by His Majesty's desire, had their names afterwards included?—I do not know what steps may have been taken to have these names admitted.

3632. Did it happen that, after a certain list, excluding licentiates, had first been made out, another list appeared, in which the names of certain licentiates were included?—Yes; one, two or three (I am not quite certain which,) appeared at irregular intervals on the list afterwards.

3633. Do you know whether Sir Gilbert Blane's name was not in the list first made out?—I speak of physicians extraordinary to the Duke of Clarence. Sir Gilbert Blane was physician to the late King.

3634. He is physician to the present King?—Yes, he is.

3635. It would not follow as a matter of course that he should be physician to the present King, from having been physician to the late King?—No, certainly not.

3636. Is there not a rank in which the physicians to His Majesty stand; first, second, third or fourth?—Yes, they are in order.

3637. Do you know in what rank Sir Gilbert Blane stood as physician to George the Fourth?—I think he was either the first or second; I think he was very near Sir Henry Halford, but I cannot speak positively.

3638. Do you know whether, when he was appointed physician to His present Majesty, any one was put over his head?—Yes; I understand that Sir Henry Halford was placed over his head.

3639. What is meant by the respective rank of King's physicians?—The numerical station on the list.

3640. You know that a certain degree of importance is attached to the order in which they stand, as first, second, and third, of His Majesty's physicians?—I do not know that there is any particular rank or distinction, except that it naturally follows, that those high on the list are those most immediately about His Majesty's person, and attendant upon him.

3641. What injury, or inferiority of rank, or inconvenience of any kind, does a licentiate suffer from not being admitted into the fellowship?—He suffers many: in the first place, the galling distinction of belonging to an inferior order of the same class of practitioners, is, in my opinion, a source of great discontent and annoyance. That, however, may be considered as a nominal grievance, or as a matter of feeling: but, whenever the interest or interests of a fellow and a licentiate come into collision, which they very frequently do, both in private practice and in canvasses for public institutions, the licentiate is sure to fail, through the esprit de corps and the influence of the fellows, who always support each other.

3642. You do not believe that that difference is a mere shadow of a shade?—No, I consider it to be a real substantial grievance.

3643. It is something which affects the success of the licentiate in his profession?—I am certain of that.

3644. You underwent an examination in order to become a surgeon for the navy?—Yes, more than one or two.

3645. You also underwent three examinations before the College of Physicians?—Yes.

3646. Which of the two was the best test of your medical qualifications?—The examination by the College of Physicians was no test at all; the three examinations did not last above 28 minutes altogether.

3647. What was the examination you underwent to become a surgeon in the navy?—An examination in anatomy, pharmacy, surgery, the practice of medicine, and all the branches.

3648. Including a knowledge of Latin?—Yes; I was examined first at the College of Surgeons, and then at the Naval Medical Board.

3649. The examination in all the important branches of the science of medicine

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was repeated on your examination before the head of the Naval Medical Board?—That was the strictest examination of all, much more strict than at the College of Surgeons.

3650. To pass that examination, it was not only necessary you should know surgery, but also medicine in all its branches?—Certainly; the examination at the Naval Medical Board was chiefly in medicine, and that at the College of Surgeons in surgery.

3651. You were examined in materia medica, and chemistry, and pharmacy, before the Naval Medical Board?—Yes.

3652. Were you examined in the diseases of women and children?—No, not at that early period of the war.

3653. So that your examination before the College of Surgeons and the Naval Medical Board jointly, you consider to have been a much better test of your fitness to practise physic, than the examination you underwent before the College of Physicians?—They were infinitely more difficult to get through; consequently they were better tests of the amount of my knowledge.

3654. Have you had much opportunity of visiting foreign schools?—Yes, I have been in the Parisian schools, and in Italy and Germany.

3655. Have you been in foreign hospitals?—Yes.

3656. Is there a daily attendance of physicians and surgeons at the foreign hospitals?—Yes, the attendance was almost daily; much more laborious than in this country. The medical officers were much longer in their visits. They are earlier and later in their attendance, especially in the Parisian hospitals.

3657. What opinion do you entertain of the policy of general practitioners charging rather for their medicines than for their attendance?—I think it is one of the greatest evils in the profession.

3658. That it leads to a complex and injudicious system of prescription?—It leads to a multiplicity of medicines, which the general practitioner is obliged to send, in his own defence, in order to remunerate himself for his skill.

3659. Do you know whether the druggists in general prescribe as well as dispense medicines?—No, I think not. A custom is springing up for the large chemists to have a licentiate of the Apothecaries' Company attached to their shop; and those people prescribe or visit; and the medicines are sold at the chemist's shop, in order to evade the law.

3660. Do you not think they are legally entitled, if they do not visit patients out of their shops, to prescribe across the counter?—Yes, I think that is a mode of dispensing medicine that can never be touched by any law.

3661. Whether it is law or not, you think it is such a practice as cannot be put down?—I think it cannot.

3662. Are there any points not elicited by the examination, which you wish to state to the Committee?—I think the education of the profession should be raised in degree, and rendered more uniform in its quality and quantity.

3663. You think that an uniform education should be required of all those bodies which are empowered to grant degrees or diplomas?—Yes, I think it would be for the benefit of the community, if one uniform and pretty high standard were enacted for all medical men.

3664. Would you have two grades of practitioners, or only one?—I think it is possible that two grades might exist, without much inconvenience, provided the general standard of education were raised throughout.

3665. For what acquirements would you confer the superior grade?—For a longer course of study, for a higher degree of classical, mathematical and general knowledge; and to this class I should think that the dispensing of their own medicines should not attach.

3666. If it were considered expedient that none but persons of good moral character should be admitted to the higher grade, would not continuance in practice for a certain time afford the best criterion whether a person, claiming admittance to that grade, possessed the requisite qualification of character?—Certainly I should imagine that would be perfectly right and necessary; and that any one of the lower grades should have it in his option, at any subsequent period, to submit himself to an examination, and pass into the higher grade.

3667. Might not the requisite qualification of knowledge in the various branches of medical science be ascertained by examination?—Certainly; it can be only by examination that they can be ascertained anywhere.

3668. You would not think it right to presume that the only persons possessing

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the requisite qualifications, moral, literary and scientific, were those educated in particular universities?—Certainly not. Knowledge I think is equally valuable, whether it is acquired in one place or another; and I do not see any ground for its being considered that morality and good conduct are confined to Oxford and Cambridge. It is not generally supposed that those are the best soils for the culture of such qualities.

3669. Are there any other points on which you wish to speak?—No, except that I think the regulations respecting the education of the medical profession should be centred in one body; that body to consist of the most eminent men in the profession, belonging both to the College of Physicians and the College of Surgeons; that that body should have the regulations of the curricula of education, and superintend both the education and the practice of the profession.

3670. Whom would you appoint to select that body?—I think, in the first instance, the Government; or, if that was not deemed advisable, an election by ballot or otherwise in the corporate bodies themselves, a free and open election, where the College of Physicians, including its fellows and licentiates, should appoint those who should be part of the caput or head of the profession, in conjunction with those from the College of Surgeons.

3671. Would they not experience some difficulty in settling amongst themselves who were the most eminent?—It would be decided by ballot; and in a learned profession the title of merit generally falls on the right object.

3672. Would not an election on such a principle be attended with much invidiousness?—I think it would lead to great emulation in people aspiring to that honour, both morally and medically.

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3673. ARE you a licentiate of the College?—I am.

3674. You are a fellow of the Royal Society?—I am.

3675. Physician of the St. George's Infirmary?—I am.

3676. When and where did you graduate?—I graduated in Edinburgh, in 1817.

3677. Were you first an extra licentiate of the College?—I was.

3678. When did you become an extra licentiate?—In 1820.

3679. You can speak to the examinations you underwent on the two occasions, first of becoming an extra licentiate, and then of becoming a licentiate; which was the most strict?—For the extra licentiate there was only one examination.

3680. How long did your examination last?—I should think considerably less than half an hour.

3681. Was it such an examination as would afford a fair test to the examiner of your being well or ill qualified to practise medicine?—I do not think it was.

3682. Was it strict or slight?—I think it was slight.

3683. What omissions were there of any particular branches of medical science?—I was chiefly examined on the practice of medicine; a few questions were also asked me on anatomy.

3684. Was the second examination, which you underwent to become a licentiate, of a more strict character?—It was, and more extensive.

3685. Can you conceive any good reason why one examination should be more strict than another?—No, I cannot.

3686. Have you had any opportunities of informing yourself of the state of medical education and practice on the Continent?—Yes, I have, in France, Germany and Italy.

3687. Are the qualifications of the foreign physicians inferior to those of the physicians in England?—No, I think not.

3688. Either as to their general information or medical acquirements?—I think not either.

3689. Are they as erudite in their profession, and as well acquainted with the discoveries in medicine in other parts of the world, as they are in this country?—They are, as far as I have observed.

3690. As well acquainted with the works of the best medical authors in this country?—There is a considerable difference in that respect in the different countries. In Germany they are more acquainted with our writings than in any other.

3691. Are they good anatomists?—I believe they are.

3692. What is your opinion of the expediency of requiring a good classical and mathematical

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mathematical education, preparatory to the study of medicine, of all persons claiming to receive a degree or diploma?—That it is essentially necessary.

3693. That, previous to the commencement of their medical studies, a good preliminary education is desirable?—Yes, highly desirable.

3694. Both in literature and science?—Yes.

3695. What is the nature of the preliminary education you would recommend?—A good classical education, a sufficient knowledge of natural philosophy, mathematics, natural history, chemistry, logic, and the philosophy of the mind.

3696. Did you pass through all such studies as you have described, before you commenced the study of medicine?—The greater part of them.

3697. Where?—In King's College, Aberdeen.

3698. If education were cheap, do you think there would be any difficulty in securing such preliminary education to the whole mass of medical practitioners?—I think not.

3699. On what points is medical education in this country deficient?—It is deficient, first, in the preliminary education; but chiefly in the practical or clinical part of the education, and in the imperfect nature of the examinations, which are not sufficiently numerous, comprehensive and practical.

3700. Do you think it would be desirable, as well for the sake of the examiners as the examinees, that the examination should be public?—I think part of the examinations should be public; I question whether the whole should be.

3701. Are you aware that, under the new system of examination at Oxford, a certain degree of publicity is to be given, by allowing persons of a certain degree or standing in the university to be present, during the examination?—I was not aware of that, but I think it is very proper.

3702. Supposing by *public*, were meant all medical practitioners of a certain grade, would there be any objection to their being present, if they so pleased?—No. I think *very* public examinations would tend often to embarrass the person examined, and lead to an erroneous estimate of his acquirements. That was my reason for stating the objection.

3703. In what respect does the attendance of the chief medical officers of hospitals on the Continent differ from that which prevails in this country?—Their visits are more frequent.

3704. Are careful registers kept of the cases which occur in the hospitals abroad?—Generally tabular records are kept; and very often registers of the cases.

3705. Whether they are or not, do not you think such registers are eminently desirable?—Certainly.

3706. Do you see any difficulty in making it imperative that such registers should be kept in all infirmaries and hospitals?—I can hardly speak to the difficulty; but it is most desirable that a uniform plan should be adopted in all hospitals, infirmaries and dispensaries, for official reports of the cases treated.

3707. Do you think that the hospitals in this country are defective as schools of medical instruction?—I do.

3708. In what respect might they be rendered more efficient?—By a greater number of medical officers being attached to the hospitals, and by the visits of those medical officers being made more frequent.

3709. That, in addition to keeping exact registers?—Yes, and giving clinical lectures.

3710. Do you think that the pupils of the hospitals would be very willing to undertake the duties of registering those cases?—I have no doubt they would.

3711. That it would be attended with little expense to the hospitals, since volunteers would be found to do it?—It would be attended with no expense to the hospital, but great benefit to the pupils and patients, and even advantage to the hospital.

3712. Are the dispensaries in this country efficient schools of practical medical instruction?—Certainly not; the worst possible schools for the junior medical pupils.

3713. In what respect are they deficient?—Sufficient time is not given in general to the examination of patients; registers of the cases are rarely kept, and the pupil has not a sufficient opportunity of observing the progress of the disease.

3714. Would a register of cases occurring in dispensary practice be valuable, as giving a catalogue of the most prevailing diseases occurring in the country?—Such a catalogue would be very valuable: if kept in all dispensaries and hospitals, a great deal of useful statistical knowledge would be obtained.

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3715. Might not a most valuable body of statistical facts be thus collected?—
Certainly.

3716. Were you assisted or opposed, on the part of the fellows of the College of Physicians, at the time of your being appointed to St. George's Infirmary?—
I was strongly recommended by several of the fellows of the College.

3717. Had you any opponents on that occasion?—Yes, several.

3718. Were they fellows or licentiates?—Licentiates, I believe.

3719. Were all the candidates licentiates?—The principal opponent was a licentiate; I am not certain as to the others.

3720. Who were the electors to the medical appointment in St. George's Infirmary?—The directors and governors of the poor.

3721. Must the candidate be a parishioner?—I believe so; or he must come and reside in the parish, after he is elected.

3722. How many are the electors?—I think there are about 30.

3723. Were you one of those who signed the petition of the licentiates to the House of Commons?—Yes.

3724. Do you think that the licentiates labour under any disadvantages, as compared with the fellows, in obtaining practice or otherwise?—I think they labour under a disadvantage as far as public appointments are concerned in general.

3725. You think the candidate for a public appointment, being a fellow, would have a better chance of being elected, than if he were a licentiate?—Yes, inasmuch as he would generally be supported by the body of fellows.

3726. If a young physician, a graduate of Oxford or Cambridge, come to London, and becoming a fellow of the College, attend their meetings, does not this offer him the means of introduction to the fellows, and may not such introduction be very advantageous to him?—I think his being a fellow may be of advantage to him; I am not aware that his attending the meeting will be of advantage.

3727. Does not that give him an opportunity of coming into contact with the senior fellows?—Yes.

3728. Are not juniors sometimes called in by seniors to attend patients?—
---Yes.

3729. Have not the seniors great opportunities of benefiting juniors in that way?—They have such opportunities, no doubt.

3730. Therefore the being brought into contact with the senior, is not a thing altogether to be disregarded by the young fellows?—Certainly not.

3731. Do you think the preference given by the present bye-laws, to the graduates of the two English universities, is a reasonable preference or not?—
I think it is not.

3732. If persons educated elsewhere than at the two English universities, possessed the requisite qualifications, can you conceive any reason why they should be considered as less entitled to be elected?—No, I cannot, if their education is equally good.

3733. If there be any difficulty in ascertaining moral qualifications, may not probability next to certitude upon that point be obtained, by requiring a certain degree of residence or continuance in practice, before electing the candidate into the College?—Yes, I think so.

3734. All other points you think might be ascertained by examination?—Yes, by proper examination, after a sufficient course of medical education.

3735. Do you assent to the proposition that to ascertain the moral qualifications of a candidate is impossible by any other means than by certificates of residence and good behaviour within the walls of a college?—I think it is possible to ascertain them by examination and inquiry.

3736. Do you think there is any insurmountable difficulty in the College of Physicians informing itself on those points, in respect of students from the English universities and from other places of education?—I think not.

3737. It is necessary to ascertain, not only that the person has been educated where he is likely to acquire good moral habits, but that he is a man of good moral habits, both in the one case and in the other?—Yes, as far as this can be done.

3738. The best mode in your opinion of ascertaining that would be a certain residence or continuance in practice?—Yes.

3739. Are there any other points on which you would wish to give your evidence?—
---No, but that I beg to state that my own great object, and I believe that of the
greater

greater number of the licentiates who signed the petition is, to see education, preliminary as well as medical, generally raised, and consequently the character of the profession advanced.

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3740. Do you belong to the Association of Licentiates?—I do.

3741. Of how many does that association consist?—I cannot tell.

3742. Cannot you state about how many there are?—I really cannot.

3743. Are there any of them that have withdrawn from it since it was first established?—I believe there are.

3744. Why have they withdrawn?—I really do not know; one gave the reason of bad health. I recollect but two who have withdrawn.

3745. Has either of them withdrawn in consequence of violent language used at any meetings of the association?—Not that I am aware of.

3746. Would it be prudent to withdraw from the medical student all inducement to obtain his education at an English university?—I do not think, as far as my information goes, there is any particular inducement for a student intending to enter the medical profession to go to an English university, in preference to any other.

3747. Are not the advantages, whatever they may be, derived from the fellowship, an inducement to students to be educated at Oxford or Cambridge?—That is the chief inducement.

3748. If that restriction were removed, the inducement would be withdrawn?—The inducement to go to those universities in particular; but not the inducement to a university education; and if one, equal or superior to that given at Oxford and Cambridge, can be got in other places, the removal of such restriction would not interfere with the good education of the profession.

3749. Is there any other British university at present, where such a preliminary education is held requisite for the obtaining a medical degree?—Yes; the Dublin University, I believe, requires a preliminary education. It is understood there is also a certain degree of education required at others.

3750. Do you apprehend that the preliminary education required at Dublin is equal to that at Oxford and Cambridge?—I do not know what the exact course of education in Dublin is.

3751. What is the nature of the preliminary education required at the Scotch universities?—At Aberdeen, the candidate must be master of arts, before he can be examined for the degree of doctor of medicine.

3752. Are you acquainted particularly with the present system of education at Aberdeen?—Not particularly. As I understand, considerable improvements have taken place, since I was educated there.

3753. Is the degree of master of arts indispensable at the university to obtaining a degree in medicine?—Yes.

3754. Did you mean, by a former answer, that no person would go for a medical education to an English university, unless some inducement were held out to him, by reason that the medical education at the English universities is so imperfect?—Yes, that was my meaning; and that the general education was not so much superior as to induce the medical student to go there, unless there was the inducement of being made a fellow of the College.

3755. The medical education you consider decidedly inferior?—Decidedly inferior to our medical schools.

3756. Are the parties, belonging to the association which has been alluded to, the only parties who have signed the petition to the Legislature?—No, many licentiates have signed the petition, who do not belong to the association.

3757. Are you aware that some of the licentiates left the association, because they had been informed that the College of Physicians were about to reform themselves?—I think I heard that was the reason given by some of them.

3758. Have you drawn up tabular views of the state of medical education in different countries?—I have.

3759. Would you object to laying them before the Committee?—Not at all.

[The Witness delivered in the same for the inspection of the Committee.]

Veneris, 18^o die Aprilis, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Francis Hopkins Ramadge, Esq. M.D., called in; and Examined.

F. H. Ramadge,
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3760. YOU are a fellow of the College of Physicians?—I am.
3761. Where did you receive your medical education?—I received it in Dublin, in a great measure.
3762. Did you graduate in Dublin?—I did.
3763. What degree did you take?—I took the degree of bachelor of medicine.
3764. Were you previously bachelor of arts?—Bachelor of arts and master of arts.
3765. In what year did you graduate in Dublin?—In the early part of 1819, I think.
3766. Where did you afterwards graduate?—I graduated at Oxford.
3767. Were you incorporated at Oxford?—Yes; I took an ad eundem degree.
3768. Did you become an inceptor candidate of the College of Physicians, London?—After taking a bachelor of medicine's degree at Oxford, I underwent an examination at the College, with a view of being an inceptor candidate.
3769. In regular course, you became a fellow of the College of Physicians?—Yes.
3770. What sort of examination did you undergo at Trinity College, Dublin, previous to graduating in medicine?—The examination was highly respectable.
3771. Was it extensive?—Yes; it lasted about an hour and a half, or two hours.
3772. What branches of medical science did it comprehend?—I was examined on the practice of medicine, on anatomy minutely, and on chemistry very minutely, and on botany, materia medica and physiology.
3773. Did you ever attend in Dublin, at the College of Surgeons, any of the examinations for obtaining a diploma in surgery?—Not being a member, I had no opportunity.
3774. You do not know whether it is more or less strict, or more extensive or less so, than an examination before the College of Physicians in Dublin?—I believe the examination in the College of Surgeons is both more strict and more extensive; it is chiefly confined to surgery, anatomy and physiology.
3775. What were the ceremonies you were required to undergo previous to being incorporated, as bachelor of medicine, in the University of Oxford?—First of all, when I intended to graduate at Oxford, I waited on Sir Christopher Pegge, regius professor of physic at Oxford, and I showed him my diplomas, to prove that I had attended every branch of the medical profession, midwifery, surgery and anatomy, &c., under a great many professors. I felt very much surprised, when I stated the number of individuals I had attended, that he did not pay that respect I expected to the extensive opportunities I had availed myself of.
3776. Had you, in the interval between your taking the bachelor of arts degree at Dublin and your applying to be incorporated at Oxford, studied medicine, and frequented hospitals anywhere else?—Yes, I went to Paris for a few months.
3777. What passed between you and Sir Christopher Pegge?—I brought forward a great many certificates and testimonials of having attended several surgical and anatomical lectures, and stated that I had attended the surgical practice at two hospitals in Dublin, and that I had likewise paid attention to the pharmaceutical branch of the profession. But he told me it was not necessary to exhibit any certificates; that all he required was, to show that I had gone through the regular degrees in Trinity College: in fact, he did not look at the testimonials of my having attended the several professors and hospitals.
3778. Did he require you to undergo any examination?—No examination whatever.
3779. Were you called upon to perform any exercises in the schools?—I am not aware that I performed any exercise; I found it merely necessary, on taking my degree, to go to the Convocation-hall.
3780. You entered your name at one of the halls or colleges?—I entered at St. Alban's Hall. I had previously received a letter from Dr. Kidd, requesting me

to arrive at Oxford the day but one preceding degree-day, in order that I might be matriculated at one of the colleges.

3781. Did anything further pass between you and Sir Christopher Pegge?—He seemed by no means inclined to pay me any compliment, after my having put myself to a great deal of expense, by attending so many professors and hospitals. I told him that it struck me, that the degrees of the University of Oxford were conferred without any great difficulty. He seemed, I thought, very much displeased. I believe I mentioned to him that a relation of mine, who was president of the College of Physicians in Dublin, had advised me not to go to Oxford or Cambridge; that I was not likely to receive a proper medical education in either of these places.

3782. Was this advice given you before you went to Dublin?—When I commenced my medical education in Dublin, the president of the College of Physicians was Dr. Francis Hopkins, a relation of mine. He advised me not to study any part of the profession of medicine at Oxford or Cambridge.

3783. How were you occupied during the time of your waiting on Sir Christopher Pegge?—I remained only a few minutes. It was at his house, in Conduit-street, near Bond-street.

3784. You were required to produce your *bene decessit* from the college at Dublin at Oxford?—Yes; he told me it was only necessary for me to show I had passed through arts.

3785. Then the degree was conferred upon you without any examination?—I received no examination at Oxford, and I took the liberty of telling Dr. Kidd that I was surprised there were no examinations.

3786. What is the nature of the *bene decessit*? Is it a testimonial regarding character?—I received, of course, in my degree a regular certificate as to my moral conduct, and that I had conducted myself properly in the course of my education.

3787. The provost of Trinity College, Dublin, gave you that certificate?—Yes.

3788. That was required of you by Sir Christopher Pegge?—I had nothing else but my doctor's papers.

3789. Had you any regular certificate from the provost of Trinity College, Dublin, certifying that you had quitted the college, having conducted yourself well?—No, I think not; but I had my matriculation paper, which was of importance, and the degree of bachelor of arts, master of arts, and bachelor of medicine. I am not aware that I had any other paper.

3790. In fact, Sir Christopher Pegge, finding you had graduated at Dublin, took it for granted you had gone through all the proper exercises and courses of lectures?—Certainly.

3791. In what year was it you were incorporated in Oxford?—In the year 1820, I think; in April 1820.

3792. Have you held any offices in the College of Physicians?—I have been a censor, an inspector of apothecaries' shops, and it came to my turn to be one of the commissioners of the Vaccine Board; but the two junior commissioners, Dr. Elliotson and myself, were struck off. Some change took place just before we were elected censors.

3793. The number of commissioners of that Board was reduced?—It was.

John Haviland, Esq., M.D., called in; and Examined.

3794. YOU are Regius Professor of Physic in the University of Cambridge?—I am.

3795. You are also a fellow of the College of Physicians in London?—I am.

3796. Did you ever practise physic in London?—Never.

3797. You are a practising physician at Cambridge?—I am, and have been so for nearly 22 years.

3798. When did you graduate in physic at Cambridge?—I took my doctor's degree in 1817. At first, I did not proceed in physic. I took a degree as bachelor of arts; then as master of arts; and in 1812 I received a licence to practise; since which I have resided in Cambridge. In 1817, I took my degree of doctor in physic.

3799. Is not the most usual time for a student to be entered at Cambridge, during Easter term?—I am not aware that any one time is more usual than another.

3800. The time of commencing residence is usually October?—Generally;

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with those intending to graduate in arts, rather more than with those who intend to graduate in physie.

3801. Suppose a student were entered during Easter term, and were to commence residing in Cambridge the October following; how soon afterwards would he be required to declare his intention of proceeding in medicine, and not in arts?—He must declare his intention of proceeding in physie before the 1st of February in his fourth year; but he generally does so long before that time.

3802. Is not the student in medicine required to have had his name upon the books for 18 terms, before he can graduate as a bachelor of medicine?—The words of the statute are, “*medicinæ studiosus sex annos rem medicam discat.*”

3803. As there are three terms in a year, would not that bring it to 18 terms? That does not necessarily follow; because the last is not always a complete year.

3804. For how many terms must he have his name upon the books of a college?—It does not necessarily follow that it should have been for 18 terms; but he must have entered on the sixth year after his name has been entered.

3805. He need not complete the six years; but if he has entered on the sixth year, he may then take his degree, after five years and a fraction?—That will entitle him to be examined, but not to take his degree. He would take his degree at any time in the sixth year, if he has passed his examination and been approved. But he is not entitled to take a degree till he has passed his examination and been approved.

3806. Suppose he has been examined and approved, shortly after the completion of five years, could he take his degree before the six years were completed?—Certainly, he could be presented to his degree. He might be said to have taken his degree at any time in the sixth year, after having proved himself to be qualified. It would depend also upon the time of year at which he had entered his name. If he had entered his name in June, as the examination takes place in May, he would nearly have completed his six years; but if he had entered early in May, before the time of examination, which is in the middle of May, he would be allowed to pass his examination and have his degree the subsequent term, after his year was complete, or in a little more than five years. Supposing a student's name had been originally entered on the college boards in July, and he were to pass his examination in May, he would then be nearly of six years standing; if his name had been originally entered early in May, he would be of little more than five years standing.

3807. He is required to keep nine terms?—He is.

3808. May he locate those nine terms as he pleases, in any part of the six years; or is he required to keep nine successive terms?—He must reside during those terms in which the lectures are given, and as they are given in all the three terms, he cannot absent himself during all those terms.

3809. The different lectures he is required to attend are given during all the three terms. He must, therefore, so choose three of the nine terms, that during one year or another he shall keep Michaelmas, Lent and Easter terms?—Precisely.

3810. Must the Michaelmas, Lent and Easter terms which he keeps, be successive terms?—Yes, in some degree, they must be: because the lectures in anatomy begin in Michaelmas term, and continue during the Lent term; and he could not attend the lectures, one half in one academical year, and the other half in the next.

3811. Would that be disallowed?—It would be in the breast of the lecturer to allow it, or not. I would not allow it. I do not know what the professor of anatomy would do.

3812. During what terms is your course given?—During Lent and Easter terms.

3813. Would your course admit of the student attending one-half of the course in one academical year, and the other half in another?—I should expect some sufficient reason for a student doing so.

3814. Except the successive terms requisite for attendance on the lectures, may he keep the remainder of the nine terms during any part of the period of six years that he pleases?—Yes; but he must account for that portion of the six years during which he is absent, by showing that he has been studying at some hospital, or at some medical school; according to an express grace which has not long since been passed, and which I have with me.

3815. In all the answers you give, state what was the practice when you first came to your professorship, and what it is now, the regulations having been materially changed in that interval?—They have been very much changed.

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3816. What portion of each term is the student in medicine required to keep, according to the statutes?—The statutes say nothing, except that students must reside the greater portion of each term, in order to keep it. But the colleges have express regulations by which they define the period required for residence; and that applies equally to all under-graduates, whether studying physic, or arts, or law; and it varies in the different colleges. I ascertained yesterday, from Mr. Whewell, the tutor of Trinity College, what the requisite period was there. He said that students were expected to be at Cambridge about the 20th of October, that is 10 days after the commencement of Michaelmas term; and from thence till the end of it, the 16th of December. That they were expected to be there again in about a fortnight, or rather less, after the commencement of Lent term, that is, about the 24th of January, the first fortnight of this term being occupied in the Senate-house examinations, with which some of the tutors are so much occupied, that the college lectures cannot go on, till after those public examinations are over. The students continue in residence from about the 24th of January till the division of the Easter term, or about the end of May, with the exception of the Easter vacation, which occupies 20 days.

3817. The words of the statute are, *major pars*?—Yes, I believe they are; I have not, however, referred to the statute, but to the practice. So long as I have known the university, the practice, as stated by Mr. Whewell, has been the practice at Trinity College; and at St. John's the lectures begin rather earlier.

3818. The practice as to the portion of a term that the medical student shall keep, will vary in the different colleges?—Very materially; but nearly all of them, I believe, will occasionally require a residence of more than the mere half of the term.

3819. You do not believe that any of the colleges would be satisfied with residence exceeding the half-term by one day?—I am not sure whether it may not be the case with the small colleges.

3820. Are all students in medicine required to pass what is called, the *little-go* examination?—Yes, without exception.

3821. Even were a person to come to Cambridge, who was somewhat advanced in age, a graduate, perhaps, of Edinburgh, or a licentiate of the College of Physicians, and that, not so much for the purpose of studying, as of obtaining a medical degree, he would still be expected to pass the *little-go* examination?—There is no distinction of persons at all, that I am aware of.

3822. Formerly, was it an uncommon practice, for persons who had not passed the ordinary period of youth at the English universities, and who wished to obtain admission into the College of Physicians, to go to Cambridge in order nominally to keep their terms, and obtain their degree?—Not that I am aware of; I cannot speak to that from any experience of my own.

3823. Do you not know that many men have gone to Cambridge, of a more advanced age than those who usually frequent the universities for the purpose of general education, for the sole purpose of residing, with a view to obtain a medical degree?—Yes, very many of our medical under-graduates are doctors of Edinburgh and of other universities; at least, several have been so: but they are subject to the same examinations and the same discipline as others are, so far as I know.

3824. What do you suppose to be the object of such persons as you describe, who are more advanced in age, and have already obtained their doctor's degree, in going to Cambridge?—I suppose they wish for the instruction they get there; I presume they expect to learn something there. I have known M. D.'s of Edinburgh who have taken the B. A. degree at Cambridge with great credit to themselves, and have obtained fellowships.

3825. May not the degree be more an object than the instruction?—I presume the degree is an object with all who go.

3826. Are you aware that a preference is given to the graduates of the two universities, in entering the College of Physicians?—Certainly.

3827. May not this furnish a motive for their wishing to enter the English universities?—It is possible it may be, certainly; but I never have had that motive assigned to me, therefore I cannot give it.

3828. What is the practice of the different colleges, in requiring attendance on the college lectures in classics and mathematics from those, who have declared their intention of proceeding in medicine?—The rule, I believe, has been, that, for the first five terms, they must attend the lectures of the college; in the second year, (that is, after they have passed the previous or *little-go* examination,) attend-

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ance upon the medical lectures is considered a sufficient excuse for not attending the college lectures, when they happen to fall at the same hour. I have known students absent from my lectures, the first year; probably because mine interfered with the college lectures, which they were required to attend until they had passed the previous examination. After that, an attendance on the anatomical, chemical, or medical lectures is considered a sufficient excuse for not attending the college lectures, if they happen to fall at the same time. This is a rule made by the college tutors, which may vary every year.

3829. If a person has entered during Easter term, and has commenced residing in the Michaelmas term following, when will he be subject to the little-go examination?—At the end of five terms; that will be, the last week before the Easter vacation.

3830. He would be required to attend the college lectures, until after the little-go examination?—I believe so. It is so at Trinity College, and at St. John's. It varies in the different colleges, according to the discretion of the tutor.

3831. According to the practice of Trinity College, would the medical student be required to attend the college examinations?—Certainly.

3832. For how long a time, after his first entrance?—I can speak better for St. John's, for I am a member of St. John's. For the first two years, in my time; and, I believe, all three: but certainly, two.

3833. Both classical and mathematical?—Precisely.

3834. Does this obligation to attend the classical and mathematical college lectures, and to undergo the periodical college examinations, apply as well to the students of the ordinary age as to the seniors, who come for the sole purpose of obtaining their degrees?—I do not believe there is any fixed rule in regard to age; but if an individual places before the college authorities any sufficient reason why he may be exempted, they sometimes exercise a discretion: but I do not believe that attendance on lectures is commonly dispensed with, except in cases of married individuals. Generally speaking, as far as my experience and knowledge go, where men have come down with families (which is not a very uncommon thing at Cambridge) they are exempted from attending the college examinations. But I am pretty sure that the mere age of the individual, unless he is much advanced beyond the age of under-graduates generally, would not be considered a sufficient reason for his not attending them.

3835. Were a person of three or four and twenty, who had graduated at another university, to come to reside at Cambridge, would not his attendance on college lectures and examinations be excused?—I do not think his having graduated elsewhere, would be taken into the account, in the slightest degree whatever. I never heard that it was. We do not acknowledge any degrees, except those of the English and Irish universities.

3836. Should you say, not at any college?—I believe at none. I cannot speak from experience of all. I may say, that I do not know of those men who graduate in physic, whether they are doctors or not. I find perhaps, after they have taken their degrees with us, that they had taken degrees elsewhere previously.

3837. Although the university, with the exceptions you state, takes no cognizance of the degrees conferred by other universities, yet, in case a person were to represent that he had gone through all the studies required to obtain a degree in another university, and was of a somewhat advanced period of life, would the college tutor excuse his attendance at lectures and examinations?—I think in no degree whatever, on account of his being a doctor at a Scotch university. I have known many young men, apparently lads, come to Cambridge as doctors, and this degree has been rather the subject of joke than anything else. I never heard that they were excused from attending college lectures on that account. Our doctors are generally not less than 30 years old. I never heard that a Scotch degree was considered as a sufficient reason for the graduate not being subject to the discipline of the universities in every respect. I believe it is not known, in nine cases out of ten, to the university authorities, nor to the college authorities, that the parties have received such a degree. They do not take any cognizance of it. I do not consider the being a doctor at 21, after a residence of three or four years, any ground for being exempt from the discipline of our universities.

3838. The question respects the college discipline?—Neither college nor university discipline, I believe.

3839. It being a purely voluntary act on the part of any such Scotch graduate to go to the University of Cambridge, is it incumbent upon the university to alter its

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its plan of discipline for the purpose of accommodating such individual?—I am quite clear it is not the practice at Cambridge, and I see no reason why it should be.

3840. Is this the principle on which the University of Cambridge proceeds in its plan of educating young men for the three faculties of physic, divinity and law: to give to all a large and liberal foundation, upon which they may afterwards respectively raise their purely professional acquirements?—Most assuredly, that appears to be the object which governed the framers of the laws of the university, to lay the basis of that kind of education which may be useful in every department of science.

3841. Has the plan of requiring the same attendance on college lectures and examinations from all medical students, whatever be their age and degree, been acted upon ever since you came to the professorship, or only recently?—My observation applied to the degree, not to age. There always has been a tendency to be less strict in discipline of all kinds, with persons advanced to a certain age. The question referred to a person at 24. If a person were to come to the university at 40, with a wife and family, though I think the discipline of the university would be altogether relaxed, yet I do not think the having taken a degree in Edinburgh, or anywhere but Oxford and Dublin, would be the cause of any relaxation of discipline. The age might be; but not the age of 24: this however is at the discretion of the tutor, and the practice is constantly varying.

3842. What age would be?—The question referred to 24. I take the extreme case of 40.

3843. At what age do you think relaxation would begin?—I think more would depend upon the individual being established as a family man, than upon his being of any precise age. It is a matter so much depending upon who the individual is, that I cannot answer the question more specifically. And here also the practice varies in different colleges, as I think I have stated before.

3844. What number of young men have been incorporated into the University of Cambridge from the Universities of Oxford and of Dublin?—I know nothing, except in my own faculty. Never but one, since the year 1817.

3845. Would you have any cognizance of the incorporation, supposing it was a graduate in arts that was incorporated, and that after being incorporated in arts, he proceeded at Cambridge in medicine?—Unquestionably; it must necessarily fall under my knowledge.

3846. Will that answer apply to all incorporations whatever of persons who afterwards proceeded in medicine?—Yes. There never has been more than one, since I was appointed professor. He took his degree on the same day on which I took mine.

3847. How many have graduated at Cambridge who had previously taken degrees at other universities?—I cannot tell. Many graduate at Cambridge, of whose degrees at other universities we have no cognizance whatever. I know a great many do. I have a list of all the graduates of medicine since 1818, and there is not one of them who has been incorporated, from either Oxford or Dublin.

3848. A witness, who has appeared before this Committee, and who began to reside as a medical student, at Jesus College, when about 26 years of age, states what was the course of discipline pursued in his case:—“*Q.* Being rather more advanced in age than those who usually go to Cambridge, and being already a licentiate to practise in London, was any course of study required of you while you were at Cambridge? *A.* I was left to study as I pleased. I associated with the tutors of the college, and the fellows; and I studied in my own way. I was a fellow-commoner there, and necessarily associated with the fellows. *Q.* It was not required that you should attend the college lectures in classics and mathematics? *A.* It was not required, because I had read the books used in college over and over again?”—I know of no such practice; but, as I have mentioned already, these matters depend much on the discretion of the tutors; and it might be that the tutor gave an exemption to a pupil: but it is not the custom, certainly, in the larger colleges.

3849. When you first came to your professorship, what curriculum of medical study was required, as a qualification for obtaining the degree of bachelor of medicine?—I believe there was none.

3850. Your predecessor was Sir Isaac Pennington?—He was.

3851. All at that time necessary for obtaining that degree was, that the can-

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didate had been on the boards of one of the colleges the requisite time, had kept nine terms, and had passed such an examination at the time of keeping his physic act and opponency as the professor chose to subject him to?—Yes.

3852. Was it requisite he should attend a course of lectures, given either by the professor of physic or by any other professor?—There was no law to enforce it; but I believe it was the practice. I attended the lectures on chemistry and anatomy. On botany, there were none at that time.

3853. It was not a necessary requisite?—There was no law to enforce it.

3854. Did Sir Isaac Pennington himself give lectures in physic?—No. I believe there had never been lectures given in physic, *i. e.* no regular course of lectures. I should explain, that at the time the public exercises are performed in the schools, it is the practice for the professor to give a Latin lecture: and it was always understood, I believe, that the prelectiones mentioned in the statutes, alluded to those public lectures given in the schools. They then were always so given.

3855. In order to comply with the statute or ancient usage of giving prelections, was your predecessor in the habit of giving a single Latin lecture in the course of the year?—Not in order to comply; but it was considered a necessary exercise for the degree, that the professor should read a lecture on one of the subjects of disputation, whenever an act was kept in the schools.

3856. The candidate for the degree himself read a thesis, which the professor opposed; and reciprocally, the professor of physic read a thesis, which the candidate opposed?—Not precisely; the candidate for a degree read a thesis, the subject of which was the matter for discussion between the candidate for the degree and the opponent; and the professor generally, in those days, was the opponent. But the lecture of the professor was a totally different thing. It was what is termed, “the determination,” a lecture on some medical subject, in Latin, delivered on every occasion of a physic act being kept; and that custom is still observed.

3857. Is it expected that the candidate for a degree shall oppose the determination?—No, it is a determination, or succeeds to the disputation. There are two subjects discussed; the first is selected by the candidates for a degree, which is the one upon which he writes his thesis: the second is selected by the professor, and it is discussed; and after the discussion is finished, the professor reads a determination, or gives a lecture upon that subject, stating his opinion on the subject discussed.

3858. He gives his decision?—It is more than that; it is a Latin lecture.

3859. For the instruction of medical students?—Yes, they frequently attend, as it is for the general instruction of the candidates for the degree.

3860. Whatsoever curriculum of study there may now be prescribed at Cambridge, has been introduced by yourself?—It has.

3861. On what subjects is it that the candidate for a degree must have attended lectures?—Perhaps I should best answer that question, by giving in a copy of the resolutions agreed to at the time the regulation passed, to which allusion is made. It was proposed in February 1829, and passed on the 27th of that month.

3862. Between the period of your coming to the professorship and the passing of this grace, what was the practice?—I was appointed professor in the year 1817, and in 1819 I began to lecture. At the same time I proposed to the university that a grace should be passed, to enforce attendance on my lectures. I also established the examination; and in that examination the men were examined in all the subjects connected with medicine; that is, in chemistry, botany, pharmacy, anatomy and therapeutics.

3863. Is it to be understood that you, the professor of physic, examined on all those subjects?—I did at that time.

[*The Grace was delivered in.*]

Pembroke Lodge, Feb. 5, 1829.

The following Grace having been passed by the senate on 3d December 1828:

“Cum quæstio orta sit utrum medicinæ studiosi suam artem in hâc academiâ statis exolant:

“Placeat vobis, ut Dominus Procancellarius, Episcopus Lincolnensis, Dr. Wordsworth, Dr. Davy, Dr. Frere, Dr. Haviland, Dr. F. Thackeray, Dr. Clark, Professor Cumming, Professor Henslow, Mr. Carrighan, Mr. Peacock, Mr. King, Mr. Turnbull, Mr. Ramsay, syndici vestri constituentur qui consulant de regulis et examinationibus, quibus ii qui gradus in medicinâ ambiant sint obnoxii—et ante finem termini proximè sequentis de his rebus ad vos referre teneantur.”

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The syndics beg leave to recommend to the senate the adoption of the following regulations:

1. That candidates for the degree of M. B., in addition to the examination of the regius professor of physic, be examined by the professors of anatomy, chemistry and botany, each in his own science, previously to the performance of the public exercises in the schools.
2. That in case the courses of lectures of the professors of anatomy and chemistry consist of not less than 50 lectures each, and that of the professor of botany of not less than 20; the candidates for the degree of M. B. be required to attend one course at least of each of these lectures.
3. That certificates of examination and of attendance on lectures be sent to the regius professor of physic by each candidate; before he proceed to the performance of his public exercises.
4. That should the Downing professor of medicine give a course of not less than 50 lectures on a subject not previously occupied by the regius professor of physic, or the professors of anatomy, chemistry, or botany, a certificate of attendance on such lectures, and of examination by the professor be required, as in the case of the professors of anatomy chemistry and botany.
5. That the examinations take place once in every term, on the days appointed by the examiners.
6. That the examinations be conducted in English, by written questions, to which the persons examined be required to give answers in writing.
7. That the examinations shall commence in the ensuing term; but that no certificate of attendance on the lectures be required of those who have kept six terms previous to the date of these resolutions.
8. That whereas by a grace of the senate passed June 1, 1821, bachelors of arts proceeding to the degree of bachelor of medicine, are required to attend the lectures of the regius professor of physic in the interval between their degrees, this regulation do not extend to attendance on the other lectures.
9. That candidates be allowed to offer themselves for examination at any time during their fifth year from admission, but not earlier.

The syndics also recommend the adoption of the following Regulation:

That no person be permitted to proceed to the degree of bachelor of medicine, who, having been admitted of any college after this date, shall, during the time of his being in *statu pupillari*, have been engaged in the practice of pharmacy or midwifery, or in any trade whatsoever.

G. Ainslie, Vice Chancellor,	J. Cumming,
J. Lincoln,	J. S. Henslow,
Chr. Wordsworth,	A. J. Carrighan,
W. Frere,	G. Peacock,
J. Haviland,	J. King,
F. Thackeray,	M. Ramsay.
W. Clark,	

Graces to confirm the above resolutions will be offered to the senate at a congregation on the 27th instant; on which day the graces passed, the first unanimously, the second with one dissentient voice only.

3864. On what subjects is it necessary that the candidate for a degree should have attended lectures?—First of all he is to attend the lectures of the regius professor of physic, which include the practice of physic, the elements of pathology and therapeutics. He must also attend the lectures of the professors of anatomy, chemistry and botany; those are the only remaining subjects in which attendance on lectures is required.

3865. How many courses of lectures on each of those subjects must he have attended?—There is nothing said about the number of courses in the regulations. A large proportion of the students attend more than one course, sometimes two, and sometimes three courses. I purposely make all, after the first course, gratuitous, to induce them to attend the second.

3866. They must attend at least one course?—Yes, they must satisfy each professor, that they have attended his lectures diligently.

3867. Of what length, either as to time or number of lectures, must each of those courses be?—The professors of anatomy and chemistry must each give a course of 50 lectures; the professor of botany, 20. To the course of the professor of physic there is no precise limit. My course, if complete, would consist of 75 lectures; but I never in one year exceed 50 lectures, besides clinical instructions at the hospital: I am not restricted as to the precise number of lectures in my course.

3868. Is it necessary that the prescribed courses of lectures, in order to qualify the candidate for a degree, should be given by the several professors of anatomy, chemistry and botany, in the university?—Certainly: besides which, there is the

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Downing professor of medicine. If he gives a course of 50 lectures, the same law applies to them.

3869. Is any length of attendance on hospital practice prescribed?—By a recent regulation, the regulation now subsisting, during the absence of the candidate for the degree from the university, he must have attended hospital practice elsewhere for two years.

3870. Is that regulation comprehended in the former grace?—No, that is more recent.

3871. Of what date?—That is of the present year. I have the regulation here :

[The same was delivered in and read, as follows:]

“ Quum statutis vestris Regiis provisum sit, ut medicinæ studiosi sex annos rem medicam discant, novem vero tantum terminos in academiâ complere teneantur,

“ Placeat vobis ut, post annum 1835, unusquisque examinationem pro gradu baccalaureatûs in medicinâ subiturus, professori medicinæ regio in manus literas certificatorias tradendas curet; quibus liquido constet, se apud aliquod bonæ notæ nosocomium morbis curandis interfuisse, atque etiam prælectionibus audiendis diligentem operam dedisse per duos annos; vel quamdiu ab hâc nostrâ academiâ abfuerit.”

3872. Does that “quamdiu abfuerit” mean, that during the whole period of his absence, he must have been in the constant course of attending hospital practice?—So long as he is absent from the university.

3873. Suppose he were absent not the minimum of time, but three or four years; must he have attended hospital practice during the whole of that time?—No, only two years; so that with the three he resided, we take cognizance of the sex annos. Of course we do not require a man to attend lectures longer than that.

3874. If therefore a medical student continues to reside at the university up to the period of taking the degree of bachelor of medicine, he must attend Addenbroke’s Hospital?—Yes, he would be expected to attend Addenbroke’s Hospital, though there is no law to compel him.

3875. Is it now required that the “medicinæ studiosi,” while residing at the university, attend the hospital?—By no formal regulation; but they do in fact under my superintendence.

3876. Previous to the grace which you have just read, was any attendance on hospital practice requisite?—No attendance away from the university, although in point of fact all the medical students have been in the habit of attending hospital practice elsewhere. I never knew one who took his degree, who had not done so.

3877. At what schools, and for how long a time, must the candidate for a degree have dissected?—That is left to the discretion of the professor of anatomy. There is no regulation to enforce any attendance on lectures on anatomy or dissections.

3878. Is any attendance on the practical operations of pharmacy requisite?—None is required.

3879. Or surgery?—No, nor surgery.

3880. Is any order prescribed in which the various branches of medical science should be studied?—None whatever. It is thought better to leave it to the opportunities and discretion of the individual, rather than to prescribe the course and order of his studies.

3881. Are you aware that at Paris and in some other foreign universities, it is prescribed what branches of medical science shall be studied in each year of the total number set apart for the study of medicine; and that in the report of the commissioners upon the Scotch universities, a similar division of the whole course of study into periods, is recommended?—I can see the necessity of such a regulation, if the number of years is very limited; but since a doctor’s degree is not conferred under 10 years at the earliest at the University of Cambridge, I see no necessity for it: it is best left, I think, to the individual.

3882. Have the professors of anatomy, chemistry and botany delivered, the two first 50 lectures each, and the latter 20?—I believe they have.

3883. They have severally delivered such a number of lectures, as to enable the medical students, by attending the same, to obtain the qualification required by the grace you have referred to?—They have so.

3884. Has the Downing professor been in the habit of delivering lectures?—I am not aware that he has. He has given notice of lectures, but I am not aware that he has delivered them.

3885. Are the days and hours of delivering the lectures on physic, anatomy, chemistry and botany such, that a person may attend them all in three successive terms?—

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terms?—The professor of physic lectures from ten to eleven, and attends at the hospital at eleven. The professor of chemistry lectures from twelve to one. The professor of anatomy from one to two in Michaelmas and Lent terms. The professor of botany lectures from one to two in Easter term, and the professor of mineralogy from two to three.

3886. Have any students been able to attend all the courses required in three successive terms?—I cannot say. They bring the certificates to me, of having attended the lectures. I do not inquire when they attended them. They certainly could attend them all, if the hours do not interfere, and I dare say they do not.

3887. What evidence are the candidates for a degree required to produce that they have actually attended the lectures, hospitals, &c. which they are required to attend?—That is implied in the grace I have read.

3888. With regard to hospitals that is the same?—They are to bring a certificate from the hospitals, to satisfy the professor of physic.

3889. Is that given by the physician of the hospital?—Yes, it is a certificate to satisfy the professor that the students have attended, and have been diligent in their attendance.

3890. What means are taken to ascertain, that the certificates produced are really satisfactory evidence of the lectures having been attended?—Each individual who attends the lecture brings with him a card; and if he neglects to attend, I require him to make up the number on another occasion.

3891. If any one lecture out of the whole course were missed, should you require him, in a subsequent course, to attend to make up that day?—I might do so.

3892. A slight omission, perhaps, you would not take notice of?—They generally make up the full number. I should not refuse a man a degree for one lecture, I dare say.

3893. Since no attempt is made to enforce regularity of attendance on the part of students in general at the lectures of the professors of anatomy or chemistry, by what means is it ascertained that medical students have actually attended those lectures with regularity?—I really do not know what the practice is. With regard to the professors, they certify to me that the students have attended their lectures; and I presume that they have ascertained it, before they certify it.

3894. How long is it before a candidate for the degree of bachelor in medicine keeps his exercises in the schools, that he is examined by the professors of anatomy, chemistry and botany?—The usual plan is, that the examination shall be undergone just before the taking of the degree. We have three examinations in the year, the principal one in May.

3895. What are the periods of the year?—It is discretionary; we are limited to have one in each term, and it is suited to our convenience.

3896. The principal one is in May, so that the candidates may take the degrees at the commencement?—No; the bachelors do not take their degrees at the commencement; but soon after they have passed their exercises, generally in June.

3897. When was it that you discontinued examining in all the subjects of physic, anatomy, chemistry, and botany; and that a part of that examination devolved upon the several professors of anatomy, chemistry, and botany?—In 1829; but allow me to say, that the subjects referred to in the last question do not include all the subjects of examination. The candidates are examined in the Greek and Latin medical writers, besides.

3898. You mean that not only is that examination conducted by you, but that, shortly before granting the degree, the professors of anatomy, chemistry, and botany, examine also?—All the examinations commonly take place in the course of the same week. There are three or four days employed about it. It usually begins on Monday, and terminates on Thursday; sometimes on Wednesday; or it may be protracted till Friday. I examine twice, and each of the other professors once.

3899. Do they adopt the mode of having printed papers of questions?—It is prescribed in the grace I have handed in, not that the questions must be printed, but they may be written; the answers must be written.

3900. Are you able to produce any of the papers that have been laid before candidates by the professors of anatomy, chemistry, and botany?—I am not able to produce them.

3901. Should you be able to procure the questions proposed at the last examination?—Probably not, because they are not always printed; and unless there are a good many candidates, we do not take the pains to have them printed, and the professors may not keep a copy of the written questions; but I have no doubt

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I could procure a copy of the questions which some one or other of the professors have printed in turn, but not all belonging to the same examination.

3902. The examination is previous to his keeping the exercises in the schools?—He is not allowed to keep the exercises, till he has passed his examination.

3903. If a person take the degree of bachelor of arts, in the first instance, and then become bachelor of medicine, will he be able to take the latter degree as soon as if he had proceeded directly in medicine?—He might, but generally he would not; though a case might occur in which he would. It is intended he should, if possible; as we do not wish to throw delay in the way. It depends on the time of year in which the degree of B. A. is taken; whether this degree occasions any delay in the taking of the M. B. degree. For the most part, those persons who first take the B. A. degree do not proceed to the M. B. degree as soon as the regulations admit of their doing so, unless they have qualified themselves by the study of medicine before taking the B. A. degree. I have known an Edinburgh M. D. proceed as B. A. first, and then afterwards take the M. B. degree; in such case he would probably take the earliest opportunity of doing so.

3904. Do you mean that a person, from not having applied his mind to the study of medicine, might require a longer time for preparation than two years?—Generally; for though the bachelors of arts certainly require a longer time than two years, yet our object was to encourage men to go through arts, and consequently not to throw any difficulty in the way of bachelors of arts taking their degree of bachelor in medicine, if qualified.

3905. Is there anything in the statutes or regulations to prevent their proceeding through arts to their degree in medicine in as short a time, provided they are qualified?—There was a grace proposed by myself, to enable them to do so. Until of late, they were not allowed to do it.

3906. Explain what the change was that you effected?—Formerly they were not allowed to take the degree of bachelor of arts first, and bachelor of medicine afterwards.

3907. When was that change made?—In June, 1821. The following is a copy of the grace: “Cum ad rem medicam benè discendam literarum humaniorum et philosophiæ studium plurimum conducatur, et parum convenire videatur ut gradus in artibus susceptus gradui in medicinâ moram injiciat:

“Placeat vobis ut baccalaurei in artibus possint esse medicinæ baccalaurei si ordine in statuto de studiosis medicinæ præscripto responderint, cæteraq; exercitia per idem statutum requisita præstiterint, completis etiam sex annis in academiâ secundum ipsius statuti formam. Proviso tamen quod per duos terminos lectiones regii professoris in medicinâ diligenter audiverint, inter admissionem ad respondendum quæstioni factam et gradum in medicinâ susceptum; et præterea quod inter finalem determinationem in artibus et baccalaureatum in medicinâ susceptum, unius anni spatium ad minimum sit interpositum: ut hæc vestra concessio pro statuto habeatur, et intra decem dies in libris procuratorum inscribatur.”

3908. Who are the examiners of candidates for the degree of bachelor of medicine?—The several professors.

3909. There are certain examinations, those in anatomy, chemistry, and botany, which are conducted by the professors of those sciences, solely?—Each in his own department.

3910. There is a general examination in the medical classics, and in medicine?—The professor of physic is the sole examiner in those general subjects.

3911. Is any honorarium paid by the candidates to the examiners?—None whatever.

3912. Whatever is paid, is included in the fee for the physic act?—Yes; no addition has been made to the expense, in consequence of this change.

3913. Where is the examination held?—In the public schools, unless there should happen to be only one or two candidates, where most of the public examinations in the university are held.

3914. Is the examination held in private?—There is a table, and each has a copy of the questions, and writes the answers. Any one might walk in, but they do not generally interrupt us; there is no exclusion.

3915. Is it entirely conducted in writing? is none *vivâ voce*?—None, except in the schools, at the exercise for the degree.

3916. What is the nature and scope of the examination conducted by yourself?—I will give a copy of the questions. They are generally medical questions, relating to the history, and treatment, and morbid effects of disease: to pathology.

3917. Look at these papers, and state whether they afford a fair sample of the questions

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questions usually submitted to candidates at these examinations?—I cannot speak as to the papers of the other professors, because I do not always see them. There appears to be one question in my paper omitted; but otherwise, so far as I can judge from this cursory examination, they appear to be the questions I have put. I dare say it is a correct copy of one of my papers, except that the tenth question is altogether omitted. I cannot be responsible for the accuracy of the whole; but they are the kind of questions I am accustomed to put, and coincide exactly with the description I have given.

3918. Do the papers afford a fair sample of the questions usually proposed?—They appear to me to do so. These ought to be taken to be merely elementary questions. My great objection to most examinations of the kind, is, that they are not sufficiently elementary, that the questions are too difficult.

3919. How many and what examinations are held on each successive day?—The usual course is, that the candidates are examined by the professor of physic on Monday from two to three hours, in the morning, generally.

3920. What examination is there in the evening?—None. The professor of anatomy for the same time on Tuesday; chemistry and botany on Wednesday morning and afternoon; and on Thursday, the professor of physic again, with the classical papers; but I do not mean to say that this order is invariable. We make the arrangement according to our own convenience.

3921. If more candidates than one present themselves to be examined, are honours held out to those who pass a superior examination?—Always almost a distinction is made, they are classed according to merit.

3922. In what way?—I generally divide them into three classes.

3923. Has there been a sufficient number of applicants for the last few years, to enable you to make a class?—There have generally been nine or ten candidates. Perhaps the first class has consisted of only one or two; the second of two or three; the rest in the third.

3924. You arrange them in the order of their proficiency?—Entirely.

3925. Is honourable mention made by the examiner of those successful candidates whose knowledge of medicine much exceeds the minimum required for passing the examination?—The first class is the honourable mention.

3926. Are they published in the university calendar?—No. They are circulated amongst the students.

3927. Would not publication in the calendar be an improvement?—I very much question if it would; in a profession like ours, such a publication may affect a man's future success in life unjustly. I have often hesitated about publishing the names, and have determined on not doing so, for I do not believe that any examination can be made a fair criterion of a man's practical skill.

3928. From the year 1818 down to the present time, how many candidates for the degree of bachelor of medicine have annually been examined, and approved or rejected?—I have a list here of all the persons who have taken degrees from 1818 to the present time; the total number is 96. I keep no record of those who have been rejected. I have endeavoured to recollect, and I cannot call to mind above five during the period. But I purposely avoid keeping any record of it; I wish to forget it as soon as the examination is over; for the same men have come subsequently, and have done themselves great credit.

3929. On their keeping the exercises in the schools, what is the nature of the examination they undergo?—It is quite at the discretion of the professor of physic.

3930. That is a *viva voce* examination?—It is.

3931. What is the usual course adopted by the professor of physic?—I generally have taken some subject connected with the matter discussed, some anatomical or pathological subject, very generally. If the function of circulation should be the subject of discussion, I should inquire into the distribution of the blood vessels; or if the function of the nervous system, I should inquire into the distribution of the nerves.

3932. Are the *viva voce* examinations in the schools, as conducted by the present professor, more extensive and strict than they were in the time of his predecessor?—I can scarcely say what my predecessor was in the habit of doing in that respect.

3933. In the case of a person having attended all the requisite courses of lectures, previous to his becoming bachelor of medicine, is any further attendance on lectures required to qualify him for the licentia ad practicum?—None whatever.

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3934. Is any further attendance on hospital practice required?—It requires simply an examination into his knowledge in the practice of medicine.

3935. It would be a perfectly regular course to become master of arts, and subsequently a licentiate in medicine?—Certainly, in two years.

3936. In the interval between graduating as master of arts and becoming licentiate, is it necessary to attend any course of lectures or hospital practice?—A person is generally at such an age by the time that he has been two years master of arts, that we do not exact any regulations of the kind; and there are very few instances now of men doing so; it happens almost exclusively in the case of fellows of colleges. Formerly medical students could not take the degree of bachelor of arts, and afterwards proceed in physic. Since the recent regulation, they can take the degree of bachelor of arts; then of M. B.; then of M. D.; and that is the plan usually pursued by those persons who are ambitious of distinguishing themselves in the B. A. examination, and thus to obtain fellowships in their college. Formerly if they took the degree in arts, they could not afterwards take the M. B. degree; now they generally take both degrees.

3937. In case then of graduating as a master of arts, and then applying for a licentia ad practicandum, no attendance on hospital practice nor on medical lectures, not even upon the lectures of the professor of physic, is required?—Not at all.

3938. If he be master of arts of two years standing, he is entitled to come before the physic professor, and to claim to be examined in the matter of physic, as to his fitness to be admitted a licentiate?—By the physic professor and by another doctor.

3939. In that case, no examination is necessary before the professors of anatomy, chemistry, and botany?—Certainly not; but at that time he is of nine years standing in the university; and most generally a fellow of a college, a man who has distinguished himself in some way, and not likely to neglect his professional education.

3940. Who are the examiners for the licence?—The professor of physic and the professor of anatomy, generally. In all cases of late years, it has been the professor of anatomy.

3941. No honorarium in that case is paid?—A trifling one, according to the regulations of the university: half a guinea for each candidate; but that is an old regulation, of many years standing. It is not an additional fee.

3942. Where are those examinations usually held?—There are so few, that we are speaking about what seldom occurs. I have been looking back, and since 1818 there have been only nine licences granted to M. A.

3943. You were one of this class?—The fellows of certain colleges are not allowed to go out in physic. If they do, they forfeit their prospect of obtaining a fellowship; and it is chiefly such persons who come before the professor in that way.

3944. The persons so situated, who wish to practise physic, are obliged to go out in arts first?—Yes; they could not take the degree of bachelor of physic, without forfeiting their fellowship. It seems unnecessary to exact the usual discipline from men of that standing, who have before that time generally distinguished themselves in the university.

3945. Are the examinations of the masters of arts, applying for the licence, conducted in writing?—Precisely on the same plan as the others.

3946. In the case of the candidates both for the bachelorship and the licence, the answers are made in English, and not in Latin?—Yes.

3947. The examination in the schools is in Latin, and in a syllogistical form?—Not the examinations, but the disputations are in the syllogistical form.

3948. The answers in the schools are in Latin?—Yes; the whole conversation is in Latin, the exercises, and so forth. The candidates for the licence are examined in Aretæus, besides general questions in practice.

3949. What are the Greek medical authors, in which the candidates for the degree of bachelor in medicine are examined?—Hippocrates only.

3950. In the examinations for the licence, are they examined in Galen and Aretæus, or in Aretæus only?—In Aretæus only. They are examined in some Latin authors also, for the bachelorship.

3951. How many days does an examination for the licence last?—Only two. The number is so small, and the cases are so rare, that one can scarcely lay down a general law.

3952. What is the nature of the examination?—It is practical.

3953. Does it differ much from the examination in physic, to which the candidates for the bachelorship are subjected?—It is more practical, it relates more to the

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the treatment of diseases, and the doses of medicines, and the modes of exhibiting them.

3954. The number of such applicants is too small to class them in the order of their proficiency?—I do not remember two occurring at the same time, or even in the same year.

3955. Is there any particular period of the year fixed for the examinations?—I generally take the opportunity of examining them, when the bachelors are examined.

3956. Is any distinction made in the nature of the examination, between a master of arts who applies for the licence, and a bachelor of medicine who applies for a licence?—None whatever. The same questions are put to them.

3957. Has any case occurred of a person attaining the degree of bachelor of medicine, and applying for a licence, and being rejected for insufficiency?—No; that could scarcely happen.

3958. Has any case occurred of a master of arts applying for a licence, and being rejected?—Never.

3959. All the applicants for a licence, who have come before you, have passed?—They have.

3960. Probably, in the case of a bachelor of medicine coming before you to be examined for a licence, inasmuch as he has already passed the bachelor's examination, by which his sufficiency was ascertained, he would not be examined very strictly?—The examination would be similar to the former, with the addition only of its being more practical. I have generally set the same questions, only altering their form. I have asked of one an account of the symptoms of a disease, and of the other the treatment of it.

3961. In the time of your predecessor was any examination required to obtain the licence?—Yes, a *viva voce* examination.

3962. Was that very strict or extensive?—In my case it was not very much so. I do not know what it was in others.

3963. When you say it was not very strict or extensive, was it very little so?—I have not a very clear recollection of it; it is many years ago.

3964. Probably if it had been very strict or very extensive, it would have been impressed upon your memory?—It is 22 years ago; therefore I may be allowed not to have a very clear recollection of it.

3965. How soon after obtaining the degree of bachelor of medicine, may a person be examined for a licence?—By a recent regulation, in the succeeding term.

3965*. How soon after being examined for a licence to practise, would he obtain the licence?—Immediately.

3966. The interval of two years, which formerly was necessary between graduating as bachelor of medicine and obtaining a licence, is now reduced in the way you have mentioned?—It is. But not so for the master of arts; only for the bachelor of medicine.

3967. If a person, on becoming a master of arts, wishes to obtain a licence to practise, he must still wait two years?—Yes.

3968. Which time is supposed to be devoted to the study of medicine?—Yes; he is supposed to have studied physic from the time of his having taken the degree of bachelor of arts, which would make five years.

3969. In case of his having taken the degree of bachelor of medicine, whether he arrived at it through the degree of bachelor of arts, or not, he will equally be entitled to be examined for the licence after one term, and if then approved, to obtain it?—Precisely.

3970. It is only in the case of a newly-graduated master of arts wishing to obtain a licence, that he would be required to wait two years?—Yes; but those two years are not the only period in which he is supposed to have studied physic. He is supposed to have studied his profession from the time of his having taken the degree of bachelor in arts, which is five years.

3971. No test of his studying physic during that period, is required?—It is a fact which has occurred in every case which has fallen under my observation. But there have been only nine such cases since 1818.

3972. But still it is not ascertained by any test they are required to produce?—No.

3973. What is the date of the grace allowing bachelors in medicine to proceed almost immediately for the licence?—It is a recent regulation. I have the grace: "Quum mos apud nos diu prævaluerit, ut medicinæ baccalaurei ad practicandum non admittantur, nisi post duos annos à gradu suscepto, quo arti suæ exercendæ mora inutiliter

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inutiliter interponitur: Placeat vobis, ut in posterum baccalaureis in medicina licentiam ad practicandum obtinere liceat in termino proximè sequenti eum in quo gradum baccalaureatus susceperint, si modo prius examinati fuerint et approbati à professore medicinae regio et ab alio in eadem facultate doctore."

3974. Were you one of the persons who recommended this alteration?—I was.

3975. What were the motives which led you to propose this change?—In consequence of having insisted on the certificate of attendance on hospital practice and medical lectures elsewhere, during the time the medical students are absent from the university; so that we secure the study of medicine six years before the licence was given. I thought it just, that if men were compelled to study physic during two years of absence from the university, that two years might be taken from the eight years, which by the former regulations must elapse before the licence to practise was granted. We secure six years of study, and I thought by that time a young man might be allowed to practise.

3976. Is it in consequence of the small number of applicants for a licence through the medium of master of arts degree, that it has been thought unnecessary to require attendance on lectures and hospital practice in such cases?—And the class of men. I scarcely recollect a case in which the men have not been distinguished in the university.

3977. Since the passing of the grace which you have just read, is it any longer probable that men will seek to obtain a licence through the medium of a master of arts degree; as it will cost them two years more of time?—That was another object I had in view; to prevent the mode of obtaining the licence, except in cases of actual necessity.

3978. Can a bachelor of medicine obtain a degree of doctor of medicine, without having been previously a licentiate?—Certainly. The licence is merely a diploma. It does not at all advance the doctor's degree.

3979. In order to obtain the doctorate, if not previously a licentiate, must he undergo the same examination that the candidate for the licence undergoes?—No, he must be of 10 or 11 years standing in the university, and we think it scarcely necessary to examine a man of that standing, who had been previously examined at the end of five or six.

3980. Has a doctor of medicine, not previously a licentiate, the same right to practise medicine as if he had been previously a licentiate?—A doctor of medicine has not a right to practise, as such; it is necessary he should have a diploma also, which is given by a grace of the senate.

3981. Is that always given?—It has been always given, in cases within my knowledge; but I can suppose a case in which it might be refused.

3982. In what cases would it be refused?—I think an incorporated doctor from another university might not have it granted. A man of whose acquirements we had no knowledge, and whom we had not examined, if he merely came to be incorporated ad eundem, he might not receive, I think, a diploma. We should give him the degree, without the licence to practise.

3983. Are you aware that in former times, it was a very usual course for graduates of foreign universities to seek incorporation into the English universities?—I was not aware of that; but it would be a matter of discretion afterwards. If a man, of whom we knew nothing, were to come, we should hesitate. If he came only for an ad eundem degree, I think the diploma might probably be refused. If he were a man of known talent and acquirements, we should grant it.

3984. In the case of a master of arts of seven years standing being admitted directly to the doctorate, that is not a case in which you apprehend a diploma would be refused?—No such case has occurred since 1818. No person has obtained the degree of M. D. after M. A. without having been previously examined for the licence.

3985. Would you conceive that in such a case it would be necessary to make any special application for a diploma, or would it be granted as a matter of course?—It is necessary to pass a grace for this purpose, and to have the proposal brought before the senate, like any other public act of the university.

3986. Who is it that usually reminds the candidate of the necessary forms which are to be gone through, and assists him in obtaining the grace, in such a case. Is it not usually the tutor of the college?—I think not. It is the business of an officer of the college to which he belongs, who is called the Father.

3987. It would be in rare cases it would be refused?—Very rare; but there is the power of refusing.

3988. A newly-graduated master of arts, if he wishes to obtain the doctorate,

must

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must wait seven years; and a newly-graduated bachelor of physic, five years. Will he not be two years longer through the degree in arts, in obtaining the doctorate?—The difference would be four years. A man who proceeds as master of arts, would be four years longer in obtaining a doctor's degree, than one who proceeds as bachelor of physic.

3989. Take the case of a master of arts of seven years standing, a non-licentiate, who proceeds to the doctorate?—It would be 14 or 15 years before he could take the M. D. degree. It would make no difference as to the time whether he had been a licentiate or not.

3990. Whether he became a licentiate or not, between the period of his taking the master of arts degree and the doctorate, it would equally require seven years?—Yes. But a master of arts must have declared his intention of proceeding in physic before the expiration of his fourth year, otherwise he is excluded from taking the M. D. degree at any future time.

3991. Supposing a person to proceed regularly in medicine; to become first a bachelor of medicine; then a licentiate; and then to apply for the doctorate; how soon would he keep his exercises for the doctor's degree?—Upon the termination of the tenth year. The doctor's degree can be completed only at the commencement in July. If a man's name had been entered just after the commencement, it would be 11 years before he could obtain the M. D. degree; if it had been entered just before the commencement, it would only be 10 years.

3992. It is required that he should keep two acts; but one is compounded for?—Yes.

3993. The opponency is kept at the same time as the act?—When it is kept. It is not always kept for the doctor's degree. Unless there are two candidates for the degree at the same time, the professor of physic opposes, or brings forward the arguments against the question proposed by the act.

3994. In case of a candidate for the bachelorship in medicine, there being more than one candidate in the field, is the opponency kept at the same time as the act?—Yes; not in the same day. The opponent opposes the act on one day, who in his turn becomes the opponent on another day. Only one act can be kept in the same day.

3995. One of the acts, and all the opponencies are frequently compounded for?—For a doctor's degree.

3996. What is the nature of the examination in the schools of the candidate for the doctorate?—There is but little examination for the doctorate.

3997. It is a *vivâ voce* examination?—Yes.

3998. It is simply *pro formâ*?—It is at the discretion of the professor. It very rarely takes place, in case a man has passed a sufficient examination before that time.

3999. A master of arts, not previously a licentiate in medicine, and applying for the doctorate, need not have attended any medical lectures, nor any hospital practice, nor have undergone any examination as to his knowledge in medicine, previously to his keeping his act in the schools?—Precisely; and in point of fact these have generally been studying their profession for more than 10 years, *i. e.* from the time of their taking the B. A. degree. Since 1818 no case has occurred of an individual having been M. A. applying for the M. D. degree, without having first obtained the licence and having been examined.

4000. From the time of your coming to the professorship down to the present time, how many candidates for the doctorate have kept their exercises, and been approved or rejected?—None have been rejected; and I have in my hand a list of all who have taken the degree. In 1829 there were four; in 1830 seven; in 1831 five; in 1832 three; in 1833 three: the average is about five annually.

4001. Have any changes been made in the qualifications or examinations required of the candidates for the doctorate, since your accession to the professorship?—None, except what are implied in the bachelors.

4002. No person who is a bachelor of arts, can apply for a licence to practise?—Certainly not.

4003. If a very small number of candidates apply to be examined in the October or Lent term, is the examination held in the schools, or in your own house, or where?—In a private room.

4004. Notice is given only to the parties applying to be examined, of the place where the examination is to be held?—Precisely. They apply to the professor, and he fixes the place.

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4005. You have previously stated that no person, who had passed the examination by written question and answer, has afterwards been stopped in the schools, by reason of imperfect acquaintance with the subjects on which he was then examined *vivâ voce*?—No, in no case within my recollection.

4006. By what steps can a graduate of Trinity College, Dublin, having received his *bene decessit*, be incorporated, and become a graduate in medicine in the university of Cambridge?—Nothing more is requisite than, first of all, admission to some college; and then the producing of the certificates of a degree at Oxford or Dublin to the caput for their approbation; and, lastly, subscription in the book. After that, the candidates are admitted to the degree as a matter of course. The object is to place them in the same position in Cambridge as they possess in their own universities. If a man has the degree of M. B. at Oxford or Dublin, he would be admitted to the same degree at Cambridge, after he had been incorporated.

4007. Will you attend to the evidence which has been given by a witness before this Committee?—

[The Evidence of Dr. Billing in page 161 was read to the Witness.]

I can explain this to the Committee. I mentioned that it was only within a few years, since 1821, that candidates for the M. B. degree were allowed first to take the degree of bachelor of arts, before proceeding to the degree of M. B. They were not permitted till then to proceed from arts to physic. I had several applications from members of the university, to that effect, which were refused; and it appeared unreasonable to grant to a member of another university a privilege which we refused to our own members. But since the grace alluded to has passed, this difficulty has been removed, and such applications have been encouraged.

4008. Whatever degree a Dublin graduate may have had conferred upon him by his alma mater, what examinations is he required to undergo, and what certificate, beyond his *bene decessit*, is he required to produce, before he can be incorporated?—He is required to produce not only the *bene decessit*, but the certificate of having taken the degree; and we are satisfied with such a certificate, without further examination, taking for granted that Dublin or Oxford would not grant a degree to a person not deserving of it. He is admitted in consequence, we presume, of his qualifications having been ascertained by the university in which he has taken his degree.

4009. Have any alterations been made in the law of the University of Cambridge for the incorporation of those who have graduated in other universities since the year 1818?—In the year 1829 a law passed, by which persons coming from Oxford or Dublin were not allowed to be incorporated, unless they have resided in the same way that our own under-graduates are obliged to reside in; that is, unless they have kept the terms by actual residence.

4010. Did the word residence mean their having resided within the walls of the college?—No, certainly not; but so far resident as to be within the limits of the university, and to be under discipline whilst keeping their terms.

4011. What is the date of that statute?—The 6th of May 1829.

4012. Did you ever receive a notice or admonition from the president or fellows of the College of Physicians, to send up medical graduates better qualified in classics?—Never, that I recollect.

4013. Or in medicine?—Never. I have no recollection of any such admonition.

4014. What means does the University of Cambridge possess for teaching medicine; and how are those means employed? What professorships are there for teaching medicine or any branches of science connected with medicine?—There is the regius professor of physic; the professors of anatomy, chemistry and botany; the Downing professor of medicine; and there is a readership in St. John's College, founded by a very celebrated man, Dr. Linacre, the first president of the College of Physicians, who introduced Greek medical literature into this country. He established two readerships at Oxford, I believe; but one certainly at Cambridge, with a salary varying from 6*l.* to 12*l.* a year.

4015. What is the mode of electing or appointing to those professorships?—The mode varies in the different professorships. The regius professor of physic is appointed by the King; the professor of anatomy is elected by the members of the Senate; the professor of chemistry is elected by the members of the Senate; the professor of botany is appointed by the King; and the Downing professor is elected by the archbishop of Canterbury, the archbishop of York, the master of Downing College, the master of St. John's College and the master of Clare Hall.

4016. Can

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4016. Can you state the salaries attached to the several professorships?—The salaries of some I can. My own salary is 40 *l.*, from which rather more than 5 *l.* is deducted in the shape of fees. I receive 34 *l.* 18 *s.* The professors of anatomy and chemistry receive 100 *l.* a year, on condition of their giving lectures; not otherwise. The professor of botany receives 200 *l.* a year, from which a deduction is made of 20 *l.* I believe, not subject to the same condition; and the Downing professorship is a private foundation, and I do not exactly know what his salary is.

4017. You state that in the case of the two professorships of anatomy and chemistry, they receive their salaries on the condition of their lecturing. Are there any other duties attached to the other professorships?—I can speak better of my own. The duties are very many that I have to perform for my salary. Independently of the medical part, presiding in the schools during the disputations for medical degrees, examining the candidates and giving lectures, I have other extra-professional duties in the university, such as examining for the university scholarships, which is a very laborious office.

4018. Those are *ex officio* duties?—Yes.

4019. The duties of examining the candidates for the medical degree, under the modern regulations, the professors of anatomy, chemistry and botany have taken upon themselves. What remuneration do they receive for those duties?—None whatever.

4020. They are voluntary duties they have imposed upon themselves?—They are.

4021. What are the names of the several holders of the professorships referred to?—The professor of anatomy, Dr. William Clark; of chemistry, Mr. Cumming; of botany, Mr. Henslow. Dr. Hewett is professor at Downing; and I hold the Linacre readership of St. John's.

4022. Are the professors of anatomy, chemistry and botany in holy orders?—All three of them are.

4023. Can you state the dates of their several elections?—The professor of anatomy was elected, on my resignation, in 1817; the professor of chemistry, in 1815; the professor of botany, in 1825; the Downing professor, in 1814.

4024. Do you know what other offices of emolument they severally hold in the university?—I believe none.

4025. During any of the sessions from 1825 and 1826 to 1833 and 1834, on what subjects, medical or allied to medicine, have they severally lectured? How many courses of lectures have they severally delivered in any session, and during what term or terms were those courses severally delivered? How many lectures did those courses severally consist of; and on what conditions were students in medicine admitted to their several courses?—I give in the answers of the professors of anatomy and chemistry to this question:—

My dear Dr. Haviland, you informed me that the Parliamentary Committee wished you to obtain from me precise answers respecting the following particulars, viz.:

1. The extent of the course of lectures in anatomy and physiology in the University of Cambridge.
2. The number of courses in one session.
3. The number of lectures in a course.
4. The terms of attendance.
5. The number of medical pupils attending my lectures.

These questions I answer as follows:

1. I have lectured from the year 1818 to the year 1833, both included; up to 1829 the course was finished in one of our academic terms; since 1829 (and in that year) the course has extended over two academic terms; the Michaelmas and Lent terms, from the division of each.

2. One course in each year.

3. Up to 1829, the course consisted of at least 25 lectures, from that number to 30. In 1829, and since that year, it consisted of at least 50 lectures.

4. Up to 1829, three guineas were paid for the first course; two guineas for the second, afterwards gratis. Since 1829 (and in that year) five guineas for each of the two first courses, afterwards gratis.

5. With respect to the number of medical pupils who have attended my lectures, I believe that, with the exception of the first year, 1818, when many of my friends of Trinity College entered their names upon my board as a matter of compliment to the new professor, all who attended my lectures, with slight deductions, not averaging one in a year, were medical pupils. Therefore, in order to answer this question as clearly as I can, I give the numbers upon the board in each year during the time I have lectured:

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Year 1818	-	Number of pupils	-	38	Year 1826	-	Number of pupils	-	20
1819	-	-	-	26	1827	-	-	-	11
1820	-	-	-	20	1828	-	-	-	17
1821	-	-	-	23	1829	-	-	-	19
1822	-	-	-	19	1830	-	-	-	27
1823	-	-	-	18	1831	-	-	-	32
1824	-	-	-	18	1832	-	-	-	21
1825	-	-	-	31	1833	-	-	-	23

I am yours, very truly,
William Clark.

Cambridge, 20 May 1834.

CHEMICAL LECTURES delivered in the University of Cambridge.

1825	-	-	-	-	Easter Term	-	-	-	-	30 lectures.
1826	-	-	-	-	Ditto	-	-	-	-	30
1827	-	-	-	-	Michaelmas	-	-	-	-	30
1828	-	-	-	-	Ditto	-	-	-	-	30
1829	-	-	-	-	Ditto	-	-	-	-	30
1830	}	-	-	-	{ Michaelmas	-	-	-	-	30
1831										
										50
1832	}	-	-	-	{ Lent	-	-	-	-	30
										50
1833	}	-	-	-	{ Lent	-	-	-	-	30
										50
1834	}	-	-	-	{ Lent	-	-	-	-	30
										50

During the last four years the first 30 lectures have been on inorganic chemistry; the last 20 lectures principally on the chemistry of organised bodies.

Terms of Admission to the Chemical Lectures:

First course	-	-	-	-	-	-	-	-	3 guineas.
Second ditto	-	-	-	-	-	-	-	-	2 ditto.

J. Cumming.

The professor of botany states that after the first year of his appointment, 1825, he has given from 20 to 25 lectures annually in the Easter term. His terms are one guinea for each of the first three courses, afterwards gratis.

In the session 1825-26 the professor of physic lectured in the Lent and Easter terms; the number of lectures was 33, the number of attendants, 76.

In the session 1826-27, N° of lectures was 30, the number of attendants, 33.

—	1827-28	-	-	-	-	31	-	-	-	-	11.
—	1828-29	-	-	-	-	44	-	-	-	-	15.
—	1829-30	-	-	-	-	48	-	-	-	-	15.
—	1830-31	-	-	-	-	50	-	-	-	-	17.
—	1831-32	-	-	-	-	50	-	-	-	-	23.
—	1832-33	-	-	-	-	50	-	-	-	-	19.
—	1833-34	-	-	-	-	50	-	-	-	-	16.

Almost all the students who attended these lectures were medical, with the exception of two or three only. The terms were five guineas the first course, afterwards the attendance was gratuitous.

4026. How many students in medicine have attended those several courses?—I can tell the Committee how many have attended my own during the last 10 years; 130 medicinæ studiosi, that would be 13 annually, on the average, not including those who attend a second time. I am not sure whether all were medicinæ studiosi.

4027. Has there been any progressive increase; or is the number at the latter period nearly the same as at the first?—The numbers were greater eight years ago, I think.

4028. In what year did you commence giving those lectures?—In 1819.

4029. Has there been a progressive increase of numbers since that period?—There was a considerable increase about eight years ago. Since that time the numbers have diminished.

4030. Are there any extra-university lectures upon medical subjects given in the university?—The professor of chemistry has given lectures in the long vacation. They are given to such persons as take an interest in the subject, and the inhabitants of the town and neighbourhood. They were very well attended last summer.

4031. Did any students remain to attend them?—They were of a more elementary character than would be suited to students in medicine.

4032. Exclusively

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4032. Exclusively of lectures, what facilities does the university afford for studying medicine?—In the first place, our public library is a very excellent one. It contains a very large number of medical works, and is very rich in ancient and modern, in foreign and English medical literature. The difficulty I have is in finding what books are required. Almost any medical books I should recommend, would be immediately obtained.

4033. A person *in statu pupillari* can always obtain, through yourself or any other master of arts, access to the library, or can borrow books from it?—Yes, and bachelors of arts by their own right. By a recent regulation bachelors of physic have always had the same privilege.

4034. Have the Harrysophs*, as they are called, access to the library?—Only through a tutor or a master of arts, or bachelor of physic.

4035. What is the state of the medical library at Caius College?—I do not know.

4036. Nor how far it is accessible?—No. There are a good many medical books at St. John's, left by Dr. Gisborne and Sir Isaac Pennington.

4037. Might a fellow of that college lend them to a student of another college? Certainly. He uses his own discretion.

4038. In what state is the botanical garden in the university?—Not in a very good state, in consequence of its being confined in situation and in space. But the university has purchased 38 acres of ground for the purpose of extending the garden and removing it to a better situation. Owing, however, to some difficulties about the lease, the lessee has not given up possession of the land at present.

4039. Do you know what is the annual sum the university has expended in the support of the botanical garden?—About 500 *l.* a year.

4040. What sum has been expended in the purchase of this ground?—It was purchased of Trinity Hall. The money paid to Trinity Hall for the 38 acres was 2,210 *l.* 8 *s.* In addition to which the university gave in exchange a piece of ground valued at

- - - - -	£. 787 19 4
Making with - - - - -	- 2,210 8 -

For the whole purchase - - - £. 2,998 7 4

Besides which there was the expense of the Act paid by the university. The land so purchased was in the hands of certain lessees, who have refused to come to any reasonable terms with the university for the purchase of the lease. We have offered them 600 *l.* for the remainder of the term (about eight years) which they have refused.

4041. Have the students in medicine, *in statu pupillari*, access to the botanical garden?—Yes.

4042. Would the mere circumstance of their having declared their intention of proceeding in medicine, give them free access to it?—I believe there is no obstruction in the way of any students going to the botanical garden; especially during the lectures of the botanical professor. They would scarcely go in their own right; but asking permission of the curator would be sufficient.

4043. Are there clinical lectures given at Addenbroke's Hospital?—During the time I am lecturing, I go round the hospital three times a week; and give clinical instructions to the students at the bedside of the patient: and at all other times, the medical students in the university are admitted to the practice of the hospital.

4044. They are admitted without the payment of any fee?—They are.

4045. Are there clinical lectures in surgery, as well as in medicine?—I believe not.

4046. Are you the only physician who attends the hospital?—There are three.

4047. Are you the only one who gives clinical instructions; or is that duty divided?—I believe we all do so more or less. Dr. Bond particularly, as well as myself.

4048. Are clinical lectures given three times a week during the continuance of the whole of the three terms?—I can only state what I do. I make a practice of attending the hospital, with any medical students, at all times of the year; but particularly during the time that I am lecturing: for the two terms that I lecture, in

* Harrysophs are students in medicine, whose standing in the university exceeds that required for obtaining the degree of B. A.

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in a much more formal and regular manner; but at all times, there are pupils attending there.

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4049. Not only on the clinical lectures but on the daily practice of the hospital are the students in medicine permitted to attend?—At all times, at their own discretion. I wish not to be understood that formal clinical lectures are given. I did that at one time, but I since have thought it more instructive to the students to take them to the bedside of the patient, and to make such observations on the state of the disease, and on the treatment of it, as the occasion suggested, rather than to take them into a separate room and lecture them there.

4050. What has been, during the last two or three years, the number of medical students attending the clinical lectures at the hospital?—I think that nearly all those who attend the lectures on the practice of physic, attend at the hospital. There have been generally about 15 to 20 attending my lectures; some of them a second course.

4051. The hospital contains about 60 beds, does it not?—It contains 65 permanent beds and two occasional ones, and we are building two additional fever wards, which will be opened in a very short time.

4052. Is there any museum for anatomical preparations at the university?—Yes.

4053. Where is that placed?—Adjoining the botanical garden.

4054. Is that the property of the university?—It has been recently built by the university.

4055. Are the preparations the property of the university?—Many of them were purchased of the widow of the late professor, Sir B. Harwood. The collection is drawn from various sources. There are some very curious preparations, which were the property of Dr. Lawrence, who lectured in London about 100 years ago, which were presented to the university by the late Judge Lawrence. There are others of a more recent date, which had been purchased by Sir Busick Harwood from Mr. Sheldon's collection. And he himself prepared several, which were purchased of his widow by the university in 1814; the sum given for them was 500 *l*.

4056. Some of the preparations in the museum belong to the university and some to the professor?—Several he has himself prepared, and he has lately laid out nearly 200 *l*. from his own funds in the purchase of other specimens.

4057. When the present professor was first appointed, did he find the anatomical collection of preparations in fit order to be exhibited?—Yes; they were in good order when he succeeded to the professorship.

4058. They are under the care of the professor of anatomy?—They are.

4059. Do you know at what cost this collection has been formed, or what has been laid out of late years?—The university has expended between 3,000 *l*. and 4,000 *l*. in the erection of the new buildings, and of these the anatomical museum, &c. forms by far the largest part: 500 *l*. were paid to the widow of Sir B. Harwood for that portion of the collection which had been his private property; and the following sums have since that been laid out, by the university, on the museum: in 1819, 200 *l*. for wax models; 1830, 150 *l*.; 1832, 100 *l*. 15 *s*.; besides 30 *l*. annually.

4060. On what conditions are the medical students admitted to the museum?—On condition of their entering for the lectures.

4061. Is it accessible to them?—It always has been. Just at present, the preparations are *in transitu*, and are dispersed about; but when they are put up, they are accessible.

4062. Has any catalogue been formed of the specimens of preparations?—Yes, a printed catalogue.

4063. A complete one?—Not a complete one; for it is some years since it was made, and the collection has been added to since that time.

4064. Is there a dissecting school?—Yes.

4065. When was that first opened?—In the old anatomical schools there was a room for that purpose, and at all times opportunities were afforded the student to dissect. The difficulty has been to procure subjects.

4066. Has a new dissecting school been provided lately?—Yes, attached to the school.

4067. Besides the professor, is there a demonstrator attached to the school?—Yes, Dr. Bond demonstrates for Dr. Clark.

4068. How many students have entered for dissection during the sessions of 1832-33 and 1833-34?—It has been generally understood that nearly all the medical

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medical students attending the anatomical lectures would dissect if they could procure subjects. But as it was not necessary to enter expressly for that purpose, no precise return of the numbers willing and anxious to dissect can be given.

4069. On what terms do they enter?—There is no charge made; the difficulty has been to obtain subjects; for which reason there have been no dissections. The students have lamented that they could not dissect. They have obtained but one subject of late.

4070. Are chemical analysis and manipulation taught at the chemical laboratory?—I do not know for certain: but the professor has a laboratory for the purpose, and I dare say he employs it.

4071. Is practical pharmaceutical chemistry taught at the university?—I scarcely understand what is meant by practical pharmaceutical chemistry.

4072. Preparing the chemical articles of the materia medica, exhibiting simple drugs in their best form, compounding them; carrying on the manipulations of pharmacy?—The professor points out the mode in which the preparations of the pharmacopeia are made. Several of the lectures are given expressly for the purpose of instructing medical students.

4073. What fees do you receive from pupils for degrees?—It varies with the degree.

4074. Are you prepared with a scale?—Yes; eleven guineas for each doctor, and seven pounds for each bachelor, and four guineas and a half for each licentiate, that is, four guineas for the licence and half a guinea for the examination.

4075. There are university fees, attaching to different degrees and to the licence to practise; and there are college fees, which vary at the different colleges?—There are.

4076. Can you furnish a list of these?—I will do the best I can; but I have never yet ascertained myself what the college-fees are.

FEES FOR MEDICAL DEGREES.						
	M. B.	M. B. Incorp.	M. B. prius M. D.	M. D. Incorp.	M. D. prius M. A.	Practicares.
University Fees:						
To the Proctor, including various small fees	£. s. d. 3 - -	£. s. d. 4 1 6	£. s. d. 3 16 -	£. s. d. 5 16 -	£. s. d. 7 6 -	£. s. d. 3 10 -
To the Registry, of which 6 <i>l.</i> is a Government tax	6 6 -	6 7 -	6 6 -	6 7 -	6 6 -	6 6 -
£.	9 6 -	10 8 6	10 2 -	12 3 -	13 12 -	9 16 -

COLLEGE FEES.			£. s. d.
M. B.	M. D.		
		The act for M. B., Professor	- 7 - -
		Marshal, &c.	- 1 - 6
			£. 8 - 6
St. Peter's College	9 7 -	Opponency, M. B.	£. - 2 -
Clare Hall	4 6 10		
Pembroke	6 1 -	Two acts, M. D., Professor	- 11 11 -
Caius	11 - -	Marshal, &c.	- 2 16 6
Trinity Hall	15 - -		£. 13 7 6
Corpus Christi	6 6 -	Opponency, M. D.	£. - 2 -
King's College	4 1 -		
Queen's	12 1 6	The Father of the college receives 1 <i>l.</i> 1 <i>s.</i> from each graduate.	
Cath. Hall	10 17 4		
Jesus	10 2 -		
Christ's	6 2 -		
St. John's	6 - -		
Magdalen	8 - -		
Trinity	13 17 -		
Emanuel	4 - -		
Sidney	10 7 -		
Downing	8 - -		

-- I could not ascertain. No M. D. degree since the foundation of the college.

John William Willcock, Esq. called in; and Examined.

*John Wm. Willcock,
Esq.*

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4077. YOU are a Chancery barrister?—I am.
4078. Did you formerly practise the common law?—I did so.
4079. You are the author of two works, one on corporation law, the other on the laws relating to the medical profession?—I am.
4080. Of course you made the laws relating to the medical profession your study at the time you wrote the latter work?—I did.
4081. During the period between the passing the statute of the 3d Henry 8, and the passing the statute of the 14th & 15th of Henry 8, confirmatory of the charter granted to the College of Physicians, of what description of persons do you conceive the men of the faculty of medicine of and in London consisted?—I apprehend that the lawful practitioners of medicine within London, at the time, consisted of persons qualified according to the rules of the universities, and of persons qualified under the statute which had been shortly before made.
4082. The statute of the 3d of Henry 8, while it gave the privilege of licensing practitioners in London and within seven miles round it, to the bishop of London, or to the dean of St. Paul's for the time being, calling to his aid four doctors of physic, reserved to the Universities of Cambridge and Oxford any privileges that they before possessed, of licensing persons to practise as well within the precinct of London as in any other part of England?—That was the effect of the statute.
4083. No exclusive privilege of licensing those who were to practise physic within the precinct of London, was given to the licensers appointed under that statute?—No, I think there is a saving clause to prevent that.
4084. "Provided always, that this Act, nor anything therein contained, be prejudicial to the Universities of Oxford and Cambridge, or either of them, or to any privileges granted to them"?—I apprehend that privilege would also tend to admit the doctors of foreign universities, after they had been incorporated into our universities; which, I believe, was a proceeding of course.
4085. Such incorporation was at that time a matter attended with no difficulty?—I believe not.
4086. Did you ever read a letter from Dr. Winterton, professor of physic at Cambridge, addressed to the College of Physicians in the year 1635; in the course of which he states, that incorporation of the graduates in medicine of foreign universities could be obtained at Cambridge in his time for a very small sum of money?—I do not recollect to have seen such a letter.
4087. Was it to graduates in physic, by incorporation or otherwise, of the two English universities, and to persons licensed to practise physic pursuant to the 3d of Henry 8, that you conceive the charter of the 10th of Henry 8, and the statute of the 14th & 15th of Henry 8, gave the option of being, if they pleased, corporators of the then newly-established College of Physicians?—I apprehend that every such person then practising within London and its precincts had a right, by mere acceptance of the charter, to become a member of the body corporate.
4088. When you say "every such person," you mean every person at that time lawfully entitled to practise physic within the precinct of London?—Certainly; but I should say that my observation refers to the charter, and not to the confirmation of it by the statute: because persons might have begun to practise subsequently to the granting the charter, and previously to the confirmation of it by the statute. Those persons, not having been of the faculty at the time the charter was granted, would not have been entitled, I apprehend, to accept the charter, and would not have been of course incorporated.
4089. Had the charter any validity to exclude parties from their common-law right of practising physic within the precinct of London, until confirmed by Act of Parliament?—Certainly none. I apprehend that all that were legally practising at the time the charter was granted, had the option of accepting the charter, and thereby becoming members of that corporation; and that option was not removed, until they had done something contrary to the meaning of an acceptance; but that this privilege did not extend to any who began to practise after the passing of the charter.
4090. All such, if they wished to be incorporated into the new College, must have been elected into the corporation according to such forms as the College, by virtue of the power conceded to it by the charter of making bye-laws, chose to establish?—I think so.
4091. And, moreover, the mere circumstance of practising medicine would not have

have entitled a person to claim admission into the corporation, if disapproved of by the College, in case his practice began after the period of granting the charter?

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—After the period of granting the charter, I apprehend that no physician could obtain admission except by election: but I should add, that the charter did not affect their practice, it affected only their being members of the incorporated body.

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4092. Were all who were in practice in London before the passing of the charter, in case they did not choose to become corporators, required to be approved of by the College, if they wished to continue their practice?—Certainly not; the King could not have granted such a charter.

4093. Were all who might wish to enter into practice, and not to become corporators, after the passing of the 14th & 15th of Hen. 8, required to be approved of by the College, before they could practise?—I believe the law is imperative.

4094. But between the granting of the charter and the passing of the confirmatory statute, it was not necessary for those who wished to practise, to submit themselves to the approbation of the College?—So I apprehend.

4095. Do you find in the charter any express provision in what manner the succession of corporators shall be kept up?—No.

4096. In cases such as these, where a charter does not expressly provide in what manner a corporation shall perpetuate itself, have the courts of law decided by what rules corporations shall be bound in making provision for their own continuance?—It is incidental to every corporation, that it should have the power of continuing itself, by electing new members. If there is no restriction upon the number imposed by statute or the charter of incorporation, the number is unlimited, and may be carried to any extent. If there be a restriction of the number, it is the duty of the corporation to elect a new member on every vacancy: but they cannot be compelled to such an election, till danger can be shown of the corporation being dissolved, through their not performing that duty: and this being, as the law calls it, an incidental right in the corporation from the moment of its being incorporated, it rests with the members of the corporation at large; and the corporation cannot make any restriction upon that privilege of the body at large.

4097. Applying that rule to the particular case of the College of Physicians, out of what description of persons was the corporation constantly to be renewed?—From its being constituted a medical college, the body at large would be restricted from electing any except such as were, or were about to become, of the medical faculty: I apprehend that the election is to be out of those of the faculty, or willing to be of the faculty, in London.

4098. They must be of the faculty in London: “*Collegium perpetuum doctorum et gravium virorum, qui medicinam in urbe nostra Londino, et suburbiis, intraque septem millia passuum ab eâ urbe quaque versus, publice exerceant;*” and again, it says, “*Quod ipsi omnesque homines ejusdem facultatis de et in civitate prædicta.*” From these words does it not appear, that the description of persons out of whom the corporators must be chosen, were then, and are now, persons of the faculty of and in London?—I think the strict construction of that charter would imply, that they should be of the faculty: but my apprehension is, that it would be construed to mean, all who are in practice, or about to practise, in London: that the actual practice is not a necessary previous qualification.

4099. What does your qualifying term, “about to practise,” imply? Does it require a positive intention to begin to practise forthwith; or will a loose intention, to be carried into effect, possibly, at some time or other, be sufficient?—A dedication of the person to the object of the profession.

4100. A *bonâ fide* dedication by the individual of himself to practise in London?—Yes.

4101. A mere transient thought of such an event, not seriously intended to be carried into effect, would not be sufficient?—I apprehend that the case must be assimilated to that which has frequently occurred, where residence was required for admission into a corporation: and that, if it happened that the expression of intention was a fraud upon the charter, the admission would be vitiated upon information, now substituted for a writ of *quo warranto*.

4102. Accordingly, since all now entitled lawfully to exercise the faculty of medicine in London, must be licentiates of the College, does not the description of persons out of whom the College of Physicians is bound to choose corporators, consist of licentiates of the College, either actually practising or intending forthwith to practise physic within the precinct of London?—I apprehend that the licence to practise, and the admission to the College might be made at the same time; but

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that the parties, to qualify them to practise in London, must be admitted, by having that licence to do so, which constitutes the body of licentiates; or admitted into the fellowship; which may, I apprehend, be done immediately; and, as fellows, they would be entitled to practise. I do not think it necessary that the licence should precede the fellowship; but probably a strict construction of the charter would imply that.

4103. Still, if admitted into the fellowship, without having previously obtained their licence, they must either be in the practice of physic in London, or *bonâ fide* on the point of becoming so?—Certainly; and I believe the admission to a fellowship always contained a licence to practise. I am not certain, but I believe that to be the case.

4104. Do you find in the charter any other restriction upon eligibility into the fellowship, than this: that they shall be men of the faculty of medicine of and in London?—None.

4105. Perhaps it might be inferred from the preamble to the charter that they must be *docti et graves viri*?—It does not imply that they must be of the grade of doctors.

4106. Learned and grave men?—I believe that is as necessary as well to the licence as to the fellowship. It is stated in the preamble, I believe, that it is for the benefit of the health and well-being of the people.

4107. Do you then conceive, that under the conditions for election into the corporation, implied by the charter, the original fellows of the College had, and that their successors now have, an unfettered right to elect such persons, being men of the faculty of and in London, as they might and may think proper?—Using the discretion of ascertaining whether they are by their abilities and education competent: and I apprehend that they are as much bound to institute an examination into those qualities which are referred to by the preamble of the statute, with a view to admission to the licence, as with a view to admission into the fellowship.

4108. Do you apprehend that any bye-law restricting the corporators to a definite number, as being an innovation upon this right, would be illegal?—Certainly: it would be contrary to the original constitution, which renders the choice free.

4109. Do you apprehend that a bye-law, restricting the eligible to persons educated at particular universities, as being an innovation upon this right, would be illegal?—It is a qualification which they cannot impose. I should explain what I last said. The law requires that the persons to be admitted should be of the description alluded to in the Act of Parliament: that is, persons fit for the medical profession. It requires, I apprehend, that they should be admitted with a view to actual practice; but subject to those requisitions, it leaves it perfectly free to the fellows to increase their number to any extent, and from any sources they may think proper. It is, I apprehend, in their power to fix those criteria of qualification, which should save the trouble of ascertaining by an examination whether a candidate for a licence had any pretensions or not: but that any person of moderate pretensions has a right to call upon the fellows to examine him. The fellows are not bound to examine persons who have been previously admitted licentiates, to see whether they are qualified or not for the fellowship. With regard to licence, I conceive it is the right of every person who can assign any reason to presume that he was fairly qualified, to call upon the examiners to ascertain whether he was or not duly qualified, without reference to his having come from any university whatever. The test is not a proper one; for the fellows are not empowered to refer it to the universities of England, or to any set of schools, or to any set of persons who are not of their own body, to ascertain who are fit persons: for that would be delegating to others the power vested only in themselves. The law has constituted them the examiners, thereby implying in them a discretion to examine, and entrusting them with the care of the public in admitting proper persons. That I apprehend is a power which cannot be delegated to others.

4110. Then although no person, or description of persons, can, by reason of any qualification except that of election, claim admission into the corporation as a matter of right; yet no bye-law by which any of the men of the faculty of and in London were rendered ineligible into the corporation, would in your opinion be lawful?—Certainly.

4111. The grounds upon which the licentiates formerly applied to be admitted to the fellowship without election, by reason of the licence they held, were, in your opinion, invalid?—Certainly, I apprehend that the court went further than it was bound

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bound to do, in entering into the consideration of the bye-laws at all: that it was a sufficient answer to the application which rested upon the licence, that the licentiates had not been elected.

4112. Do the bye-laws of 1765 provide, that none should be eligible to the fellowship but those who have been of the order of candidates; and that none should be of the order of candidates but graduates of Oxford or Cambridge; and was not this to say, that all men of the faculty of and in London were not eligible?—From a recollection of the cases in which these bye-laws were relied on, I apprehend such was the bye-law. I do not see it immediately before me.

4113. Was not this to impose a qualification not required by the charter and by the act of incorporation; and, therefore, was not such imposition illegal?—Certainly.

4114. After the proceedings before the Court of King's Bench in 1767 and 1768, when Lord Mansfield condemned the bye-laws of 1765, as being founded on too narrow a base, the College passed two statutes in mitigation of the former; first the 10 years' bye-law, empowering the president once a year to propose a licentiate of 10 years standing, to be elected fellow without examination; and secondly, the seven years' bye-law, empowering any fellow to propose a licentiate of 36 years of age and seven years standing, for examination as to his fitness to be admitted into the order of candidates. In Dr. Stanger's case it was contended that these two laws, by pointing out other modes of gaining admission into the College, had so qualified the bye-laws of 1765 as to render the bad good. Do you assent to this view of the question?—Had the original bye-law itself contained these qualifications it would have been equally bad; therefore the subsequent modifications could not render the bye-law of 1765 the less objectionable; there was still a restriction on the right of admission, and that was illegal.

4115. Is a bye-law which applies as a test of fitness, not the studies or knowledge of the party, but the place of his education, of that reasonable kind, as, in your opinion, to be legal?—Had it referred to a certain mode of education as a test or qualification, it still would have been illegal; but not equally objectionable. In the present instance, the College being authorized to ascertain fit persons, to be licentiates, cannot apply a rule which does not examine the individual, but merely presumes a fitness. It is their duty to institute an examination, and to admit those who are actually fit. They cannot waive that examination, by introducing those whom they presume to be fit, from their having gone through a particular course of education; nor can they lay a restriction upon those actually fit, by requiring from them a particular course of education.

4116. It has been contended, that it is almost impossible to obtain satisfactory proof of a party having good moral habits and manners, and of his possessing, in a due degree, literary and scientific acquirements, except upon the authority of a degree conferred by an English university. In the case of persons not educated at the two English universities, does the difficulty of discovering their moral character and attainments appear to you to be so insurmountable as to render reasonable the bye-laws by which such persons are rendered ineligible into the College?—Certainly not. It may be difficult to prescribe any sufficient general rule; but I apprehend that the law has precluded them from laying down general rules; and that therefore any such rule is objectionable, as it prevents their requiring the examination of each individual.

4117. Have the goodness to attend to two statutes of the College, prescribing in what manner the fellows must propose a question, and the president put that question to the vote. In the seventh chapter, *De Comitiiis*, and in the 10th article, are these words: "*Quodcunque ab aliquo socio propositum fuerit, alius socius propositum se approbare palam enunciet. Illud, ita approbatum, literis mandetur; et postquam à presidente aut propræsidente perlectum fuerit, approbationi reliquorum sociorum proponatur.*" Then as to the mode in which the president is to put the question, that is contained in the 8th article of the 2d chapter, "*Presidentis officium sit, ut comitia indicat, et causas comitiorum exponat; singulorum sententias expectet; questiones ritè propositas, approbatas, et literis mandatas, enunciet.*" Suppose a fellow to give notice of his intention to propose a licentiate for election into the fellowship; that on the day on which his notice falls due, and at one of the comitia majora, his proposal is duly seconded by another fellow, is committed to writing, and is handed to the chairman; and that the chairman refuses to put that motion from the chair. Do you conceive that sufficient legal grounds will be laid for an application to the Court of King's Bench for a mandamus,

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mus, requiring the president to put that motion from the chair?—I think sufficient ground would be laid for an application to the court; but the court might have considerable difficulty in granting that motion; for as the election, in consequence of such refusal, could not proceed at the meeting at which it had been originally proposed, different persons from those who constituted that assembly, might afterwards be convened: but could the court ascertain any mode of carrying into effect such an election, it would, I think, award a mandamus. I should rather think that the court, on account of the difficulty, or almost impossibility of carrying into effect the proposed election, would endeavour to ascertain, whether the president was not criminally responsible for omitting his duty.

4118. Is there any other lawful mode, do you conceive, in which the fellows, without applying to the Court of King's Bench, could proceed to vote on such a proposition?—The only other mode I can refer to is this. It would be competent for the fellows to amove the president from his office, as having committed an offence contrary to his duty as a corporator: but I do not think that he would be subject to any criminal responsibility; because it is not a corporation for the purposes of municipal government. I am not, however, sufficiently informed upon that subject.

4119. Is it a private corporation?—Yes, to a certain extent; and the offence would not affect the public government.

4120. If the president put the question, and it was carried in the affirmative, could the president lawfully refuse to admit the licentiate so elected?—The court would grant a mandamus to admit: for his office in admitting is only ministerial.

4121. In the official list of the College for the year 1771, it appears that two of the fellows were Charles, Duke of Richmond, and John, Duke of Montagu. Do you consider that such individuals, if they were not at the time of their election men of the faculty of and in London, could have been lawfully elected into the fellowship?—Unless they intended actually to practise in London, they could not. I think it is recorded of one of those noble dukes, that he rendered himself nearly a perfect physician by devoting himself altogether to the study.

4122. Is a person in holy orders under any legal incapacity to practise medicine?—I cannot speak with certainty; but I think he is prohibited by the canons.

4123. What is the purport of the canon to which you refer?—There is a very ancient canon; I am not aware whether that is in force in England or not, of the Council of Tours, which prohibits a man in holy orders practising physic: but I believe in the English canons, there is one which prohibits any in deacon's orders from pursuing any lay profession.

4124. Do you conceive, if a clergyman be under legal incapacity to practise medicine, that the College could legally elect a clergyman into their fellowship?—He would not be guilty of any offence at common law, in being admitted; but he would be subject to ecclesiastical censure; but I am very doubtful whether the election would be void.

4125. There was a statute in 1765, incapacitating a person in holy orders from being elected into the College. Was that a reasonable bye-law?—I think that bye-law would be valid; because it would be in accordance with the law of the land.

4126. It appears from the present body of statutes, that such bye-law has been repealed. If the election to a fellowship of the College were decided by a single vote, and that were the vote of a fellow at the time in holy orders, might that election be set aside, on the ground of the incapacity of the person giving the vote?—That would depend upon the question, whether his admission was actually void. I should say, the restriction by the College would be valid, merely because it was in accordance with the general law: that it would have no force of itself; it would merely operate on the inclinations and opinions of the fellows.

4127. Can a physician, a professor of one of the English universities, who at the time of his being proposed as a fellow of the College, neither is practising physic in London, nor has any intention of doing so, be lawfully elected into the fellowship?—I think he could not. But having referred to the physicians of the universities, with regard to their capacity to practise medicine, I would observe, that the statutes of the universities, up to a certain time, have been affirmed by Act of Parliament; some of those statutes might be contrary to the canons; but being affirmed by Act of Parliament, they might be legal. If they give a power to any person to practise, or were even to authorise an admission into the College of Physicians, those statutes would probably be valid, inasmuch as the Act of Parliament may have rendered them so.

4128. If

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4128. If a person, who at the time of his being proposed for the fellowship of the College, neither is practising in London, nor has any intention of doing so, is such a person eligible into the fellowship?—My opinion is, that he is not eligible: because he is not, nor is he about to become one of the faculty. My remark relative to the practice in the universities was incidental; and I merely threw it out, as I thought it might have some bearing on the question of admissibility of persons in holy orders.

4129. You do not refer to his being in orders, but to his not being one of the faculty?—Yes, or his not being about to be one.

4130. Adverting to the last clause of 32 Hen. 8, which declares surgery to be a part and parcel of medicine, would any bye-law of the College of Physicians be legal, which required a candidate for the licence of the College to renounce any College of Surgeons, of which he might at the time be a member, before he could be admitted as a licentiate of the College of Physicians?—I think that would be good, because the law has divided the medical body into two classes; and though it has given the physicians the power of practising surgery, yet it is as physicians and members of that body; and at the time when this charter was granted, the surgeons were a very inferior set of persons; and I think the Legislature contemplated the severance of the two classes of practitioners.

4131. Would any bye-law be lawful which restricted a licentiate or fellow, after his admission or election, from the practice of surgery?—It certainly would not be lawful.

4132. Would a bye-law be lawful, which compelled a person applying for a licence of the College, before he was admitted as a licentiate, to resign any fellowship he held in any college of surgeons out of England and Wales?—I think that the English College could take no notice of the avocations, in a foreign country, of the individual applying.

4133. Does the Act of Parliament give the College of Physicians any jurisdiction whatever, as regards granting licences out of England and Wales?—It could not. It might in Ireland, perhaps. Subsequently to that Act of Parliament, Wales and Berwick-on-Tweed were incorporated with England; and it was enacted, that the laws of England should prevail there. I am not aware whether the Act of Union may at all affect Ireland; but I think not, unless there is a particular clause in the Act of Union, which introduces any portion of the English laws. Ireland is governed by its pre-existing laws.

4134. Among those colleges of surgeons, which a candidate for the licence of the College of Physicians could not lawfully be required to renounce, as a condition for receiving his licence to practise physic, would you include as well the colleges of surgeons of Edinburgh and Dublin, as those of foreign countries?—I consider Ireland and Scotland as foreign countries with relation to England, at the time. For Ireland, though under the same Crown, was under a different system of legislature; and Scotland was under a different Crown.

4135. If in the statutes of the College of Surgeons of London, there is one which renders ineligible into their council any members who are practising midwifery or pharmacy, is that such a restriction of the eligible, as to be illegal?—That is a very difficult question to answer. The object of the Legislature at first, and the object of the King afterwards, in instituting the College of Surgeons, was to keep the body distinct; and I think it was intended to exclude surgeons from the practice of pharmacy and midwifery, otherwise it would be an invalid qualification. It is not required by the present charter; and I believe, if the bye-law depended entirely on the present charter, there is no doubt it would be invalid.

4136. Supposing this were a qualification required of all persons serving as surgeons in the navy and army, viz.: that they should understand the practice of midwifery and pharmacy; would that occasion you to modify your opinion?—Only to this extent, that such surgeons could not be excluded from the College; because the Acts of Parliament require them to possess these qualifications, and require that those surgeons should be of the College; but it would not render them admissible into the council of the College.

4137. If as surgeons of the army or navy, in the course of their practice, they practised midwifery or pharmacy, would that render them ineligible into the council of the College?—I think such expression of the opinion of the Legislature would tend to invalidate the bye-law, but would not render such surgeons eligible.

4138. Are you aware of any clause in the charter of the College of Physicians, which implies that one intention of the College was to put down quackery and imposture?—

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imposture?—I cannot say that I recollect the particular sentence ; but I take it to be the general intention.

4139. “*Quibus, tum sui honoris, tum publicæ utilitatis nomine, curæ (ut speramus) erit, malitiosorum, quorum meminimus, inscientiam temeritatemque, tam exemplo gravitateque suis deterrere, quam per leges nostras nuper editas ac per constitutiones per idem collegium condendas punire ;*” the malitiosi being those “*qui medicinam magis avaritiæ suæ causa, quam ullius bonæ conscientiæ fiduciâ profitebuntur, unde rudi et credulæ plebi plurima incommoda oriantur*”?—I think that is in the preamble, and not in the charter. It shows the intention of the Legislature. The preamble also states the good intentions of Cardinal Wolsey.

4140. Was not the College engaged, in the early periods of its history, in strenuous attempts to put down quackery by summary process of fine and imprisonment?—Certainly. That, I apprehend, was the general scope and object of the Act of Parliament.

4141. Does the College of the present day possess by law the same power of putting down quackery?—The College possesses all the same powers ; but those powers were found insufficient from the beginning.

4142. Did not the decision of the House of Lords, which prevented the interference of the College of Physicians with the practice of apothecaries in London, materially diminish the power the College previously possessed of proceeding against irregular practitioners?—I think not. That decision appears to have been rather produced by feeling, than by a strict adherence to the existing law. There was some departure, I think, in the special verdict, from the strictly assumed case. Rose, the apothecary, had not I believe made any charge for his advice ; and as the province of the physician is to advise, it was considered, I believe, that though, in fact, he had given what he thought proper, he had not infringed the law.

4143. Practically speaking, have the College the power of prosecuting impostors?—It is directed that they shall have the power of prosecuting impostors ; but the means of carrying the intention of the Legislature into effect appear to me quite inadequate.

4144. Did the charter contemplate an order of regular physicians, who might practise in London without being fellows?—I think so, certainly ; for the phrase “*admissus ad hoc,*” I think manifestly implies, that persons were to be admitted to practise as physicians ; and it is on the ground of those expressions, that I entertain the doubt I mentioned, whether it would or not be necessary that the licence should be given before the election into the fellowship took place. I think the strict construction of the letter of the charter would imply as much ; but as it is considered a remedial law, I think that strict construction perhaps would not be adhered to.

4145. In your work, you acknowledge the decision of Lord Kenyon, in the case of Dr. Stanger, to have been a right decision?—Certainly ; my opinion is, that no licentiate can claim to be admitted into the College, except on an election by the fellows ; and that the fellows have an undoubted right of electing whatever competent persons they please ; and that they cannot be compelled to come to an election.

4146. Have you not given it as your opinion that the decision was right, but on wrong grounds?—Yes.

4147. Have you seen the petition of the licentiates?—I have.

4148. Do you concur in the statements contained in that petition?—I do not concur in the whole of them.

4149. They state “*that all physicians entitled to practise in London are equally entitled, under the charter, to admission to the fellowship of the College*”?—I certainly do not concur in that.

4150. Do you think it a justifiable expression to say “*that the fellows have usurped all the corporate power, offices, privileges, and emoluments attached to the College*”?—I cannot say that ; certainly the fellows constitute the College.

4151. Is it an expression that can be justified?—It is founded in misapprehension ; I think that follows from misapprehension of the original proposition. Had the former proposition been correct, such would have been, in strictness of law, the consequence. But, in my opinion, the licentiates have no power of getting into the College, but by election ; and as the fellows constitute the members of the College, that cannot be usurpation.

4152. You think no person, howsoever qualified, could demand to be admitted into the College, on the score of qualifications?—Certainly not. A person of competent

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competent qualifications I consider entitled to demand to be examined, to be admitted for a licence: but he has no right, but with the voluntary admission of the fellows, to get into the body of the College.

4153. So that if a majority of the fellows resolved to exclude any candidates, but graduates of the universities, it would be competent for them to do so?—The question is, whether they can do that; whether it would not lay a ground for repealing the charter. Bye-laws made with that view, I conceive merely bad; but any such private arrangement made among themselves, may be a ground for the licentiates endeavouring to obtain the repeal of the charter, should such arrangement continue.

4154. Are you aware that the bye-laws have always been submitted to counsel?—I have no doubt that they have frequently been so submitted; but different views are taken by different counsel. At the time when I was seeking the materials for this book, every facility was afforded me by the College for obtaining information upon the subject.

4155. Are you aware of the opinion given by Mr. Dunning, afterwards Lord Ashburton, in 1771?—I am not. I think I have heard of it, but it is nearly five years ago since I was engaged in this work.

4156. "If it be true," says Mr. Dunning, "as I conceive it to be, that certain studies are essential to the due education of physicians, and that a certain length of time, to be employed in those studies, is essential to a due proficiency in them, I am of opinion that the College has a power to regulate by a bye-law the proper mode and time of education of those who would become members of the College, or practise physic within the limits of their jurisdiction"?—My opinion is directly the contrary to Mr. Dunning's.

4157. Are you aware that Mr. Mansfield, afterwards a judge, gave an opinion, about that time, in direct contrariety to that just read?—My opinion is, that the fellows are appointed to judge of the qualification; and that they must judge of the actual qualification; not of any to be presumed from the particular circumstances of education. One man in his closet may acquire more knowledge than another in a university.

4158. Each person, being one of the faculty of and in London, is to be proposed by a fellow, and submitted, on the requisition of that fellow, to a ballot; without prejudice, without secret understanding between the fellows, each being bound to judge for himself as to the fitness of the person proposed?—I think that every one is bound to exercise his own judgment. He has a right to form his own opinion as to the qualifications of the candidate, and has a right to consult his inclination, and express his opinion whether the candidate should be admitted. Any secret understanding, if it were a combination, would be punishable, I think. Every fellow individually entertaining the opinion, that the person who was proposed, was not, for the reason which induced the bye-law, fit to be an officer of the College, might act on his own discretion and judgment. It is a matter of consideration with them, on which side they will give their vote; but every arrangement would be equivalent to a bye-law.

4159. You consider secret understanding to be in the nature of a bye-law?—I conceive so; but in a bye-law there is nothing of the impropriety of conspiracy. The withdrawing the bye-laws, and introducing such a system, would imply that the fellows felt they had no right to establish such bye-laws, and that they were doing that which they dared not avow; whereas, the insisting on the bye-laws gives a fair opportunity of discussing the legality of them.

4160. Is not your opinion of the nullity of this bye-law rather a singular one among lawyers?—I think it is now the almost universal opinion of lawyers. It will be found that the tendency of those cases, in which these very bye-laws have been under examination, is to the same result. Lord Mansfield did not express himself so strongly as, perhaps, he otherwise would have done; because the validity of the bye-laws was not the question; and it was indulging the applicants to go into any discussion upon them. The applicants had no right to the fellowship, as not having been elected. The court regarded that as a bar in all cases; but have gone further in entertaining the question of the legality of the bye-laws than it was incumbent upon them to do.

4161. Are you aware of the construction Lord Kenyon put on Lord Mansfield's opinion?—I have read it some time ago; it is a very general recollection I have upon that subject.

4162. Have the goodness to read it, and give the Committee your opinion upon it?—

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it?—That is perfectly consistent with my opinion. Lord Kenyon says, “But in the very sentence in which Lord Mansfield expressed himself as above, he added, ‘such of them indeed, as only require a proper education and a sufficient degree of skill and qualification, may be still retained.’” It so happened that there were only two bye-laws brought forward by the College at that time; those were themselves condemned; and I take it to be a great courtesy in Lord Mansfield to assume, that they had some other bye-laws which were good, but were not brought forward; since there is no one of the bye-laws in question, to which this observation would apply, as being a bye-law which only requires a proper education.

4163. You do not infer from this passage, that Lord Kenyon understood that Lord Mansfield’s observation did not apply to the bye-law restricting the qualification to the graduates of the two universities?—Certainly not; for it was the very bye-law on which Lord Mansfield commented, and which he advised them to amend.

4164. There is a reference to the two universities?—Yes, by Lord Kenyon; and I think to that would apply the observation which Lord Holt made on a similar compliment paid them by Lord Coke: “Two universities have been founded in this country, amply endowed and furnished with professors in the different sciences; and I should be sorry that those who have been educated at either of them, should undervalue the benefits of such an education.” I am much afraid that implied, that he loved the universities.

4165. Does it not imply, that he adopted the bye-laws which required residence at a university, as a fit qualification?—I think it probable, that if Lord Kenyon had been the president of the College, his love for the universities would have prompted his proposing such bye-laws.

4166. Do you imagine his love for the universities would bias his judgment on a point of law?—I think it would. Upon a point which was against plain law, certainly it would have no bias; but I think that our early habits do very much influence our judgment, tending to create an incapacity of judgment upon particular points, rather than induce a prejudice in the mind perceptible to the person himself.

4167. Do you think such a bias would make such a man as Lord Kenyon forget the principle of law?—I think it is possible. We have another example of the same kind. Lord Coke happened to make a similar observation. There is this expression, in reference to a similar case. It was a question, whether the doctors of the universities had a right, as doctors of universities, to practise physic in London, though not of the College. There Lord Coke certainly did not determine in favour of the College, but he sets it forth as a very hard case that he could not. He says, “The university is alma mater, from whose breasts those of that private college have sucked all their science and knowledge, which I acknowledge to be great and profound. But the law saith, ‘erubescit lex filios castigare parentes;’ the university is the fountain, and that and the like private colleges are tamquam rivuli, which flow from the fountain, et melius est petere fontes quam sectari rivulos.” He tells us a great deal more about the universities being the eyes and the soul of the nation, and for that reason is very sorry indeed that the university doctors are not necessarily doctors in London. I think the same sort of feeling might have prevailed with Lord Kenyon, and that he might inadvertently have given too much weight to it. This remark may be made. Lord Kenyon had one ground on which it was quite clear that the applicant had no right to be admitted: he had not been elected. The judges frequently go into the minor grounds; but they do not feel always bound to examine them with the same closeness, when they find that the plaintiff, at all events, must fail. Many observations are dropped in the progress of causes, which are rather discussions than the solemn decisions of the court.

4168. The decision turned upon a point entirely foreign to the validity of the bye-law?—I conceive so.

4169. Lord Kenyon was followed by Mr. Justice Ashurst. His opinion is in these words: “It does appear to me, that in order to insure a proper education and a competence in learning, there cannot be a more likely method than the having spent 14 years in one of our learned universities; and after having been examined by persons competent to the subject, having been admitted to a doctor’s degree”?—I think he hit on a very good qualification; but it does not follow that there might not be many others equally good. Mr. Justice Ashurst states it as a desirable qualification; but had it been put to him, that a person of great talents, and one as proper in every respect, was to be excluded, because he had not been at an English university, I think that would have rather staggered him in his opinion.

opinion. I think Lord Holt makes a comment on the paragraph I had just begun to read, which implies that he thought Lord Coke was a little carried away by his love for the universities; and I believe Lord Holt is one of our judges who may be esteemed among the most independent of prejudice.

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4170. Will you refer to Mr. Justice Grose's opinion: "One of these bye-laws is objected to as illegal, because it requires a degree to be taken at one of our universities; which it is contended is superadding a qualification to those required by the charter: but I think it is only ascertaining a criterion of fitness, as has been done most properly in other professions, in cases alluded to both at the bar and the bench"?—It is rather an unfortunate instance he referred to; because at the bar there is no such criterion.

4171. Mr. Justice Lawrence is one of the four, who most distinctly states the solid grounds of the judgment?—Yes; my impression is, that the judges were so satisfied, that they were desirous of preventing and setting at rest any further question, by implying that the bye-laws were not altogether to be condemned.

4172. Mr. Justice Lawrence stated that he agreed with the others in thinking the bye-laws reasonable; so that the four judges were unanimous in that opinion?—They were unanimous in that unnecessary opinion.

4173. The expression in the petition before adverted to, "usurpation," might possibly refer to the exclusion of the licentiates from the College, by the operation of the illegal bye-law; and the consequent monopoly of the fellowship which the graduates of the English universities possess?—The only mode in which I conceive the word "usurpation" can be applied, is in their having taken upon themselves, by the making of this exclusive bye-law, to influence the general mind of the fellows. For I conceive, if the fellows were to elect, it would be good, notwithstanding these bye-laws: but that they have, by that, usurped against their charter, and that usurpation would tend of course to the prejudice of the competitors for the fellowship, on account of its having a general influence over the minds of the fellows. But it is clear those bye-laws must have been established, with a thorough conviction that there was a right to establish them; and that they have been supported and countenanced by the judges. At least it cannot be said, that there is any judgment of the court deciding that they are bad.

4174. Is it not the duty of the College of Physicians to provide that those who are to become fellows of the College, shall take means to qualify themselves for the learned profession?—I think that would depend upon the facilities afforded for the attainment of that knowledge. I should not think the university particularly qualified to advance the study of law. For there is no facility for pursuing the study of law. I am not particularly acquainted with their facility for advancing the study of medicine: but I should think the vicinity of hospitals would be desirable.

4175. Do you not think the learning of the medical professor implies a great deal more than medical learning?—I think it would be incumbent upon the fellows to exercise the discretion given them by the charter, considering the delicate situation in which a medical man is placed, to take care that the candidates brought with them good feelings, and higher qualifications than a capacity for the mere drudgery of the profession. I think that they ought to be men fit to be admitted to the sick beds of the higher orders; that urbanity of manners is a part of the fitness for the medical profession.

4176. And that other attainments are necessary besides medical attainments?—Certainly.

4177. If, for instance, to ascertain the moral habits, a certain continuance in practice were required before admission into the fellowship, that would appear to you a reasonable condition?—Certainly.

4178. (*To Dr. Tweedie.*) Are you aware that the continuing a member of the College of Surgeons in Edinburgh would have imposed upon you any duties inconsistent with those which you owe, as licentiate, to the College of Physicians?—I am not aware of any.

Lunæ, 21^o die Aprilis, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Sir *Charles Clark*, M. D. F. R. S., called in ; and Examined.

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4179. YOU are a Licentiate of the College of Physicians?—I am.

4180. You were appointed under a special bye-law empowering the president of the College to propose as licentiate a person who has not resided at a university?—I was.

4181. You are president or chairman of the Obstetric Society?—I am.

4182. Who are the members of that society?—The society is composed of several licentiate physicians practising in London, several surgeons practising in London, and of a few general practitioners in London.

4183. This, now shown to you, is the Minute-book of that society?—It is.

4184. What are the objects of the society?—The society was formed about four or five years ago, for the purpose of obviating the dangers to which women are liable in the act of parturition. It was known to a great number of persons practising in that department of the profession in London, that a number of lives were lost in consequence of mal-practice ; and it was intended, by the formation of that society, to institute an examination upon the subject of midwifery of persons practising physic, surgery and pharmacy.

4185. What do you consider to be included in the term midwifery?—The answer to that question would be perhaps a little prolix ; but, if the Committee will give me leave to state, the act of midwifery does not merely comprehend the superintendence of a function in which nothing is required, and consequently concerning which nothing is to be done, but it involves the management of a great number of cases of great difficulty, of great danger, of cases which if treated rightly, life is preserved, if treated improperly, life is destroyed. It may be right to state that the process of human parturition is very different from the process of parturition in other animals. In order to obviate the effects of gravitation, the cavity through which the contents of the womb have to pass, is not placed in the same line with the trunk of the body in the human subject, as it is in other animals : and the price which is paid for the advantage of the erect posture of the body, is the increase of the difficulty and of the danger attendant upon parturition. Cases of the most simple kind, which are included under the head of natural labour, are by watchfulness, care, and doing but little, attended with little hazard ; but these cases, without watchfulness, without care, or with obtrusiveness, may be converted into cases of the greatest hazard. I need hardly state, that the act of labour is made up of a resistance to be overcome, and a power capable of overcoming it ; and that the last should beat the first ; but this does not always occur ; the resistance is then greater than the power, and, consequently, it becomes necessary, either to increase the power by artificial means ; or, in cases of disproportion between the cavity and the body which has to pass through it, either to lessen the volume of the body which has to pass through, or to sacrifice the life of the woman to preserve the life of that body, the child. It is a settled axiom, that the head of a child, which in its short diameter, taking case with case, measures four inches, cannot pass through a cavity which measures less than three, without a diminution of its size. A diminution of its size can only be effected by lessening the quantity of its contents, namely, the brain ; and I need not say, that if you remove the contents of the skull, namely, the brain, you destroy the life of the person to whom that brain belonged. It appears, then, that those cases of difficulty and of danger which depend upon the disproportion between the body which has to pass through and the cavity through which that body has to pass, are cases which require great attention, much anatomical knowledge, accurate powers of comparison between the major and the minor, great judgment as to the determination of whether either life should be sacrificed, and which life should be sacrificed ; and the difference of half an hour, the difference of a quarter of an hour determines the fact whether the practitioner should destroy the child's life to preserve the life of its mother, by opening its head, or whether he shall adopt such other means, I mean the employment of time especially, as may possibly justify him in waiting without operating. There are other cases. In the greater number of instances, the presentation of the child

is by its head; but in once out of 70 times, it happens that other parts than the head, the shoulder, the back, or the breast, will present themselves; and it is perfectly impossible that a body so presented can pass through that cavity, unless the nature of that presentation be changed. If a case be ignorantly treated, or mistaken, there is no question but that of life or death. If the case be known and treated, but not treated skilfully, an accident of the most fatal nature, namely, a rupture of the uterus, a communication made between the cavity of the abdomen and the external air, is effected by the improper performance of such operation; and the life of the woman is devoted. There are cases, and they are not unfrequent, of hæmorrhage occurring in labour. Some of those cases of hæmorrhage depend upon the opposition of the placenta to the opening at the bottom of the womb, as it is called the *os uteri*. In those cases, the first part of the process, which involves the dilatation of that opening, which opens the door through which the child is to pass into the world,—this natural act, which in 99 cases out of 100, or a much larger proportion, is to give an opening through which the contents of the uterus are to be discharged,—as it proceeds, involves the patient in a state of positive and imminent danger. For the body which is so placed, consists of a collection of blood vessels, which being torn through, the life of the child is sacrificed by the loss of blood, and the woman would either die undelivered, or she would die of hæmorrhage after that delivery. So that in such a case, it becomes necessary actually to make a perforation by the hand through such placenta or mass, and to deliver the child through the opening so made, in order to prevent the further consequence of the non-performance of such an operation; and that certain consequence is death. In labours the most natural, in women of weak powers, it very often happens that hæmorrhage takes place from blood vessels, and that such hæmorrhage becomes the cause of death. It is very well known to physicians and surgeons, and, I may say, to physiologists and philosophers in general, that the restriction of hæmorrhage in the body is attributed to two causes; namely, to the coagulation of the blood, which forms a plug in the bleeding vessel, and to the contraction of the blood vessels, which obliterates their cavity. It is obvious that the blood cannot coagulate, unless it be at rest: it is equally obvious that it cannot be at rest in a large vessel, where the pressure behind would prevent it. Here, therefore, is given to the uterus of the woman, and to the uterus of the woman only, a muscular power, the contraction of the uterus itself, by the exertion of which muscular power the sides of the vessels are compressed against each other; so that that which could not happen by a mere contraction of the blood vessel itself, is effected by the contraction of the muscular fibres which surround the blood vessels, producing and making a specific ligature on each bleeding vessel of the thickness of the uterus itself. This is the provision of nature, given by Providence to the human uterus: it is not given to the uterus of any other animal, since the structure of the placenta in other animals is so formed, that one part comes away, another part remains behind. It is quite obvious, therefore, that the knowledge of the mode of restraining hæmorrhage, by producing the contraction of the blood vessels, by forwarding the coagulation of blood, and especially by producing contraction of the uterus itself, is of infinite importance to every body who has the care of the act of parturition; and a vast number of women are lost every year by the ignorance of persons upon this subject. There is but another case: that which has been called “convulsion,” “puerperal convulsion,” because it is unlike any other convulsion in some of its circumstances. Such cases, in ignorant practice, almost always end fatally; but, in good practice, almost all end well; and the like may be said with regard to the cases of hæmorrhage. A bad practitioner will lose 19 out of 20 of his cases of hæmorrhage; a good practitioner will hardly ever lose a case, though he may live to a considerable age. Another danger that presents itself, and in cases the most natural it happens very often, that the placenta, or connecting medium between the mother and the child, is situate at the upper part of the bag called the uterus. If an ignorant practitioner forcibly draws down the funis when the uterus is relaxed, and before the placenta is separated, he draws down with it the uterus itself, making that an external tumor which was an internal cavity, and either destroys immediately the life of the patient by such violence done to parts incapable of bearing it, or he produces a permanent disease, which is inconvenient, and not to be removed but by the removal of the uterus itself. Those cases I have seen happen again and again. It occurs sometimes (and there is an instance upon record of a man who was tried at the Old Bailey for such practice) that the practitioner, not aware of

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that which he has done, has continued to drag, till he has torn the uterus out of the body, dragging with it the intestines and parts contained in the cavity of the belly; and the patient has died. There is yet another case, which if not constituting what may be called the act of labour, may be considered fairly as being the prelude of labour: I mean the ordinary case of abortion. If the oak is valuable as an oak, the acorn is valuable which produces it; and therefore, as far as human life is concerned, cases of abortion are of as much importance as cases of labour. But it is notorious to persons who practise this part of the profession, that all those cases are met, by ignorant practitioners, by a remedy of one colour always, and that colour red. They are met by a combination of medicines of three different kinds; so that you know before you see the prescription, what the patient has taken. Those cases demand great knowledge: they may arise in weak habits and in strong habits; they may depend upon the loss of the vitality of that which is within the uterus, and they may be irretrievable; or they may depend upon the separation of the ovum from the uterus, which separation may be partial only, and by judicious treatment may only remain partial, or they may depend upon the contraction of the uterus, the walls of which organ contracting upon its contents, may work its expulsion: all these cases (different in themselves) require management also very different. I think I have stated enough to show the importance of that part of the profession which professes to superintend this function, and the necessity which there is for examining into the qualifications of persons who are to superintend this function, in whatever department of the profession they may happen to be.

4186. Besides the act of parturition, what disorders are those physicians required to treat who particularly apply themselves to the practice of midwifery?—All the complaints affecting what may be called the genital system, complaints very numerous, very various in their character, very different in their degrees of danger, and requiring very different modes of treatment in order to obviate them. I would mention also, that with midwifery are generally taken in the diseases of early life, the diseases of children.

4187. To consign to this branch of the profession the treatment of the diseases of children, seems natural; inasmuch as the mother would probably prefer that the physician who had been successful in the treatment of her own case, should also attend to the disorders of her child?—If she were to reason upon it, she probably would reason in this way.

4188. Are you aware of a table drawn up by Dr. Hamilton, professor of midwifery in Edinburgh, showing from the bills of mortality the more successful treatment of women in child-birth in modern times, as compared with their treatment at successive periods during the last century and a half?—I have seen it.

4189. You consider the treatment of cases of parturition as particularly important, and requiring all the resources derived from a full knowledge of anatomy and physiology, and of the proper application of remedies to diseases; inasmuch as in ordinary diseases, but one life only, but in these cases two lives are concerned. By unskilful treatment, two lives may be lost; by skilful management, two may be preserved?—Exactly so; the same laws which govern the animal economy generally, are to be looked to in the consideration of those cases; the same tools are used, both medical and surgical; and the object is the same, the preservation of life.

4190. It requires a knowledge both of medicine and of surgery; both of external and internal treatment?—I consider that it does.

4191. A knowledge both of the natural and the disturbed functions?—It does.

4192. To consign the care of women and children to practitioners who are either totally ignorant of medicine, or if learned, are yet supposed to belong to an inferior caste, seems almost to imply that the objects of their care occupy an inferior scale in the creation?—I should think there can be no other inference drawn, that if there be no cognizance of the qualifications of persons to treat this function, and the diseases connected with sex, women and children do occupy, which is not allowed, a subordinate place in the scale of creation.

4193. In confirmation of the table by Dr. Hamilton, which has been shown you, can you state whether great improvements have been made, of late days, in the treatment of women in child-bed?—I think a greater and more accurate knowledge of the laws of animal economy has existed; that less harm has been done; that more patience has been exerted; that what may be called the moral remedies, the influence

influence of the mind, have been more called forth; and in addition to that, I should say that also the manual modes of relief have been considerably improved.

4194. About what time was it that midwifery first began to be taught by medical men in this country. It is stated by Dr. Hamilton that it was by Dr. Chapman, who lived about the middle of the eighteenth century?—I should think it was about that time. Dr. Chapman was one of the first who wrote upon it.

4195. Then Dr. Smellie, Dr. William Hunter, Dr. Colin Mackenzie, Dr. Hope, Dr. Hunter, Dr. Garthshore, then Dr. Osborn, Dr. Thynne, Dr. Bland and Dr. Denman?—Yes.

4196. In Edinburgh by Dr. Young, Dr. Alexander Hamilton, Dr. Gillespie and Dr. Stewart?—Yes.

4197. And in Dublin Dr. Macbride, Dr. Cleghorne, Dr. Clark and Dr. Evory?—Yes.

4198. Were any applications made by the Obstetric Society to the different medical corporations in London, and if so, what was the nature of those applications?—About 35 years ago, the late Dr. Denman, and some of his contemporaries, aware of the facts I have taken the liberty of laying before the Committee, had a meeting, in order to induce the corporate bodies to take cognizance of this part of the profession. Several meetings were held, but the matter fell to the ground: they were incapable of doing anything. About 28 or 29 years ago, the necessity for interference continuing daily to present itself, another meeting was summoned, consisting of some of the gentlemen whose names have been mentioned, Dr. Denman, Sir Richard Croft, Dr. Beattie, Dr. Squire, and one or two others; and though I was very little in practice, I formed one of that number. A second application was made: the same success, or rather non-success, attended it, and that also fell to the ground. Then, about five years ago, another attempt was made, the sole purpose of which attempt was, to institute an examination into the qualifications of those persons: another object was in view. If an examination had been instituted, the society, born for the purpose of causing it, would have died immediately upon the object being effected. There is no such society actually in being, if I may term it, as the Obstetric Society; but as it was necessary to give a name to the party petitioning the corporate bodies, the name of Obstetric Society was given, because there appeared to be no better; but the sole object was to accomplish that, not by alteration of the present machinery, but by means of the three corporate bodies.

4199. What was the end in view, in making those applications to the corporate bodies?—The end was simply to induce the three corporate bodies of London, which superintended the practice of medicine and surgery, to require of candidates offering themselves to be examined for a licence or diploma, that before they went into the world as licensed practitioners, they should first give proof of their competency as to the management of the cases which I have taken the liberty of laying before the Committee.

4200. The object of the application was, not to give any advantage to the applicants, but to induce those corporations to examine all candidates for a licence to practise, as to their knowledge, amongst other matters, of the principles and art of midwifery?—So far from any advantage applying to the individuals composing that society, proof would be given to the public of the competency of all other persons who might be so examined, so that the emolument received by the few would be diffused among the many.

4201. Did not the College of Physicians in the year 1773 institute a particular rank, who were called licentiates in midwifery?—I was just born at the time, but I know such was the fact; though certain physicians, including Dr. Denman and Dr. Osborn, had a place given them in the College of Physicians, no advantage arose to the public. As to examination connected with such licentiates in midwifery, it was a nominal distinction given to certain persons by the free will and good feeling of the College, as an honour to them.

4202. Are you aware that in 1788 the College passed a resolution to this effect, that apothecaries be refused a licence in midwifery?—I was not aware of that.

4203. Are you aware that in 1829 the College came to a resolution, that all applicants for a midwifery licence should be examined in Latin?—I was not aware of that.

4204. Do you know that in the Bill for the regulation of surgeons which was brought into Parliament by Sir William Garrow in 1817, it was proposed to transfer to the College of Surgeons the sole power of licensing all male practitioners in midwifery?—

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what are properly called medical means, are frequently called into force for the removal of many of the actual difficulties, thereby rendering manual means unnecessary, and thereby rendering instrumental assistance not called for. If a surgeon had the means, by any class of medicines, of so enlarging the diameter of the canal as to enable a stone to pass from the bladder, he would be a madman if he performed the operation for the stone, when he had the means of producing such a state of inaction of that canal as would enable the stone to pass through without the pain and danger of that operation.

4209. Might not the same distinction be drawn in the practice of medicine itself, between the curative and the operative part of the practice of medicine?—For the advantage of the public, the *ars medicinæ* has been divided into what is commonly called physic and what is commonly called surgery; but they run into each other so much, physicians have so often to consider the effect of surgical means, and surgeons have so often to consider the effect of medical means, that though, in the abstract, it is perhaps for the public a useful division of the profession, no one can be a good physician who is not a fair surgeon, and no one, as it appears to me, can be a good surgeon unless at the same time he be acquainted with the laws of the animal economy, and the mode of regulating those laws; which I consider to be the province of a physician.

4210. Do you consider it probable that a person distinguished in this branch of the art would be likely to assist as a mere assessor, being considered, by the assumption, as a person not fit to examine the candidates upon other branches of medical knowledge?—I think that would naturally imply a voluntary acknowledgment of the ignorance of such assessor upon medical subjects generally; and that no man of respectability and character would allow himself to be made a judge of the manner of managing one function, being at the same time tacitly adjudged incapable of conducting the management of another function.

4211. What was the final result of this application to the College of Physicians?—The final result was I believe that it slept in the tomb of all the Capulets, and it died a natural death, which gave rise to the application to the Legislature at the end of last year.

4212. What result had the application which was made to the College of Surgeons?—No beneficial result, nothing was proposed, to the best of my recollection; but I may be allowed to state, that the College of Surgeons have actually a right to examine, and that it is their duty to examine; because it is the duty of the examiner of the College of Surgeons to inquire into the competency of a man operating for stone, or for hernia, or performing the operation of amputation. It is equally a duty of chirurgeons to examine into the qualifications of a person to operate upon this organ of the frame; so that it appears to me a distinction in name at war with common sense.

4213. Was this a part of the answer of the College of Surgeons: “The council beg leave to observe, that they have hitherto elected as examiners such surgeons as they believed had in the early period of their lives been accustomed to pass their days in hospitals, and their nights in the study of their profession, and not in the avocations of a lying-in chamber; such surgeons as had for a long time superintended the practice of hospitals, and had been consulted by the public in difficult cases in surgery: because the council think that such surgeons must be most competent to decide on the extent and correctness of the practical information which candidates for the diploma of this College may possess. That, in the opinion of the council, this mode of selection of examiners is most likely to promote surgical knowledge and the public good. That the annulling of the bye-law that excludes practitioners in midwifery from the council of this College, which seems to be a principal object of the obstetric committee, would weaken that respect the public now entertain for, and the confidence they now have in, those surgeons who have devoted their time and efforts exclusively to the attainment of surgical knowledge, evinced by their being alone elected to superintend the practice of hospitals, and would be adverse to the cultivation and advancement of surgery. The council beg leave to add, that the court of examiners have passed a resolution requiring that each candidate for the diploma of this College shall produce, prior to examination, a certificate of having attended two courses of lectures on midwifery, delivered by competent teachers; and a regulation to this effect was accordingly published on the 9th of March last. And that the council deem such regulation of the court of examiners, together with the examinations which are instituted, a sufficient security to the public with regard to the qualification of the

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members of this College?—That was the answer upon that subject. It appeared to be the opinion of the Obstetric Society, that there was no further evidence of the surgeons who do not include in their practice the management of this function, passing their nights in sleeplessness, than of the other surgeons passing their nights in sleeplessness; and that if any inference was to be drawn at all from sleepless nights, this inference was to be drawn: that those men who were of necessity up at night, were more likely to think and to read at night, than those other persons whose opportunities enabled them to go to bed when they pleased. With respect to one of the observations in that letter, that the public would respect the College of Surgeons more, for not attending to this department of the profession, it is very well known that persons are respected in proportion to the benefit which the public derives from their exertions. The question is, in the profession of the law, of physic, or of surgery, what is the power of the professor of law, of physic or of surgery to aid and benefit the public; and therefore the knowledge which a surgeon might possess on all the different parts of his profession, would rather increase than diminish that respect which the public has for the profession. With respect to the presentation of certificates, such presentation means something or it means nothing: if the presentation of a certificate of attendance on lectures was to be sufficient evidence of the qualification of the person so attending, then the presentation of the certificate of the different lecturers who teach the art of surgery, ought, on the same ground, to be a sufficient test of the qualification of the candidate for a diploma. If it is not in the one case, it is not in the other; and consequently the presentation of the certificate can only imply, that the person who has so attended, has paid his fee for attendance; and that he has sat in a lecture-room so many hours, awake or asleep, attentive or inattentive; but it affords no ground of estimating the qualification or the competency of that person.

4214. Does not such answer appear rather inconsistent with the clause proposed in the Surgeons Bill in 1817, whereby the exclusive privilege of licensing male practitioners in midwifery was to be given to the College of Surgeons?—I think it does; but it appears that that requires some explanations. I did not know of it till to-day. If that law was to be applicable to surgeons, that is, to members of that College, then it appears to be a useless law; because a surgeon ought to be competent to manage all the functions of the frame; therefore it becomes useless to the person who might happen to be a member of that particular college. If it had reference to persons wishing to practise one part of the profession without practising another, I should consider it to be a bad law; because it would enable a person to operate upon one part of the body, he being at the time entirely ignorant of the animal laws generally; of all the other parts of the profession.

4215. The answer received from the Apothecaries Company was an expression of their willingness to do this; but they stated that they were advised by their counsel that there were doubts whether they had the power to institute such examination?—That was the case; and I may state that the improvement, if it be an improvement (and it may be to a certain extent) which consisted of making it necessary that each candidate presenting himself to the College of Surgeons for general examination, should also present a certificate of his attendance upon lectures, took place subsequently to the last stir, if I may so call it. The last endeavour upon the part of the Obstetric Society was in their application to the Apothecaries Company. I have understood, notwithstanding the opinion which was given by their counsel as to the want of power so to examine upon the subject of midwifery, as being rather chirurgical than pharmaceutical, the Apothecaries Company have subsequently added to their Board the name of a most respectable gentleman who is practising in this part of the profession; and at this time the persons who do apply as general practitioners, have their qualifications on the subject of midwifery tested at the Board of the Apothecaries Company.

4216. If it were required that all male persons, licensed to practise midwifery, should also have a competent knowledge of surgery, to be tested by examination, would the undergoing the double examination, as well in surgery as midwifery, have the effect of excluding from the practice of midwifery many males who now act as accoucheurs?—I should think it would not; but if it did, I should think it would be a very good plan, for it would compel persons who profess to understand only part, to make themselves masters of the whole.

4217. Do you think the effect of requiring that double examination, would produce any great diminution of the number of persons now practising midwifery?—I think that the number would continue the same; but that the public would be

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rendered more secure, by having competency instead of ignorance. The present number acts injuriously to the public; very often many of those dangers I recapitulated at the early part of this examination, occur in such practice. There is another advantage, which is an indirect advantage, and it is this: that in this country a great number of persons of the poorer class of society are attended by female midwives as they are called. If the male practitioners throughout the country were made competent to practise in this department of the profession, they would be, in each of their individual towns, better teachers of those females; and therefore fewer injuries to the public would be done by persons so much better taught than at present are done by those, who are comparatively ignorant.

4218. Under the circumstances you allude to, would the reward and payment to those individuals in remote places and in a low line of practice, be sufficient to remunerate them for the expense of such an education as would enable them to pass an examination in surgery and midwifery?—It appears to me that though the College of Surgeons has no power to examine into the competency of any one person practising as a surgeon in London, or as an apothecary, that a single examination at the Board of the College of Surgeons (not a double examination, but that one single examination to which all persons do present themselves for the purpose of obtaining professional character) would effect the object required. It would suffice that the examining body should possess the competency to inquire into the knowledge of the candidate in these matters: that under the idea of their having the power of inquiring, the candidate would prepare himself for such examination; and that the same machinery would at the same time perform the double part of ascertaining the competency of the candidate to practise surgery as a whole; and if as a whole, this department of surgery, namely, the operations to be performed upon the uterus and the adjoining parts: because in fact it forms a part of surgery. If midwifery be anything beyond the name, if that name is to have any meaning connected with it, then midwifery resolves itself into an attention to that function in its natural state, the prevention of those ills which arise from its mismanagement, and the obviating those difficulties which arise in the disturbance of it; so that it would be just as absurd to separate lithotomy, hernia, or amputation, from surgery, as to separate the different operations required, when the uterus is incapable of performing its duty. It appears to be a part of the whole, and if the term midwifery were thrown out of the question, inasmuch as the functions of the uterus would make part of the general whole into which such examinations are to diverge, the public would be secured from the injury and from the danger. No other machine would have to be called into action; but if the council of the College of Surgeons were competent to examine (and they can be competent to examine only by having the experience to enable them to ask the questions), the whole matter is gained; the public is secured; the candidate if accepted, is presumed to be worthy of such acceptance; and the object of the Obstetric Society is gained.

4219. From the nature of things very many persons must be employed in attending women in child-birth; and the reward in many of such cases must be very small; if you make the education very difficult, or expensive, do you not run the chance of narrowing the number of persons who can lawfully be employed?—There can be but two sorts of practitioners; those who are members of the College of Surgeons, and those who are not: those who are members, or who are candidates to become members, would incur no additional expense in gaining the information; because already, by a bye-law of the College, they are required to bring a certificate of attendance on lectures in midwifery; consequently they have paid their fees. No additional expense would be incurred to the candidate, because he would be asked a question or two upon the function of the uterus, as he would be asked a question or two upon the function of the bladder; and the same sum demanded for a diploma in one case would be in the other; midwifery being a branch of the whole profession of surgery. Then the other part I alluded to is the part of practical midwifery, simply surgery and alone. Not being a member of the College of Surgeons, I do not know one single instance in this town or in this country of any male saying, I practise midwifery simply, unaccompanied by physic, surgery or pharmacy.

4220. Would you have the diploma distinguished in midwifery from the general diploma?—Not at all; I put it in this way, to throw the word midwifery out of the question. It appears to be the stumbling-block; take away the word, and the management of the function of the uterus is as much a part of surgery, as the management of the function of the bladder, or of any other organ in the body. An examination, if it ought to be made at all, and it ought to be made as to other

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functions, ought to be made of course into this function ; it making a part of that whole, to which whole is given the name of surgery. It is the word midwifery which makes the whole difficulty ; it is a branch of physic, a branch of surgery. Put it only as a branch, and the whole difficulty is avoided ; but if you say midwifery is something, it is simply this : midwifery is the superintendence of a function of the human body : it is either medicine, or it is surgery, or it is both : it cannot be nothing. If it be medicine, the qualification of the candidate should be tested by the physicians ; if it be surgery, it should be tested by the surgeons ; and as there is a class of medical men termed general practitioners, who are understood to be competent to the practice of surgery, then the same qualification is to be expected from them.

[*An Extract from the Evidence, Questions 225 and 226, was read to the Witness.*]

4221. Therefore, whatever knowledge the censors of the College of Physicians possess, they must have acquired in passing through the hospitals, probably?—And the lectures of those gentlemen, who practise that part of the profession.

4222. Do you think unless they have applied themselves expressly to the art, they can properly understand it?—I take for granted that the advantage which the public derives from any medical practitioner, is in proportion, partly to his general knowledge, and partly to his experience in that department of the profession to which he chiefly devotes himself : that, as experience gives knowledge, and as knowledge is the thing sought for, so that knowledge will be obtained in the greatest degree from persons who have the greatest share of experience. I would put it in this way : I should think no ordinary surgeon in London would operate upon a fellow-creature, at the present time of day, for cataract : not because he does not know the nature of cataract, not because he is unacquainted with the mode of dispersing or of extracting it, but because other persons, being more frequently in the habit of performing this operation and superintending it, will be more likely to do it well than persons who, though knowing the disease, and though acquainted with the operation for its removal, are not often called upon to do so.

4223. You think it most important that the College of Physicians should institute an examination of those who come before them into their knowledge of midwifery, and that those who have to examine others on the subject of midwifery, in order to be competent examiners, must have had a thorough and practical knowledge of the art themselves?—I do.

4224. Would it tend to disparage the highest grade of the profession, to allow them to engage in this particular branch ; and would it bring discredit upon men who have been educated at the universities, to be placed in the same grade with those who attend to this particular function?—I think that that is a question which I should have much difficulty in answering ; because it might be thought, and might be thought truly too, that I was not a competent judge of such a question. I certainly consider the respect which the profession has obtained in this country, is owing to the respectability, and the education, and the character, of the gentlemen in the higher departments of physic. I have no doubt it is very much owing to them ; but I do consider, at the same time, that the real respect of the public towards the professors of any art or science arises out of the benefits which such professors can confer upon the public in general : that in proportion to the degree in which a man can serve the public, in the same proportion he is estimated : if he can serve them but little, he is estimated but little, and if he can serve them much, he is estimated much.

4225. If a person be admitted into the College of Physicians, he is liable to belong to the Censors' Board, and by possibility may be elected president. Is it an objection to a person, practising in this branch of the art, being admitted to the fellowship, that he is more liable to sudden calls than persons in other branches of the profession ; and he, on that account, ought to be excluded from the fellowship, because by possibility he may be elected to serve in the various offices of the College?—I consider that such an objection might possibly be thrown out, but I do not conceive it would be a valid objection ; because both surgeons and physicians, who constitute the examining boards of their respective colleges, are liable to be called away by sudden cases of hæmorrhage, by fractures, by apoplexy, by immediate distress calling for immediate remedy. Of this there can be no doubt, that inasmuch as labours are much more frequent than hernia, or than any other of the accidents to which the human frame is liable, insomuch there can be no doubt

doubt that there would be an increased liability to be taken from the examining board; lessening therefore the number, *pro tempore*, upon such possible occasions, which might happen once a year, reducing the board from the number five to number four, supposing one member to be a practitioner of this art.

4226. Is that such an objection that you think it ought to operate as a complete exclusion of physicians practising in that branch?—It seems to make a distinction without a difference.

4227. Have the medical men practising in this branch of the art shown by their works on various branches of physiology that they are active improvers of that particular branch of medicine?—I should say that the whole of the information, with the least possible reservation, in this department of the profession, which physicians and surgeons acquire, if they possess it, can be derived only from those physicians and surgeons who do practise this part of the profession, or from their works and lectures.

4228. You think the works that have been written upon the subject have been written chiefly, if not entirely, by men who have been so actively engaged?—Yes, I do; and that if persons are to drink at all at this source of knowledge, they must drink from a source supplied wholly by the practitioners in this department of the profession.

4229. Looking at those works, do you find that generally physicians and surgeons have been the authors of those improvements?—I should say, taking what has been called in this Committee “the practice of midwifery, strictly so called,” (I mean the management of labour, and its consequences and its varieties) the whole of that information is to be obtained from the writings of the licentiates of the College of Physicians, and from those other members of the College of Surgeons who are not members of the council or the court of examiners: and I should say further, that all the information (I make of course a trifling reservation) to be acquired upon the disease of sex and the diseases of children is to be acquired from the lectures and the writings of the licentiates of the College of Physicians, and of those members of the College of Surgeons who are not members of the council and the court of examiners. Two of the reservations I should take the liberty of adverting to, are a book containing from 100 to 150 pages upon the diseases of children, by one Walter or William Harris, a fellow of the College of Physicians, who lived in the year 1720, and was a professor of surgery to the College of Physicians; and a little work, or little index, it may be rather called, of the diseases of infants, by Dr. Heberden. There is also a work on the disease of the ovarium, published last year by Dr. Seymour. With these exceptions, nearly the whole of the information on the diseases of sex and the diseases of children is to be collected from the works of those practising in this branch of the profession.

4230. Have not the improvers in this branch of medicine been some of the most eminent anatomists of the day?—They have.

4231. Was Dr. William Hunter an instance?—He was.

4232. Are there any instances in a remoter period?—It is probable that Hippocrates practised this part of the profession, inasmuch as in many parts of his work there are observations which could be gained only from experience and observation, the truth of which observations the experience of the present day confirms. The writings of Celsus contain many passages, certainly proving that he did not exclude this branch of the profession. The operation of turning (the operation which saves lives in cases of preternatural presentations, as they are called), and the operation of opening the head, are perhaps as well described by Celsus as by any other, though shortly.

4233. Are you aware whether the candidates for serving as medical officers in the army or navy are required to have a knowledge of midwifery?—Some 30 years ago I was a surgeon in the army myself, and it was then expected that the surgeons of the different regiments should hold themselves liable to be called upon in cases of difficulty; and unless they were considered to be informed, the liability to be called upon would have rendered no service to the community.

4234. Do you know what is the present practice?—I believe they are compelled to possess that information.

4235. Those who are army or navy surgeons are required to undergo an examination upon each branch of the art?—I believe so; I speak especially as to surgeons in the army.

4236. Are the army and navy surgeons allowed to undertake private practice?—When I was a surgeon in the Guards myself, I practised, and I believe all other

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army surgeons do so, and they generally remain army surgeons, till their receipts, as private practitioners, counterbalance their pay as army surgeons, and till their prospects are greater than those of army surgeons.

4237. If after having filled this office they aspire to a seat in the College of Surgeons, are they not, according to the existing bye-laws, required previously to renounce their practice in midwifery?—I believe they are.

4238. Therefore the possessing this additional knowledge and skill is to them a disqualification?—It would be a disqualification; their qualification as to surgery generally would be ascertained by their previous examination, and the addition of this knowledge would be a disqualification for the council. There is a very wide difference, as it strikes me, between the two corporate bodies: the admission of practitioners in midwifery to the fellowship of the College of Physicians would be an act of utility, perhaps, to the public; but it is optional, as it appears to me, upon the part of the fellows of the College of Physicians. They stand, with reference to other members of their body, as to their length of education, on a different ground; but the member of the College of Surgeons has the same education as a surgeon, whether he is to be a hospital surgeon, or an army surgeon, or whether he looks forward to be a member of the council, or a member of the board of examiners. His education in every respect is the same. The diploma is in all and every respect the same; so that a man, when he presents himself for examination at that board, may have great views or moderate views; the members are upon a par: the education is the same. It appears to me, therefore, an unjust exclusion of a member, placed previously upon the same footing. Not so in the case of the College of Physicians. There is a superiority, arising partly from the bye-laws and partly from their consciences, which may give them an option of determining what they will do; not so with regard to the body of surgeons, for there is an equality of right, and an acknowledged equality of information.

4239. Would not an examiner be far more competent, if he combined with his knowledge of the principles of surgery a practical knowledge of midwifery?—The Obstetric Society would never have been called into action, no such body ever would have arisen, if the three separate bodies had, without the least regard to the interests of the members of the Obstetric Society, instituted an examination of all persons about to become members of those three bodies. If that point were obtained, no matter how, from the bodies as they now stand, or by any such alteration as common sense dictated (if common sense dictated at all: I do not mean to say that it would not dictate), but if that object were obtained, even with the present constitution of the College, even to the exclusion of the parties who do so practise, I dare not speak in the name of the whole, but I can speak in my own name, I, as one, though I have not practised midwifery now for a great many years, should be perfectly satisfied. The only object of the society is, to institute an examination on the part of those three bodies as they now stand, or as altered; and the whole object would then be attained.

4240. What do you think should be the education of a gentleman intending to pursue this branch of medicine? In what way should it differ from the ordinary education of a medical man?—If it were within his means, I would give him the best medical education, and then, if he meant to include in his practice this part of the profession, I would let him direct the greater part of his attention to subjects involved in this branch; but there can be no doubt that the greater and more extensive the knowledge and information of a man is, the more fit he is to perform the duties of all the different parts of the profession.

4241. Whatever the education, fitted for a physician and surgeon, may be, ought he to have received the same education?—He must, if the life of the patient be the object.

4242. What examination should he undergo different from the physician or surgeon?—In the College of Physicians, I apprehend, he should undergo the same examination as at present, without the exclusion, or rather with the inclusion of those parts of the profession which have been denominated midwifery. In the College of Surgeons, I think that he should undergo the same examination as at present, and I believe there cannot be a better examination, with the inclusion also of this particular subject.

4243. Previous to your being admitted a licentiate of the College of Physicians, did you undergo an examination?—Sir Henry Halford, the president of the College, some years ago, was kind enough to say that it would be acceptable to the College, if I were to become one of their number, and did me the honour to invite me to
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become a licentiate of the College, abandoning my own former college, the College of Surgeons. And I must say, that I consider it to be one of the events of my life which has given me the highest personal gratification. Having been proposed, I underwent a triple examination, in anatomy, in physiology, and in the treatment of disease. Whether that examination was a sufficient test, is known only to the examiners. I underwent, to the best of my knowledge and belief, the ordinary examinations upon those three stages, in three different examinations.

4244. Were you examined upon the treatment of the diseases of women and children?—I think there were two or three questions which bore a little upon those diseases. I think peritoneal inflammation was one. Pressure upon the brain, was another. The management of the hooping cough was the third question.

4245. Did it appear to you that the examination on such points which you underwent, if it was an example of the ordinary examination which candidates for the licentiate undergo, was a sufficiently extensive and strict one, upon these branches of practice?—I should certainly say not, upon this branch of medicine. I think that it should be much more extensive; but I think it would be of advantage, if candidates were to be aware that they might possibly be examined on these subjects, that they would then prepare themselves for such examination, instead of neglecting the subject, as they now do in part.

4246. If the professions of the physician and surgeon are to be completely distinct and separate, are you to be understood to state that persons practising midwifery naturally belong to the College of Surgeons?—There we come to the term midwifery again; there is no such distinct subject as midwifery.

4247. In whatever way that class of practitioners is described, do you consider that they naturally belong to the class of surgeons?—No; I took the liberty of stating, that even the management of labour in its complications and varieties, setting aside all the different circumstances connected with it, requires medical knowledge also, and it may require surgical knowledge; that is, the employment of medical knowledge will enable a woman so to pass through that process, as not in many cases to require surgical treatment; and there are many other cases in which surgical treatment is called in, to supply those deficiencies which medical knowledge alone cannot in such cases supply.

4248. Would you have the persons practising in this branch, act under a diploma from the College of Physicians or the College of Surgeons?—I would have no such branch at all; we might as well have a branch for lithotomy; which is the removal of a dead stone from a living body.

4249. To which of the two departments do you think persons practising in this branch most frequently belong?—I would put it in this way: Whether it be right or wrong, many licentiates of the College of Physicians do practise in this, in common with other parts of the profession. Physicians therefore do practise it. In the College of Surgeons also, a great number do practise it, the one as a branch of physic, the other as a branch of surgery; and I do not know that any better arrangement could be made, than that each member of the profession, as he thinks fit, shall or shall not practise those departments of the profession: but I think that all should be fitted to practise it, by their examination before their respective boards, in the event of their desiring to avail themselves of opportunities of so practising.

4250. Persons in that branch of practice should not be excluded either by the College of Physicians or the College of Surgeons?—It would be an assumption on my part, if I, an humble individual, were to state that the College of Physicians have no right to exclude.

4251. The question refers to the policy of such exclusion?—I think that physicians, and surgeons, and general practitioners, should all be examined touching their competency in this part of the profession.

4252. In the statutes of the College of Physicians or Surgeons, is there any similar restriction as to the treatment of any individual cases of disease, appertaining to any other part of the body, which treatment is a disqualification for their being fellows of the one body or belonging to the council of the other?—There is none.

4253. Does it not appear to you that the placing a restriction upon the diseases affecting this particular part of the body is totally inconsistent with all usage in these corporations, as regards diseases affecting other parts of the body?—I think common sense answers that question.

4254. In the Bill brought into Parliament in 1817, at the instance of the College of Surgeons, there is this passage: "Whereas surgical aid is frequently required in midwifery, and it is expedient that male persons so practising should be qualified to

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render such aid." Dr. Hamilton remarks, "Surgical aid is much more often necessary in the practice of physic than it is in the case of midwifery; thus in all inflammatory diseases blood-letting is necessarily ordered, and in many other affections of the general system the assistance of a surgeon is indispensable." "If therefore the reasons stated in the Bill for transferring the practice of midwifery to surgeons be valid, it would follow *à fortiori* that no person ought to be permitted to practise physic unless he belong to one of the Royal Colleges of Surgeons;" does not that appear to you to be valid reasoning, that there would be the same reason for confining the practice of various other branches of physic, which involve, perchance, surgical operation, as there would be for confining this particular department to the exclusive jurisdiction of the College of Surgeons?—I think so.

4255. On becoming a licentiate of the College of Physicians, were you required to renounce the College of Surgeons to which you belonged?—I was, and I was obliged to pay a fee for such renunciation.

4256. What fee did you pay for such renunciation?—Ten guineas.

4257. Do you think your situation as a fellow of the College of Surgeons was likely to involve any inconsistency with your duty to the College of Physicians, as a licentiate?—I think the general division of the practice of medicine into what is commonly called physic and surgery, is, for the advantage of the public, a good division; but there are many cases in which the one does run so into the other, that it is impossible clearly to draw a line between them; though I think it should be drawn as far as is consistent with the benefit of the patient.

4258. Are there not many physician-accoucheurs in London, not licentiates of the College of Physicians?—There are some.

4259. Have the goodness to look at that list, and state whether the persons there named are licentiates of the College?—I think the majority of this list are not.

4260. Except in the honour attaching to being a licentiate of the College of Physicians, what advantage do you receive in your practice from being a licentiate of the College?—At the commencement of my education, I should have thought it no greater honour to be a licentiate of the College of Physicians, than a fellow of the College of Surgeons: but circumstanced as I was in later life, and invited, without application, to become a licentiate of the College of Physicians, I did consider it to be a considerable honour to become a member of one of the most learned bodies of this country. In regard to pecuniary considerations, it was a positive loss: for till I had the honour of being invited into the College of Physicians, I performed a variety of operations in surgery. None of those operations I should think it right to perform now; therefore, if the gaps had not been filled up by physic (and there were no gaps at all in surgery), I should have been minus so much income as would have been gained by my practice as a surgeon.

4261. Do not the physician-accoucheurs perform some of the boldest and most dangerous operations in surgery?—I should think, not generally: upon those especial organs they do.

4262. Tapping the brain of children in cases of hydrocephalus?—I have heard that such operations have been performed by some. I do not think I should undertake them myself.

4263. If a physician-accoucheur has performed such operation successfully, does not the excluding a physician-accoucheur from performing them, in case of his becoming a licentiate of the College, operate injuriously to the public?—I never was given to understand that my hands were tied as to practice, though the laws of the College require that the licentiate of their College of Physicians should take his name from the College of Surgeons. I have always understood that the College of Physicians considered that they had a right to practise both physic and surgery, in consequence of being so, and Harris, who wrote *De Morbis Infantum*, was himself a fellow of the College of Physicians, being at the time *Chirurgiæ ibidem* Professor.

4264. The Cæsarian operation?—The Cæsarian operation would be performed clearly by the physician, or by the surgeon, as the temerity, or the fear of the attendant person, would lead him, either to perform it or to call for other assistance to do it.

4265. The excision of the uterus?—That would be performed by both indifferently.

4266. When you said your hands were tied from performing operations, how do

do you reconcile that with an answer you have just given?—I said my hands were not tied, but that there was an impression, on my becoming a member of the College of Surgeons, partly originating in this feeling: that a person belonging to either college, should have the interests of that particular college at heart, and that he might be warped by having to consider the interests of two separate colleges. That might or might not be the reason; but I was not given to understand that I should be excluded from the practice of surgery, though I have thought it right to exclude myself.

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4267. If in consequence of being at the same time a licentiate and a physician-accoucheur, you might be called on to perform some of those very bold and dangerous operations in surgery, does there not appear to be some inconsistency in at the same time excluding you from belonging to that corporation which peculiarly superintends the operations of surgery?—I can only explain it upon the ground I before mentioned, the apprehension of a clashing of the two interests.

4268. Have you ever found yourself, since your election into the licentiateship of the College of Physicians, in a situation in which you thought your duties inconsistent with what they would have been if you had continued a member of the College of Surgeons?—If I had been sent for to a case of fracture, before my election into the College of Physicians, I should have undertaken it; if I had been consulted about a tumour, which required excision, I should have performed the operation of excision. I should not do so now; but I should say, that if I were consulted respecting a case requiring an operation, affecting the particular organ in question, which operation from experience I have been conversant with, I should think it my duty to perform such operation; partly from the experience which I might suppose I had acquired, and partly because I might not think it right to subject the person of such patient to exposure under such circumstances, to *B.* after having had the opinion of *A.*

4269. You have said you would consider yourself restricted, since you became a licentiate, from repairing a fracture?—I should consider that in this town I am restricted, not by any law, but by the custom of society; but if I were a private man in the country (which I am, during many months in the year), if I found a person in distress with a broken leg, I should take care it was set and put into splints.

4270. Supposing you approved of the operation of tapping the brain in hydrocephalus, and you thought yourself competent to perform it, would you think yourself precluded from performing it?—Not at all.

4271. What do you think is expedient to be done with a view to remedy the evils of which you have complained, and to promote the knowledge on the part of medical practitioners of the treatment of this particular class of diseases?—If I may begin with what may be called the third estate of physic, the Society of Apothecaries, I consider that they have done every thing which they ought to have done; inasmuch as they have made a law which ordains that no person shall hereafter practise as a general practitioner of physic, unless he has been previously examined at their Board as to his competency to take charge of this department. I think that the College of Surgeons would do all that was needful, by not excluding members of their own body, who stand upon the same ground with themselves as to education, examination and diploma, from becoming members of the council or court of examiners. There would be no necessity for a law that they should examine upon such a subject especially, because the competency of the examiners would carry with it a power to institute such examinations. With respect to the College of Physicians, that is a question which I own I cannot answer without interfering, as it should appear, with the regulations of that College; and with the distinctions which are made between the fellows of the College and the licentiates. It would be for the College to consider how far their own interests might be increased or diminished by practising midwifery; how far the public would be benefited, or the contrary, by fellows practising midwifery; whether it would be right or wrong to exclude them; whether it would be right, by including them, to secure a perfect examination, or whether it would be right, in the present state of the College, to institute such an examination: though perhaps the competency to institute it, might not be so great as if the fellows were actual practitioners of the art.

4272. You are a fellow of the Royal Society?—I am.

4273. There are others in that particular branch of practice who are also fellows of that Society?—There are.

4274. Has the attending to what is called mere manual operation been considered

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by that Society as placing those who practise it, in a lower grade, so as to unfit them to become fellows of that Society?—Certainly not.

4275. Have you been in the habit of being called in to attend in the case of other diseases than those of the uterus, in the families of distinguished physicians in this town?—In a great many, both of fellows and of licentiates.

4276. Therefore they have not considered that your knowledge or practice in this particular branch has disqualified you from treating other diseases to which their families have been incident?—I take for granted they have not, or they would not have taken the advice of persons so practising.

4277. Is there any thing not elicited by the examination you would wish to add?—I believe the examination has taken in every thing.

Sir Charles Bell, called in; and Examined.

Sir Charles Bell.

4278. YOU are a member of the College of Surgeons?—I am.

4279. To what hospitals in London have you been attached as surgeon?—I am attached to the Middlesex Hospital.

4280. Are you the author, or do you approve of the opinions contained in a pamphlet, intituled, “A Letter to the Governors of the Middlesex Hospital, from the Junior Surgeon, dated November 15, 1824?”—I was then junior surgeon; and am the author of that letter.

4281. In that letter there is the following passage: “I advocate this principle, that the situation of physician or surgeon to an hospital should be a reward for professional merit. It is unhappily conceived, on the other hand, that young physicians should be introduced to hospitals, that they may there learn their profession, and be prepared for private practice; and that whenever their private patients promise them a livelihood, they should leave the hospital to the next candidate for the notice of the town. This is an understood principle with those who claim a superior rank in the profession. It is the prevalence of this notion in the College of Physicians which invites so many of that body to introduce their junior fellows into the great hospitals: and they expect that the men so elected, after a few years experience, shall give place to others. To them it appears a just and liberal measure. But what shall we say, whose duty is directly and obviously to guard the interests of the sick?” Allusion is made in this passage to the influence which the fellows of the College exercise, in order to promote junior members of their own body to the situations of physicians to hospitals. Do you believe that such influence is actually exercised?—I need not say that the College of Physicians is a great and an influential body; nor do I apprehend that there is any inconsistency in their endeavouring to promote to such situations a member of their body. But I have always maintained, and I do hold now to that opinion, that older physicians should be appointed to hospitals, and not those at the bottom of the list.

4282. There occurs this passage also: “When this gentleman was named to me, I was pleased with the prospect of his acquaintance, and saw that the hospital would not lose by the arrangement. Under this impression, I have been left till the present time. The other surgeons can best declare whether they have been under the same delusion. With the conviction, that every thing was provided for the best, I remain until the present vacancy is declared; and then I find another gentleman brought forward, to whom the objections I have stated fully attach. He is introduced to us, by one of those arrangements betwixt our physicians and those of other hospitals, by which two junior members of the College of Physicians are to be provided for; and by the same influence which has translated our senior physician. This influence is so great, and so extended, that no individual, however deserving, can prevail against it. Respectable men who are aware of it, are deterred from appearing on the canvas. For they seem, in the public eye, to be fairly weighed in the balance against the very youngest members of their own profession; and they retire defeated, and with their characters lowered.” Do you believe that such is the influence exercised by fellows of the College of Physicians in favour of junior members of their own body, that respectable men of longer standing in their profession, who are licentiates, not fellows, are deterred from coming forward as candidates for vacant hospital appointments?—The passage quoted was written full 10 years ago. I thought at that time that I had good reason to state the opinion which is expressed there. I have had very little occasion or temptation to think of the elections to hospitals since that time: but I must say that I see no reason to change my opinion.

4283. There

4283. There occurs this passage: "Can there be a comparison of the advantages you confer, when you take up a young gentleman just entering upon his profession, or another who has already gained character in it? The first you elect for no merit properly his own. You give him the unfortunate impression, in his entrance on life, that influence is every thing; and he becomes a dependant. When, on the other hand, you select from the general body of practitioners, indifferent whether he be in the first or in the second degree connected with the College of Physicians, a man of experience and ripened judgment, and afford him a fuller exercise to his abilities, you have pleasure in seeing him arrive at that further distinction which is at last confirmed by the approbation of his own profession, and his adoption into the College of Physicians." Are those opinions, which now, after matured experience, you see reason to adhere to?—To understand my opinions, since the Committee are good enough to lay so much stress upon them, with the words of my letter must be coupled the circumstances on which I had formed my judgment. I had been accustomed to see such men as Doctors Hamilton, Gregory and Rutherford, men to whom I looked up in early life, prescribing in the wards of the hospital, and giving the reasons for their practice. It was on comparing our young physicians with these men, not inferior in age, reputation and influence to the president and seniors of the College of Physicians, that I complained of the spirit controlling our elections.

4284. In the cases of young men, who are candidates for vacant appointments in the hospitals of London, if they happen to be fellows of the College, have they a much greater chance of being elected than licentiates?—I fancy that that will very much depend upon the position of the hospital. The Committee are quite aware that the leading medical characters in London have an immense influence, and they ought to have, in the appointment to hospitals: and in the west end of the town, where we have hospitals supported by some 1,200 or 1,500 governors, so influential a body as the College of Physicians must have an influence; if they take up a person whom they conceive worthy to have their influence exercised in his favour.

4285. Have you ever known the physicians of the College take up a person who was not a member of their own body?—Yes.

4286. Frequently?—No.

4287. Are the cases nearly equal in number in which they have taken up a person not a member of the College?—I think since I knew the Middlesex Hospital, which is the only one I do know, I have practised with eight physicians there, and one only of them has been a licentiate.

4288. Have you any objection to name the particular case alluded to in the pamphlet quoted?—I have great pleasure, because I there speak of a gentleman whom I then did not know; and I have now the pleasure of knowing him, a very highly educated, most attentive, and intelligent physician, Dr. Hawkins.

4289. To whom was he at the time opposed as candidate?—I think to Dr. Gardiner.

4290. Dr. Gardiner was a licentiate?—He was.

4291. Was he a licentiate of considerable standing?—I am not aware what his standing was.

4292. Was he of considerably longer standing than his opponent?—I may be apt to confound matters. I am not certain whether it was Dr. Latham, or Dr. Hawkins, who was the inceptor candidate alluded to in that letter.

4293. Was the licentiate, at the time, a person of greater experience and longer standing in his profession in London than the inceptor candidate of the College to whom he was opposed?—No doubt he was.

4294. In the case to which you have alluded, in which persons recommended by the College have been preferred to others at the Middlesex Hospital, was there any ground of objection to those recommended by the College other than their being younger than the persons to whom they were opposed?—None in the world.

4295. Was their character for medical knowledge equal to that of the persons to whom they were opposed, as far as public estimation went?—I have no opportunity of judging of the relative merits; but only of their standing.

4296. Has subsequent experience led you to believe they were in no respect disqualified or objectionable, except in regard to the point of standing to which you have alluded?—I have already stated with regard to one, and I apply it to all, that more diligent physicians, or, at this moment, more capable physicians, cannot be.

Charles Locock, Esq. M. D., called in; and Examined.

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4297. YOU are Physician Extraordinary to the Queen?—I am.
4298. You are Physician to the General Lying-in Hospital at Lambeth?—I am.
4299. Are you a licentiate of the College of Physicians?—I am.
4300. How often do you attend the General Lying-in Hospital?—I take the duty of it alternately with my colleague, Dr. Lee, every other month. During my month of attendance, unless specially sent for, I am there on the average once a week; but I am liable to be sent for in all cases of difficulty or of danger.
4301. Do you give lectures there, on midwifery, to professional men or females?—I do not; but one of my colleagues does.
4302. What lectures are given to such persons at your institution?—There are house pupils, house surgeons, as we call them, there for three months at a time, for the purpose of acquiring practical knowledge: and we have, for some time past, been in the habit of giving lectures to women, who wish to become in future midwives to the hospital, or to practise midwifery in various parts of the country.
4303. What is the number of male and female students who attend the lectures?—The number is limited. We have two male pupils there, three months at a time; and we are generally full.
4304. Are there clinical lectures?—They are merely clinical observations. There are no express lectures given.
4305. With regard to the number of female pupils?—That varies extremely. There is a law against having female pupils, when there are male pupils. So that there may be three or four together, and then not one for three or four months.
4306. Were you obliged to disfranchise yourself as a member of the College of Surgeons, on becoming a licentiate of the College of Physicians?—I was.
4307. What sum did you pay?—I paid 20 guineas; but that was because I was obliged to have a special meeting in order that it might be done by a certain day. The usual fee, I believe, is 10 guineas.
4308. Did you sign the petition of the licentiates to Parliament?—I signed the first, but not the second.
4309. Were you applied to to sign the second petition?—I was.
4310. You did not sign it?—I did not.
4311. What were your reasons for not signing it?—Because, in the interval between the first petition being signed and the second, the College of Physicians had begun to reform themselves; and I thought that it would be better left in their hands, and did not wish to interfere further.
4312. You thought, from past experience, that they deserved to be trusted with reforming themselves?—I can give no opinion upon that point.
4313. Did you hear the evidence of Sir Charles Clark?—I did.
4314. Are there any points on which he was examined, respecting which you would wish to state your opinions?—I can state, in general terms, that I coincide with every sentiment expressed by Sir Charles Clark: I might say, without a single exception.
4315. Were there any points omitted in his examination on which you would wish to give information to the Committee?—Not that I am aware. There is only one point, I think, which Sir Charles Clark did not go into particularly, regarding the licentiates of the College who have ever practised midwifery. That becomes a bar to their ever being eligible to become fellows; which I think is a hard case.
4316. You think if they are qualified from their general knowledge, as physicians, to have a licence to practise medicine, and add to that general knowledge a particular knowledge of midwifery, and of the diseases of women and children, that they ought rather to be admissible to additional honours than excluded from those which lie open to the ordinary physician?—That is my opinion.
4317. What do you say of the exclusion of practitioners in midwifery from the council of the College of Surgeons?—I think that is equally improper.
4318. Are there any other points on which you wish to add to the information the Committee have received from Sir Charles Clark?—No.

John Yelloly, Esq. M. D., called in; and Examined.

John Yelloly,
Esq. M. D.

4319. SOME years ago you were a Licentiate of the College of Physicians, practising in London?—I was.

4320. You

4320. You were formerly a physician to the London Hospital?—I was for a great many years physician to that establishment.

4321. Did you teach any branch of the profession?—Yes, I taught chemistry and the practice of physic.

4322. Are you now physician to the Norfolk and Norwich Hospital?—I resigned that situation nearly two years since, when I retired altogether from practice.

4323. Were you secretary to the Medico-Chirurgical Society, at the time they applied to the Privy Council for a charter?—I was secretary to that society for many years after its formation; but at the time referred to, I was treasurer, jointly with Sir Astley Cooper.

4324. Was the application for a charter opposed?—It was opposed by the College of Physicians. Sir Henry Halford, then president of the society, applied to the Prince Regent; who sanctioned his application to the law officers of the Crown. The matter went on with every probability of success; but Sir Francis Millman, then president of the College, having heard that application had been made for a charter, it was suggested to him that something was intended hostile to the interest of the College of Physicians; and he therefore wrote to Sir Henry Halford, and the letter is in my possession, for the purpose of making inquiries on the subject. Sir Henry assured him that no such thing, as hostility to the interests of the College, was intended; that it was simply an application made by that society, with a view of giving it permanence, and rendering it more useful. Sir Francis Millman appeared to be satisfied with the explanation, but the College had a meeting, and determined to oppose the charter. Every step was taken which could be devised, under the auspices of Sir Henry Halford and Dr. Baillie, (who were the two principal applicants for the charter) by inserting, or offering to insert, particular clauses, to allay the apprehensions of the College; but it was totally without effect: so that the application of the society was first resisted before the Attorney and Solicitor-general, and afterwards before the Privy Council, when we had the assistance of Sir Samuel Romilly and Chief Commissioner Adam; and the determination of the Privy Council was that it was not necessary to the objects of the society that the charter should be granted, and on that ground it was refused.

4325. Are these the names appended to the petition for the charter; viz.: Sir Henry Halford, Bart., fellow of the College of Physicians; Dr. Saunders, fellow of that College; Dr. Baillie, fellow of that College; Sir Walter Farquhar, Bart., Dr. Alexander Marcet, and Dr. John Yelloly, licentiates of the College; Henry Clive, John Abernethy, and Astley Cooper, Esqrs., members of the Royal College of Surgeons?—Yes, those are the names of the gentlemen who signed the petition.

4326. Have you a general recollection of the grounds on which the College of Physicians founded its opposition?—There were several grounds stated, but they appeared to us to be very insufficient: indeed, I heard from two of the fellows of the College, that they were considered by them very insufficient. Dr. Baillie and Sir Henry Halford were decidedly of that opinion. The main objection appeared to be removed, by a stipulation which was offered to be inserted in the charter, that nothing contained in the charter should affect the privileges and immunities of the College of Physicians. But there was one particular objection made to the charter, which was, that the Medico-Chirurgical Society on obtaining a charter, and a consequent increase of favour with the public, might set themselves on a level with the College, and elect as members of its body, and grant marks of distinction to persons who were not connected with the College, nor qualified to become so; and thus create a very detrimental rivalship and dissension between the two bodies. But, for the purpose of showing that nothing of that kind was intended, we offered, and Sir Henry Halford, I recollect, particularly alluded to the proposition in a letter which is in my possession, that the society was willing to render ineligible for admission into its own body any physician, practising in London, who was not a fellow or licentiate of the College of Physicians, with the exception of two members of the society who happened not to be fellows or licentiates of the College, and whom it would have been unfair to eject. That offer was made, and, with some other observations contained in a second or supplementary memorial, was sent by the society to the Privy Council, and by that Council to the College; but we previously thought it right that our solicitor should send to the College solicitor, and also to the president of the College, notification of the propositions offered for the purpose of obviating the objections of the College, with the hope, as the letter specified, that

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as the society felt that it had obviated, by the stipulations proposed, every legitimate objection which had been brought against the concession of a charter, the College would, under the assurance that its privileges will be solemnly recognised and guaranteed, withdraw its objections. We were surprised, however, to find that the only answer transmitted to us was, that it is the intention of the College to oppose the granting of a charter to the Medico-Chirurgical Society, without making any observations as to the proposed, or any other modes of obviating the particular objections of the College.

4327. Was this one of the allegations in the memorial of the College, presented to the Prince Regent in Council, in opposition to the charter, "That by certain regulations or bye-laws of the said College, any tract or treatise on medical subjects, written by any fellow or candidate of the said College, or by any person licensed by the said College to practise physic, may be read at certain meetings of the said College, and if approved of in manner as in such regulations or bye-laws is required, will be directed to be printed at the expense of the said College?"—I perfectly recollect that allegation, and beg to remark, that it did not appear to the committee of the society who managed the business of the charter, that this was a valid objection; because the College was not a body established for the prosecution of science, but for regulation; it was a body for the purpose of managing the affairs of the profession; its charter, and the Acts of Parliament connected with it, referring solely to the government of the profession, and the guarding it against the intrusion of ill qualified persons. We therefore considered, that though it was very creditable to the College of Physicians to prosecute measures of that kind, and to endeavour to become a publishing body, yet this was not an original and necessary part of its province; whereas the Medico-Chirurgical Society made this an original and necessary object of their establishment. The College of Physicians merely added that to their plan, with a view to the cultivation of the profession of physic and the branches connected with it. And in the answer which was given, we showed that, from the time of the institution of the College of Physicians, [added on correcting the Evidence] up to about the year 1768, being a period of 250 years, no bye-law existed relative to publication; that from 1768 to 1772, two volumes of College Transactions appeared; that a third appeared in 13 years afterwards; but that for the next 27 years, up to the date of the College petition, not a single volume was published by the College, though this was a period of unexampled activity in science, during which 18 volumes of professional tracts issued from the press, in this country, from other bodies, besides 38 volumes of journals conducted by one or more individuals. That not more than eight fellows of the College, of whom one only was living at the time of the application for a charter, ever contributed to the tracts published by the College; but that the society did not mention these circumstances as any reflection against the College in the performance of its legitimate duties: they added, that as the number of resident fellows does not exceed 40, and as the duties, both public and private, to be performed by the College are numerous and important; and as many of the fellows are far advanced in life, or very extensively engaged in practice, it is impossible to expect that the College can ever be an efficient publishing body. It did not therefore appear to us that if another body came forward, whose objects were purely those of a scientific nature, and which had published three very valuable volumes in the first seven years of its establishment, it was at all right that a body which only accessorially introduced those objects into its plan, should preclude the former body from following up the design of its formation; which was solely the cultivation of scientific pursuits connected with the profession.

4328. It appears that on the 12th of June 1812, the College came to this resolution, "That it is the opinion of the College that no fellow do interfere in promoting a charter solicited by any medical or any chirurgical society, without having first obtained the leave of the president and fellows of the College at a comitia majora." Then on the 28th of May in the year following, they directed a letter to be written by the registrar in the name of the College to Sir Henry Hallford, Dr. Baillie, and Dr. Saunders, to inquire whether the petition presented to the Privy Council by the Medico-Chirurgical Society, bearing the names of the said parties, had been presented with their knowledge and concurrence. Are you aware of these circumstances?—Yes.

4329. Did not this take place, that when a supplementary petition, in answer to the memorial of the College, was presented to the Privy Council, the College objected, that the Medico-Chirurgical Society was taking proceedings before the Privy

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Council without having authority from the parties in whose names they were proceeding?—Certainly, and that was one of those points on which it was absolutely necessary to take some strong and decisive steps; for the observation made by the College to the clerk of the Privy Council, was as follows: “The College forbear to make any remarks on this proceeding, and humbly submit it to the discernment of His Royal Highness and of His Majesty’s most honourable Privy Council, to appreciate the consequences of any individuals using to personages in the highest stations the names of respectable characters, without their consent or authority, for the accomplishment of their own private purposes; and they request you to do them the favour of laying this paper before His Royal Highness the Prince Regent, and His Majesty’s most honourable Privy Council.” Feeling that an observation of this kind, if not met, would stamp the society and the active members of it, with absolute disgrace, and that therefore it was absolutely impossible to sit down under such an imputation, I therefore determined in conjunction with my very excellent deceased friend, Dr. Marcet, physician to Guy’s Hospital, to write to Dr. Baillie and Sir Henry Halford, for the purpose of having this imputation removed. We undertook the task, because we were the individuals who principally managed this application, and to whom therefore the blame of any unwarrantable proceedings would naturally attach. Dr. Marcet wrote to Sir Henry Halford, and I to Dr. Baillie, letters which we both signed, requesting the removal of those injurious imputations. These letters are alluded to in the documents, now before your Committee, wherein it is said, that two official persons in the society wrote to those gentlemen. It is not perhaps necessary to read to the Committee the whole of the letters which we wrote. I have them here. They recapitulated the various circumstances, and then closed with this passage: “We trust that you will therefore see the urgent necessity which we are under, of requesting that you will state to us by letter, that you were consulted on, and approved the petition which proposed the concessions alluded to, and which was presented to the Privy Council so far back as the 20th June 1812.” We added, “We are perfectly sensible of the delicacy of your situation with the College, and of the inconvenience which you have suffered from your steady, liberal and public-spirited interference; and we should therefore have been very much disinclined to request you to take a leading part in any new measure on this business; but the matter is still *sub judice*, and, like any other disputed question, it must remain so, till the competent authority shall have decided upon it.”

4330. It was in fact imputed to the Medico-Chirurgical Society, that they were practising a fraud upon the Privy Council, by putting forward the names of parties from whom they had received no authority?—Certainly. I am sure from the honourable feelings of the members of the College, individually, who took part in this business, that they must have been deceived, by not giving sufficient consideration to the business; for a considerable delay had taken place between the different steps of the inquiry; and between the time of presenting the memorial to the Privy Council (after having been heard before the Attorney and Solicitor-general) and the transmission of it to the College, many months before the final hearing at the Cockpit, a period of not less than a year I believe elapsed.

4331. Was any communication made by Sir Henry Halford, Dr. Saunders, and Dr. Baillie to the Medico-Chirurgical Society, in the interval between the first and second memorial to the Privy Council, after the resolution of the College had interdicted them from taking any further proceedings in support of the charter?—I do not believe that any such notification was made; but we were acquainted with the fact, though not till the month of December following; which I know from having recently seen the copy of a letter, dated the 25th of that month, to Sir Henry Halford from myself; in which I mentioned, that such a fact had come to the knowledge of Dr. Marcet and myself a few days previously. The second or supplementary petition was, however, determined upon, if not actually presented, before the College made the enactment in question.

4332. The society proceeded towards obtaining the charter by presenting a second memorial, considering it as matter of course that having authority from the parties to proceed in the first instance, they had also authority from them to take the ulterior proceedings?—Yes; but as I have read that part of the letter which was addressed, *mutatis mutandis*, to Dr. Baillie and Sir Henry Halford, I may be allowed to read the answers of Sir Henry Halford and Dr. Baillie. This is the letter of Dr. Baillie: “Gentlemen, I did know of the Medico-Chirurgical Society having proposed to make a further effort to obtain a charter by means of a petition

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to be heard by counsel, and this I have expressed in my letters to the College; but as I had not heard any thing upon this subject for many months previous to my receiving the first letter of the College, I thought it very probable that this plan had been laid aside. In one of my letters to the College, I expressed my opinion of the charter: that I saw no reasonable objection to the Medico-Chirurgical Society obtaining it, provided this charter did not interfere with the rights and privileges of the Royal College of Physicians. I recollect to have seen the paper which you mention (although I do not remember distinctly the form in which it was drawn up), and that I perceived nothing objectionable in it: but as I have just said, from not having heard anything upon this subject for many months, I thought it highly probable that the intention of proceeding further in the business had been given up. In short, I have never seen, nor do I perceive at present any solid objection to the Medico-Chirurgical Society obtaining such a charter as they require. But as this was very disagreeable to the College, I have thought it right, for a long time past, not to mix any further in this business. I remain, gentlemen, your most obedient humble servant, *M. Baillie*. Lower Grosvenor-street, Aug. 2, 1813. Directed to Doctors Yelloly and Marcet." This is the letter from Sir Henry Halford: "My dear sirs, I answered the question, put to me by the registrar of the College of Physicians, in May last, in the negative, because I really was not aware, at that time, that any new petition had been presented by the Medico-Chirurgical Society, in pursuit of their object, a charter: nor do I understand at this moment, that the Privy Council has yet come to any decision on the original petition to the Prince Regent. If it had appeared to me probable, that the denial of my knowledge of any new petition having been presented on behalf of the Medico-Chirurgical Society, could have been construed into a disavowal, not only of my participation in the proceedings of the society, but of all knowledge of them, I should have thought that I owed it to that respectable body to state, that I was aware that the society did not consider the opinion of the then Attorney-general as an insuperable bar to the prosecution of its object in view; that I believed it would still endeavour to conciliate the College of Physicians, by the insertion of any clause in any terms which the College might dictate, and that the words of one or more clauses had been repeated to me as likely to satisfy the College on one particular point: viz. the prevention of the admission of any resident physician into the society, who had not been examined and licensed by the president and censors. I should have added, that, on a full conviction that what the Medico-Chirurgical Society asked was compatible, not only with the rights and privileges of the College, but also with its paramount weight and dignity, I had presented the original petition to the Prince Regent; and that the society had still my good wishes for its success, though the declared opposition of the College to its views must preclude, as it had done rigidly and conscientiously on my part, from the moment it had so declared itself, any further attempt to promote them. I am, gentlemen, with sincere esteem, your faithful servant, *Henry Halford*. Curzon-street, Aug. 3, 1813. To Doctors Marcet and Yelloly."

4333. Did the Medico-Chirurgical Society submit to Sir Samuel Shepherd a case, asking his opinion whether such a bye-law as that referred to, interfering with the private right of the fellows to follow the dictates of their own judgment in matters not concerning, as determined by fair construction of the charter, the privileges of the College, was lawful, and binding on the fellows or not?—Yes.

4334. What was the purport of the answer?—The purport of the answer was, that he did not consider that the College had any right to coerce or dictate to its members as to any matter not strictly corporate; and therefore that they ought not to have been coerced or dictated to in the manner stated.

4335. Was the opposition of the College of Physicians the sole obstacle to your obtaining the charter?—Yes.

4336. The College of Surgeons took no step whatever against the measure?—No step, though I have understood they had been applied to to support the College of Physicians in their opposition, and declined it. I never heard this from any very distinct authority.

4337. What were the reasons the society had for wishing to obtain the charter?—We found that various voluntary societies, which had previously existed, had generally, for want of some efficient bond of union, after a certain number of years, become inert or altogether ceased to exist, or that the energy of the original founders was apt to be diminished, and was with difficulty supplied, and that various circumstances might occur to prevent their going on, or to impede their progress.

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progress. It therefore appeared to us, if the society was recognised and its property secured by the sanction of His Majesty's charter, it would become more respectable; and that as more successful steps had been adopted in the establishment of the Medico-Chirurgical Society in bringing together all the branches of the profession than ever had been adopted by any former society; that as the society had a very valuable library, and had published very creditable Transactions, which then amounted to three volumes, but now to 18, we thought that it was a great pity, after the successful efforts then made, that the society should risk the running to decay, like many of its predecessors. These were the sole grounds of our wishing for a charter.

4338. Were the reasons stated in the petition by the society to the Prince Regent sincerely, honestly and *bonâ fide* the reasons which actuated the society?—Decidedly; there was not a single reason or fragment of a reason besides. We wished for no privileges but recognition.

4339. Did they ask for any privileges, trenching on the privileges of any other body?—No; on the other hand, we volunteered a clause saving generally all the privileges and immunities of the College of Physicians, and we should have been very willing to adopt any clause that they might have proposed, for the purpose of doing away their objections. Notwithstanding their high standing and station, and the character and influence which Dr. Baillie and Sir Henry Hallford deservedly had with the profession and the public, and which might have been thought a sufficient guarantee that any object which they might wish to promote was honourable and useful, it appears from their letters, that after their independent endeavours to promote what they considered a useful object, and which they were convinced could not injure the College, they considered themselves obliged, owing to a feeling of good fellowship with a body with which they had been long connected, to do nothing further in the business.

4340. What was the reason for the institution of this society?—It was for the purpose of bringing together the different branches of the medical profession, independently, without any view to personal interest, and its objects met immediately with the approbation of various heads of the profession; and it was certainly to the approbation which they gave to the object proposed, that its success is mainly to be attributed.

4341. It was principally for the purpose of enabling the members to communicate with one another on medical subjects?—There were three objects. One was the object of communicating together personally on topics connected with medicine; another, the formation of a library, which should be accessible to all its members; the third was, the publication of papers read at its meetings in the form of transactions; but it is obvious that the two first objects might be carried into effect without the last. With regard to the success of the society, I think I may venture to state, that no society, almost in Europe, has existed for so small a period of time, and done so much and so respectably for the profession.

4342. Were not these very proper objects for the College of Physicians to have had in view?—As I stated before, they were very good objects for the College of Physicians to combine with the main design of their formation, the regulation of the profession; but as the College has numerous legitimate functions of duty in the examination and admission of physicians to practise in London and in the country, in the regulation of the profession, in the giving various College lectures, and the exercise of various College offices, and in the transaction of other corporate business which would interfere with making those their primary objects, we considered that those matters were sufficient to form the primary and even the sole objects of a society.

4343. In point of fact, was the Medico-Chirurgical Society instituted merely for the purpose of supplying the deficiency there was in the public for those particular objects?—Decidedly; there was a want of such a society.

4344. There is nothing in the constitution of the College of Physicians by which they are required to publish any medical transactions?—Decidedly not.

4345. Are you acquainted with the transactions they have published?—I am.

4346. Are there in some of those publications a great many papers of importance, in your opinion?—There are.

4347. Is it as necessary for the advancement of medical science now as it formerly was, for the College of Physicians to be at the expense of publication, considering how many periodical works there now are in which medical matters may readily be communicated to the world?—To answer that, I would state, that

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the class of memoirs published in the periodical publications is in some degree different from those published in the memoirs of societies. There is generally much more care exercised in the preparation of the latter than of the former. The papers which appear in the periodicals of the day, are principally those which are regarded by their authors as works of the moment. Those which appear in the medical transactions of societies, are generally more worked up, as they are to form part of the general medical literature of the country, and to remain as such to mark the different progress of it in future ages. I therefore presume, though there is that mode of publishing, and that the periodical publications of the country are highly creditable and useful, they have a different design from the standard transactions alluded to. Upon the same ground I should say, that though the objects of the Royal Society have been to a certain degree affected by the various periodical philosophical publications, yet that the latter do not interfere much with the Philosophical Transactions; which are to form a permanent part of the science of the country.

4348. In the event of any medical discovery of importance being made, is it not sure to be given to the world, without the interference of the College?—With regard to medical discoveries, they are very rare; and I can scarcely say how they would first be made known. Vaccination is a discovery, and there may be some few others, but there are series of observations capable of being made relative to points connected with it, in anatomy, physiology, the practice of physic, chemistry, materia medica, and in fact all the collateral parts of the profession, which cannot be considered as discoveries, but which are important, as forming steps in the progress which science makes. With regard to any great discoveries, I would say, that they are likely to be made known by their authors in separate publications, or in some other way.

4349. As Dr. Jenner's was?—Yes. I presume such a discovery as that, would hardly wait to be published in transactions of any society,

4350. Might not the reports of societies be published at very short intervals?—Yes; but then, that would take away from the dignity of such publications; it would almost assimilate them to newspapers, and men would naturally like that they should assume a more dignified position.

4351. Are not the yearly publications of the Royal Society considered of that superior kind, that very many persons are desirous of having the honour of their original papers being included in that publication?—Certainly.

4352. If the College of Physicians were to publish in yearly volumes the papers communicated to them, would that interval be so short as to detract from the dignity of the publication?—It would not, but I consider that the College of Physicians is a body totally unfit, according to its practice, rather than its constitution, for commanding the confidence of the medical part of the public in such a way as to be the channel for communications of that kind. If the practice of the College of Physicians was different, it might possibly, and I think would, be a far more useful body than it is: for it would make the whole of the members of a large, a respectable, and high-spirited profession very anxious to further the objects of the College: but when a certain number of the persons connected with the College, the licentiates, feel themselves in a sort of vassalage to the College, they certainly will not, and I think experience decidedly proves that they do not, come forward to assist in objects for which they themselves get no credit.

4353. To what conduct of the College do you allude, when you say, there are causes in operation which would prevent licentiates from readily communicating to the College any discoveries they might make?—With regard to the latter part of the question, I will reply to that first. The College in its notification states that they are willing to receive and publish such papers as may be submitted to them; now the Committee will judge whether high-spirited and well-educated gentlemen will send papers to a society which merely says, they are willing to publish, when those gentlemen do not and cannot form a part of the committee that is to exercise judgment over the communications; where they have nothing to do with the measure, except sending their papers. I do not mean to say that a man should be a judge of his own papers, by no means; but merely, that as in all other scientific bodies, he should have an eligibility to be one of the body which is to exercise such judgment. I think it is very possible that they would be more disposed to attend to the invitation of the College of Physicians as to the transmission of papers, if some of them were admitted into the committee of publication: but the evil goes much deeper, and the College of Physicians, instead of being regarded by the great
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body of physicians of England as the father or elder brothers of the profession, are viewed as a body existing very much for themselves, and exercising a superiority incompatible with such relationship, and which the present state of the profession and of public feeling does not justify, and which it is difficult to suppose that the charter ever contemplated. I do not mean to go into any nice legal questions as to the construction of the charter, for which I should be totally unfit; but I consider that the framing clause of the charter of the College of Physicians contemplated having a large body of men constituting the College, instead of a small one. The terms of the charter appear to me to be very decided upon this point: for after naming six individuals, it is enacted, "Quod ipsi, omnesque homines ejusdem facultatis de et in civitate prædicta sint in re et nomine unum corpus et communitas perpetua sivi Collegium perpetuum." I certainly do infer from that broad and unequivocal stipulation, that according to the original formation of the College, whatever may be said with regard to the power of the College in making bye-laws or the mode in which that power has been exercised, all the physicians then practising in London, and who chose to enter into the new establishment, were, without distinction, intended to be incorporated.

4354. You mean, that although according to the letter of some passages in the charter, authority is given for the establishment of a body of licentiates, yet that all well-educated physicians practising in London, ought, without distinction as to the place where they were educated, to be admitted?—With regard to the first part of the question, I should consider it as doubtful whether there are clauses in the charter which justify the formation of a class such as are termed licentiates, or permissi, who are deemed; "tam scientia quam onoribus," qualified to exercise the profession without limit; but who are excluded from the exercise of certain functions, which are regarded as honourable.

4355. You doubt whether, according to the letter of the charter, there are persons who are to form a separate body of licentiates?—I rather doubt that; but what I particularly mean is, that according to the enacting words of the charter the College was in the first instance formed out of the six physicians therein named and all the other physicians at that time practising in London. Now I would say, that if notwithstanding the evils which it is the object of the College to correct, the whole mass of physicians then practising physic in London were, without any exception, deemed worthy of forming a part of the new incorporation, however and wherever educated, even without any examination into their fitness, it seems difficult to conceive the reasonableness of excluding from certain offices their successors in the metropolis, whose education and acquirements may have both been of a liberal description.

4356. If the Royal Society were to be constituted exclusively of graduates of the English universities, do you think they would have philosophical communications made to them so freely as they have at present?—Certainly not; I think it would be totally impossible to contemplate the existence of so contracted a structure as that alluded to.

4357. One motive which induces men to contribute papers to the Royal Society, is the hope that the merit of the papers may lead the fellows to elect the writers into the society?—Decidedly.

4358. Have you seen the petition of the licentiates?—I have only had a cursory view of it, and am not well acquainted with its reasoning and statements.

4359. Are you of opinion that the licentiates labour under substantial grievances, growing out of the conduct of the College towards them?—Such grievances, that I am convinced there neither is, nor has there ever been an example in any corporation, literary, scientific, or commercial, of the existence of a similar plan of exclusion to that adopted by the College of Physicians.

4360. From your recollection of the state of the profession, while you were in practice in London, what were the effects of this conduct, advantageous or disadvantageous to those engaged in the practice of physic?—It is difficult to give an answer to that question, merely viewing the profession as a calling by which money is to be made; but I would say that those who enter into the profession as physicians are generally actuated, like clergymen, barristers and officers in the army and navy, by a principle of honour, which carries them further in the choice and prosecution of a profession than any hope of wealth they may obtain; it is therefore a mortifying circumstance, to say no more of it, to a man of spirit, that owing to the original sin, not of his never having received a liberal education, but of having received it in one particular place rather than another, he should find himself from

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that circumstance excluded from the chance of obtaining some of those little feathers in the profession, which in physic must often supply the place of more solid advantages.

[*Added on correcting the Evidence.*]

“ There are, in the College, various offices having honourable duties attached to them, which, even for the emolument attached to them, it is convenient to a young man to hold. He may, as a censor, exercise the functions of an examiner, of an inspector of the shops of apothecaries, of a member of the Vaccine Board, and may form one of a court of regulation, which is recognised as a court of record by courts of law. He may, as an elect, have the examination of country practitioners, and till lately the whole inspection of lunatic establishments rested with the College. These circumstances are perhaps not much known or attended to by the public, but they are known in the profession, and give a young man credit and consequence in it. They operate on physicians just as silk gowns do on lawyers, or as orders and medals do in the army and navy or among diplomatists, in exciting the energies, and stimulating the exertions of honourable minds.”

4361. Is the exclusion of the licentiates from the governing body likely to give rise to dissatisfaction on their part, just as exclusion from the Legislature gave rise to dissatisfaction on the part of the Catholics?—I have no doubt of that.

[*Added on correcting the Evidence.*]

“ And even with still more reason ; for if a Roman-catholic should have happened to change his creed, he would immediately have acquired the eligibility of a legislator ; but for the licentiate, nothing can expiate the crime of his happening, from no fault of his own, to have been educated at one place rather than another.— And in short, if the physicians of this country had not been so disunited a body, it is impossible that that system of exclusion should have lasted so long. But it is only by a Parliamentary inquiry, such as is now going on, that these things can be fairly and effectually examined and corrected.”

4362. Do you consider a medical degree obtained after two years' residence at a university, which is the qualification for a licence, to imply the same degree of education as is necessary to procure a medical degree at Oxford or Cambridge?— I certainly do not ; but with regard to the University of Edinburgh, where most degrees in this country are obtained, though the College make two years the minimum extent of university studies for a licence, yet, in point of fact, three years from time immemorial, and now four years, are necessary at that university. I would beg leave, however, to say, that I agree in the propriety of there being some principle of compensation exercised, to make up for the greater length of time which the English universities require in giving their degrees ; and moreover that there is an analogy in the law, because when a man has taken the degree of master of arts at an English university, or is an advocate in Scotland, he saves two years of the five which he must otherwise pass at an inn of court before he can be called to the bar. In the church, a man may be admitted to ordination as a literate, without having been at an university at all ; but the anomaly in the College of Physicians is, that when a man is admitted to practise physic in London, he does not take the same ground that he would do, if he were a barrister or a clergyman, and had not been at an English university.

[*Added on correcting the Evidence.*]

“ In the navy and army, an education in a naval or military academy is an advantage, and may save time ; but no one ever knew the want of it to prevent or retard the progress of any person who was otherwise well qualified for his duties.”

4363. This is a deficiency which you think longer education or distinction in practice might remove?—I think the same plan might be followed as in the law, that is, the physician who has had his degree earlier, might wait some time before he could obtain his full professional benefit. He would thus have additional time for practice and improvement ; for as to education, it is well known that in the English universities, the actual and important benefits of education, are in a great degree over, as far as the university is concerned, as soon as a bachelor of arts degree is obtained, or as soon as the period arrives (if a person go out in law or physic) at which such degree might have been obtained.

4364. Were you ever a candidate for a medical appointment in Guy's Hospital?—I was a candidate for the office of assistant physician many years since.

4365. With

4365. With whom does the nomination rest?—With the governors, nominally; but really, with the treasurer.

4366. Did you canvass the governors?—Yes, but they made no scruple in saying, that they always listened to the nomination of the treasurer.

4367. Were you successful in your application?—I was not.

4368. Was any reason stated to you why you could not succeed at that time?—I certainly thought I had a very good chance of success, from my having been an old pupil of the hospital, and from my being honoured with the friendship and favourable opinion of the most influential of the medical officers; but the plain fact of the case was, though there was nothing expressed upon the subject, that there was a pupil at the hospital who was in the favour of the treasurer, a young Oxonian, who had been a Westminster boy, and went as a student to Christchurch. He had not then taken his degree of bachelor of physic; but the treasurer thought it an advantage that they should wait a little time for the purpose of having this gentleman qualified to accept the office of assistant physician, which was the case. I certainly lamented the circumstance much. It affected my prospects and feelings most materially.

4369. How long had you been in practice at the time you applied for this situation?—I was a physician of eight years' standing, and had been four years a licentiate of the College, and in practice in London. During the greater part of that period, I was connected with a large dispensary, in which I had seen a great deal of practice.

4370. How soon, after the vacancy occurred, was it filled up?—Not for many weeks; certainly not till this gentleman was able to get his degree, which he had not at the time the vacancy occurred; and, in fact, his bachelor's degree did not at that time qualify him for examination at the College, so as to obtain a legal qualification to practise physic in London.

4371. Did the treasurer state as a reason for preferring him, anything respecting his being a fellow, and your being a licentiate?—I do not think we had any conversation. Of course the treasurer cannot be freely communicated with upon those subjects.

4372. With whom did the appointment rest?—With the governors of Guy's Hospital, who are about 40 or 50 in number.

4373. In general it is the treasurer who is the most influential?—Yes; for however independently the governors may exercise their opinions in elections at other charities, it is perfectly well known that at Guy's they always agree in opinion with the treasurer, or yield their opinions to him. I believe there has been no instance to the contrary. It is right, however for me to add, that I believe the treasurer to be actuated by much zeal for the benefit of the hospital, but that he has far more power than can with propriety be trusted to any one individual.

4374. Do you believe that the College exercise a powerful influence over the appointment of physicians to the London hospitals?—I really am not able to make up my mind exactly upon that subject. I know an election took place at St. Thomas's a short time before that at Guy's to which I alluded, in which a very young university man was elected; but that I know was principally by the exertion of a very influential merchant in that part of the town, but in part, I ought to say, owing to the want of energy of his opponent. I do not know by whose influence he had obtained that support, but it is not at all uncommon, as I have found in my own case, for active merchants to take great pains in furthering the interests of young physicians in their applications for public institutions; and the very circumstance of a canvass often lays the foundation for augmented future support. I have always understood, that at the Middlesex Hospital there was a sort of understanding among the physicians, that they would not favour the applications of any who were not university men, and that Dr. Southey was the first for many years who, having made some very good ground on the previous canvass, was able to come in in spite of that understanding.

[*Added on correcting the Evidence.*]

“Bartholomew's Hospital has been for a long series of years in complete possession of the College of Physicians; but whether in consequence of a bye-law of their own, I am ignorant. By the will of Dr. Baldwin Harvey, in the time of Char. 1, the College was to recommend two physicians on any vacancy in the hospitals of St. Bartholomew, Christchurch, and St. Thomas; and if the governors elected either, there was a certain small stipend to be paid to the person so elected.”

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4375. Do you think the system of registration of cases in the London hospitals is very defective?—I think it is; I recollect some years ago having occasion to know something upon that subject, in prosecuting an inquiry respecting the prevalence of urinary calculus, and also my friend Dr. Marcet in pursuing a similar object some time previously. We found the registration extremely defective, except at the London Hospital, where it is tolerably complete.

4376. Might not most important light be thrown upon the prevalence of diseases and medical statistics generally by registration of the cases which occur at the hospitals?—That is my opinion, and I have stated it in a paper on the tendency to calculous diseases, which the Royal Society did me the honour to publish five or six years ago. I remark as follows: “If I might venture, however, to make the suggestion, I would respectfully submit, how subservient our public hospitals, the boasts and ornaments of the country, might be made to important statistical inquiries, by a more extended system of registry, than is at present usually adopted, either in the metropolis, or in the country; and how conducive to pathological improvement, the information would be, which they might thus be so readily enabled to furnish.” Such series of observations would, in particular, tend to throw much light on the liability to various complaints in different quarters, periods of life, and professions.

4377. Perhaps you think that if registration were extended to dispensary practice also, it might tend to throw important light on the history of the more prevalent diseases, not of a severe kind?—Certainly, both as to slighter and more severe diseases, and more especially those of an epidemic nature.

4378. Did you ever apply for any book from the library of the College of Physicians?—Never but once. That happened in consequence of an inquiry in which I was engaged a few years since, before alluded to, connected with a paper of mine, “On the Tendency to Calculous Disease,” which was published in the Royal Society Transactions. I had occasion to notice an operation devised by Chesselden, a very eminent surgeon about 100 years ago, and which the French government sent one of their most eminent surgeons, M. Morand, to learn of our distinguished countryman. I found that the account given by Dr. Douglas, an eminent anatomist of that day, of Chesselden’s operation, though implicitly followed ever since by the most eminent surgical writers, was inaccurate; but I could not exactly understand how, and then I determined, though not exactly in the line of my profession, to examine what could be found in Chesselden’s works to elucidate the subject. It happened that I found a chasm in one of the publications: that there was an appendix referred to, which had been entirely overlooked. I therefore took every opportunity of endeavouring to find it. I happened to be at Cambridge, but I found it was not in the university library. Having a catalogue of the library of the College of Physicians, I looked at that, and found there was a copy there, and also a copy in the library of the Medical Society of London. Being myself connected as a licentiate with the College, and feeling it rather creditable for a body of physicians to further the scientific objects of a gentleman in their branch of the profession, I wrote to Dr. Frampton, one of the elects, who had been one of my colleagues at the London Hospital, requesting he would have the kindness to furnish me with a loan of this very small tract. I had a friendly letter from him, saying that he felt a doubt how far he could comply with my request, but, that on speaking to a friend in the College, he found it would be irregular to give me the use of it. I applied in consequence to a friend of mine, the late Dr. Babington, requesting him to procure it from the Medical Society’s library, which he kindly did. Another friend in the meantime copied it for me at the British Museum, and this copy I have deposited in the library of the Medical and Chirurgical Society. It would have been totally impossible to have made out, after the lapse of nearly 100 years, a very curious and important fact with regard to Chesselden’s operation, and the mistakes into which Dr. Douglas had led the profession relative to it, without this tract. I published an account of this little investigation in the 15th volume of the Medico-Chirurgical Transactions, in the form of a letter to my friend Sir Astley Cooper, a successor of Mr. Chesselden at St. Thomas’s Hospital.

4379. Was Dr. Frampton’s communication to you by letter?—It was.

4380. Have you a copy of the letter?—I do not know. It is possible, but I think not very likely that I thought it worth while to preserve it.

4381. You have quite a distinct recollection of the contents of it?—Yes, and that he stated he had consulted a member of the College on the subject. It was my intention to write to Sir Henry Hallford, if I could not succeed: but I did not like to apply to the president of the College on so trifling a matter. Since, however, I had

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I had paid a large sum of money to the College, and had always wished to conform as much as possible to its regulations, and the occasion in question afforded to the College the little credit of furthering an object of scientific research in a person who was known to have occupied for many years a respectable professional position in London, I considered the difficulties which occurred to Dr. Frampton and his friend as singular.

4382. You are satisfied that Dr. Frampton clearly understood the nature of your application?—It was impossible not to understand it, as I gave him the title of the tract, and mentioned that it was necessary in the prosecution of the particular objects of my inquiry.

4383. Is the effect of the bye-laws regarding the admission of the licentiates to the fellowship, to estrange the licentiates from the College?—I think these bye-laws have instituted a sort of vassalage in a liberal and high-spirited profession which it is degrading to the feelings of men of education and acquirements, and their equals in society, to be obliged to submit to. The body of licentiates in London and of physicians in the country, form incalculably the largest part of the body of physicians in England; and yet, if connected with the College at all, they must have a designation, which marks a discreditable difference between them and the governing body. I would beg to state, in confirmation of my opinion, that the College of Surgeons, by the simple circumstance of giving the title of “member of the Royal College of Surgeons” to all who have their diploma, to the humblest members of the profession practising in the most remote country situations equally with Sir Astley Cooper, or the late Mr. Clive, or Mr. Abernethy, have made it an object of emulation for country practitioners to become members, and hence a creditable and legitimate source of wealth. Now I would ask, where is the inducement for country physicians, who from time immemorial have formed a very large, respectable and useful class of the profession, and who are, many of them, eminently distinguished as authors, and for their learning, and elegant acquirements, to volunteer a connection with the College (for there is no absolute obligation to this effect) when they can only come in under the slighting appellation of *permissi*, or persons permitted or allowed by a sort of special favour to exercise a profession for which their education has prepared them. The honourable designation which the College of Surgeons, with an admirable knowledge of the human mind, gives to their members, and the degrading one of the College of Physicians, doubtless has a considerable influence in preventing country practitioners from wishing to become members; and hence it precludes the College of Physicians from being able to exercise a creditable and advantageous influence over the whole body of a liberal profession throughout England, and prevents, moreover, their possessing that wealth which numbers only can give, and which would enable them to carry on their objects with much more credit and efficiency. The College has a large and good library; but it is quite an old one, and they have been able, as is well known, to do little comparatively in keeping it up, from the want of funds. Whereas if they were a large and united body, formed on principles more congenial with the spirit of the age, they would possess much more influence and utility.

4384. In the country, is the practice of the general practitioner very much on the increase and superseding that of the physician?—The general practitioner has had so much practice, both in London and in the country, for a very long series of years, that I am not able to say whether his practice is on the increase or not; but I am quite persuaded, that the increase is a good deal owing to the supineness of the College of Physicians. For instead of taking every fair and legitimate mode of bringing themselves forward respectably before the public, they have reposed on their dignities and not minded what has become of the profession generally. It is quite understood that the magnificent Hunterian Museum, which the nation so judiciously purchased, was offered to the College of Physicians. I may say there never was an opportunity in which any corporation had so much the power of bringing itself forward respectably before the public as by the possession of that noble collection. It might have afforded the means of recovering some portion of that ground which had been lost. Up to the early part of the last century, the College was distinguished for anatomical knowledge, and Chesselden, in the dedication of his work on anatomy to Dr. Mead, speaks of having owed his anatomical knowledge principally to the lessons of that eminent physician. I would submit to the Committee, that if the College had accepted this valuable museum, as it is understood they were invited to do, they might have become an imposing body before the public, instead of giving up so great an advantage to the College of

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Surgeons, who have so well known how to avail themselves of it for their own honour and the public advantage.

4385. If the College of Physicians adheres to its exclusive bye-laws, and the two other bodies continue to raise the standard of qualification required for their diplomas, both as regards the course of study, and the extent and strictness of examination, will they not rise still higher, as compared with physicians, in the estimation of the public, and be able still further to supersede them in practice?—It is very difficult to say; but I think the public would not like to part with physicians though they employ them little. In London, the number of well-employed physicians is exceedingly small; and in the country, the largest towns have hardly more than two or three who are very well employed; so that whether the employment of physicians has diminished or not of late years, it is perfectly clear that the general practitioner has infinitely the much largest part of the practice, both in London and in the country.

4386. Is it desirable, for the sake of the profession and the public, that an inducement should be held out to the medical student to obtain a higher degree of education than is absolutely necessary for the practice of physic?—I think so; and I am sure that this applies to the great body of physicians, both in London and the country. From what I know now and did know of the acquirements of the licentiates of London, they are exceedingly respectable, and so are likewise those of physicians in the country. It appears to me, that there would be quite sufficient inducements for a certain portion of physicians to attend English universities by the elegant literature they would have the prospect of obtaining, which would always mark them as men of education and refinement, but in particular by the sort of connections they might make, and which is so favourable to a man's obtaining success in London, where he would continually meet with university friends, both among the higher orders of society and the professions.

4387. Where did you receive your medical education?—My general and medical education was conducted in Edinburgh, where I was five years, and I had besides the advantages of studying in London. I certainly thought it rather singular, after having those benefits, that the mere circumstance of being educated in one particular place instead of another, should produce irremediable difficulties to a gentleman settling in London.

4388. From your knowledge of the licentiates who were in London while you were in practice, should you say the larger portion of them were highly educated men, who would have done honour to any society into which they might have been adopted?—I should think a large number were; but I should wish to append to my opinion, that if it is known that a man's knowledge of particular subjects will qualify him for admission to a certain grade, it is perfectly clear that he would feel it right to prepare himself more in the particular line of examination to which he would be subject. For instance, in regard to Greek, a licentiate is not examined in Greek; but if young men knew that they would obtain a higher grade by possessing a fair knowledge of that language, they would prepare themselves accordingly, or for any other trial of their qualifications to which they might be required to submit.

4389. The very omission occasions a deficiency?—There is no doubt; and I am sure that if anything were to call upon a gentleman to keep up colloquial Latinity, and to obtain further knowledge of Greek, the licentiates would be found equal to the task: at any rate I do not think there ought to be any inference that they were not equal to it, unless they either will not submit to, or fail in their proofs of being possessed of respectable literary acquirements. I do not think the licentiates would object to the test at a fair period of life; but when an examination is required in middle age, after long engagement in practice, and that conducted, not before a small and sworn body of censors, to whom I am very sure a man may securely confide his honour and best interests, but before the body at large, he must be a very bold man, after having been several years in practice, to volunteer such an examination. I think it is not to be expected; and it has appeared to me that the formation of that bye-law was certainly not intended to facilitate the admission of licentiates into the body.

4390. What do you think of the policy of the bye-law which allows the president to recommend the licentiate for admission into the College?—I think the policy is not a good one; and that it tends to make men, whose position gives them a chance of being so elected, somewhat more subservient to the individuals who may be likely to forward their object than is compatible with the independent bearing

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bearing of a physician and gentleman. They likewise come into the College under very different and much less independent circumstances than the body of gentlemen who form the great mass of the College. There is one point I meant to notice, which is, that the bye-law creating a body of licentiates appears to have been of a very early date. I do not know it accurately, but the severity of that bye-law was very materially softened by the circumstance of its being, when enacted, permitted to have incorporation from the English universities. Another circumstance which lessened its harshness, was that there was a class of honorary fellows to which men might be admitted who did not belong to English universities, on examination, and upon paying a larger sum than attached either to ordinary fellows or licentiates. But the College of Physicians, probably fearing that the power of incorporation might introduce too many alien fellows into the College, transmitted a letter to each university; reminded them of the favour they had done the universities by limiting the admission into the fellowship to the graduates of Oxford and Cambridge, and of the benefits they were anxious to confer on them as to payments, and in every other way, and wishing them to stop the course of incorporation. The English universities acceded to this urgent request, without, I would humbly and respectfully submit, seeming to appreciate the hardship which they would inflict on many deserving, honourable, and well-educated men by so doing. The College likewise about the same time did away with the class of *Socii Honorarii* entirely; and the effect of those changes, and the feeling which gave rise to them, was very striking. For about the year 1682 the number of the licentiates was only 10, while that of the fellows and honorary fellows was 80; but ever since that period the proportion of the licentiates has been on the increase, because physicians could not practise in London without submitting to the particular exclusive bye-law, and could neither be incorporated nor have the distinction of honorary fellows.

4391. Whence is it that you derive this information respecting the proceedings of the College?—From a manuscript in the possession of the Medical Society of London, consisting of three volumes of memoirs relating to the College, written by John Lewis Petit, M. D., who was a fellow of the College.

4392. With reference to medical attendance on the poor in the country, is there any information you wish to give to the Committee?—I think nothing can be worse than that which is adopted in parishes very generally; it would be exceedingly desirable if legislative measures could be adopted which would enable the poor to have more efficient advice than they can have at present.

4393. Is the point to which you allude that of farming out the medical attendance upon the poor to the lowest bidder?—It is.

4394. Does that prevail extensively in that part of the country in which you reside?—There is an incorporation which comprises above 40 parishes, and four medical men attend 10 parishes each, at the rate of only 4*l.* per parish. Even in opulent parishes near London the surgeon is sometimes beat down by competition to a stipend which could not admit of his doing the duties properly.

4395. Have any of those points ever come under your own observation in any parishes?—Certainly I have known many inadequate payments. I have seen now and then inattention; but generally I am very happy in saying that I think the profession at large do themselves great credit by giving more attendance and medicine than the amount of stipend at all remunerates them for.

4396. Is it generally the practice in your part of Norfolk to farm the poor?—It is always the practice if there are not hundred-houses; but when there are hundred-houses, which unite many parishes together, the surgeon is remunerated better by the number, than if he had one parish only at the same rate of payment.

4397. Is the price paid very often such as will not more than pay for the medicines?—Decidedly. I have heard of 5*l.* being given at some miles distant: some of the medical men of Norwich have had parishes to attend at a distance of some miles, for not much more than that rate.

4398. What book do you hold in your hand?—It is a book of statutes of the College of Physicians of the year 1693.

4399. Does it appear from the title page that it is published from authority?—No; certainly not published from authority.

4400. Is there any statute in that book you wish to refer to?—It is a very degrading statute, relative to the qualifications of licentiates, the most humiliating statute possible: “*Quoniam complures, in hac civitate medicinam faciunt, quos inidoneos omnino censemus, ut in numerum sociorum aut candidatorum*

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adoptentur, vel quod natione non sint Britanni, vel doctoratûs gradum non adepti fuerint, vel non satis docti, aut ætate et gravitate provecti sint, vel alias consimiles ob causas, et tamen Reipublicæ inservire et saluti hominum prodesse possint, saltem in nonnullis curationibus, de his ordinamus et statuimus, ut post examinationes debitas et approbationem Præsidis et Censorum, permittantur ad praxin, quamdiu se bene gesserint." I say this was, as far as I know, the original bye-law under which this degraded body of *permissi* practised. The terms were of little consequence when incorporation at the English universities was allowed, because there was a ready and obvious mode of escaping from the order; but they raised the qualification afterwards, and made use of language differing from the present bye-law: but they still maintained, instead of taking a new and more respectable title, the old title of *permissi*, or permitted or allowed to do a particular thing, though the degradation of this bye-law was done away.

[*Added by the Witness on correcting his Evidence.*]

"I have much pleasure in stating my belief, that the physicians of this country have contributed largely to the revival of letters; that such physicians have most of them had their education at English universities; and that to these circumstances may be attributed, in a considerable degree, the estimation in which they are held. Something has been derived from the association at the universities of the middle orders of society, from which physicians and other professional men are principally chosen, with the higher. It appears to me that a sufficient inducement and reward for obtaining such education is to be found in the additional credit which the possessors of higher attainments in literature and science receive with the profession and the public, and in the habits of acquaintance with the higher orders of society, which are so advantageous to a person settling as a physician in London, and which have frequently advanced such a person to fame and fortune at an unusually early period of life."

Mercurii, 23^o die Aprilis, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Edward Harrison, Esq., M. D., called in; and Examined.

4401. WHERE did you graduate in medicine?—In Edinburgh.

4402. When?—In 1784, I wrote my Thesis de Opio.

4403. Where did you begin to practise medicine?—At Louth, in Lincolnshire. I remained a practitioner there and at Horncastle, till I came to London; which was a few days before the death of George the Third, in January 1820.

4404. When did you begin to practise medicine in Lincolnshire?—Perhaps in 1779. I had been abroad in Paris, and in other parts of the Continent, prosecuting my professional studies, before that.

4405. You have continued to practise in London ever since that time?—I have been in London ever since.

4406. Did you, in the year 1806, enter into communication with any of the medical corporations on the subject of medical reform?—I made communications to the nine medical corporations, and got answers from all of them.

4407. When did you begin to agitate the question of medical reform?—It was in the autumn of 1804, at a meeting of the Benevolent Medical Society of Lincolnshire, held at Horncastle, that I was requested to institute an inquiry into the state of the medical practice in that county. At their request, and by the advice of Sir Joseph Banks, I visited London, to solicit the metropolitan faculty, and especially the medical corporations, to lend their assistance, and take the lead in the business. I had several conferences with Sir Lucas Pepys, president of the College of Physicians, with Sir George Baker, with the master of the College of Surgeons, and with several other distinguished members of the faculty. In the autumn of 1805 meetings on the state of the medical practice were held in London at the house of Sir Joseph Banks, which were attended by Mr. Foster, master of the College of Surgeons, the examiners of the same College, some censors of the College of Physicians, and several very eminent physicians, surgeons, and apothecaries.

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caries. The unanimous opinion on these occasions was, that a substantial reform was necessary, and that to be complete, it must pervade all the departments in physic, and be extended through the empire. A suspicion at length arose that the association was actuated by designs unfavourable to the medical corporations; and to do away with these suspicions, it was proposed by Dr. Stone, a fellow of the College of Physicians, and late physician to the Charter-house, "That no resolution ought to be made, or measure taken, which could in any degree interfere with the powers or privileges possessed by the Colleges of Physicians and Surgeons of London." Notice of this resolution, which was embodied in a circular letter, stating the objects of the association, was transmitted in March 1806, to the nine medical corporations, and, extensively, to the medical practitioners, of the United Kingdom. These letters were circulated, and the answers permitted to be received through the Treasury. In the following summer, another meeting of the faculty was held at Sir Joseph Banks's, when the answers were laid before the association, and the necessity of a substantial reform was again admitted by all present. A committee was appointed to conduct the business, and they published another address, dated March 4th, 1806, which was extensively circulated amongst the faculty. On the 9th of August following the faculty again met at Sir Joseph Banks's, when I presented to them a plan, which, subject to such alterations as might thereafter appear to be necessary, they agreed to adopt as the basis of regulation. The resolutions of this meeting, and the plan adopted by them, were transmitted to the different medical corporations of the United Kingdom. The answers received from them are inserted in a work which I published in 1810, entitled, "An Address to the Lincolnshire Benevolent Society." The answers I received from individuals were mostly inserted in the Medical and Surgical Review, of 1806. The answers received from the medical corporations gave, generally, little encouragement to the proposed plan; though individual practitioners, for the most part, took a favourable view of it.

4408. Had you any intercourse with the men then in Government on the subject of this plan?—Yes. When I first came up, Sir Walter Farquhar joined us, and took a very active part. We waited on Mr. Pitt. Mr. Pitt after he had heard the plan, said, "I have had so many communications upon this subject, that I am quite convinced that something is wanting; and I will carry it into effect." I think those were his words. A very few weeks after that, he went to Bath. The battle of Austerlitz took place, and he returned, and died. Then Sir Joseph Banks and I waited on Lord Henry Petty. He behaved very liberally, gave us the freedom of postage, and those communications went on, and he was obliging enough voluntarily to correspond with me in Lincolnshire upon the subject: and no man could show more anxiety than he did. He said, "I have communicated with Lord Grenville upon the subject. Lord Grenville is adverse to there being any pecuniary payment upon medical licences or diplomas; but he wishes the education to be lengthened and improved."

4409. Was Sir Joseph Banks a strong supporter of the same plan?—Yes. He felt the necessity of some plan of medical reform.

4410. What physicians attended the meeting at Sir Joseph Banks's?—A great number. Sir Walter Farquhar, Dr. Pearson, Sir Gilbert Blane once or, I think, twice. I had often conversations with him on the subject at Sir Joseph Banks's Sunday evening meetings.

4411. Did you receive a communication from the College of Physicians of Edinburgh in 1807?—I think, in all, I must have received three communications from them. The one in question is inserted in the appendix of the work above referred to.

4412. Have you nearly all the communications that were made to you in answer to your circulars?—I think I can venture to say I have all the communications that came from the corporate bodies.

4413. What was the purport of the communication from the College of Physicians?—The purport of it was, that a reform was wanted: but they would make it themselves.

4414. What was the purport of the communication from the College of Surgeons?—A very short answer: they were ardent at first, but cooled afterwards, for Lord Henry Petty had then given them a sum of money to add to their College.

4415. Was any communication made from the Company of Apothecaries?—Yes, there was, a very short, and cold one.

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4416. Did you correspond with the English universities?—If I did, I got no answer from them.

4417. Will you have the goodness to lay the correspondence with the public bodies before this Committee?—I should be very glad to do so. After Lord Henry Petty retired, Mr. Perceval came into office; and Sir Joseph Banks and the late Mr. Chaplin, the then county member for Lincolnshire, waited upon him with me. He was of the same opinion, with the preceding Chancellors of the Exchequer. He continued the freedom of postage. We went on very well till Mr. Perceval died. I found then that the thing went on in such a distracted way, owing to the opposition of the corporate bodies, that I would no longer meddle with it.

4418. It appears from the report of the College of Physicians, Edinburgh, that nothing further occurred on this subject till the 7th of August 1810. Did you about that time lay the draft of a bill for the improvement of the medical, surgical and veterinary sciences before the Lords of the Treasury?—There was the outline of a bill laid before them, which was sent to the nine incorporations; the three in London, the three in Ireland, and the College of Physicians and the College of Surgeons, Edinburgh; and the Faculty of Physicians and Surgeons of Glasgow. I now hand in a copy of that draft, with the answers received.

4419. Was it about the period of 1811 that you ceased to take any further steps?—It was upon the death of Mr. Perceval. It strikes me, that I did not interfere any more. For I found in some quarters a great desire for a medical reform, but that all the medical incorporations were hostile.

4420. Have you not been prosecuted by the College of Physicians?—I have.

4421. How long had you settled in practice in London, before they began to prosecute you?—I came to London, as I stated, in 1820; the prosecution was about eight years afterwards. The business was terminated on the 12th of June 1829.

4422. Had you reasons for not applying to the College of Physicians for a licence?—Very strong ones.

4423. What were they?—In the first place, I look upon the position of the College of Physicians to be completely unconstitutional and illegal.

4424. It was on principle you determined not to apply to the College?—Quite so: for I had been examining into the constitution of the College of Physicians from the period of 1804, when I first turned my attention to medical reform; and I took legal opinions upon the subject. Amongst the rest, I took Mr. Serjeant Williams's.

4425. Have you a copy of his opinion?—I have got the opinion. It is published in the tract before referred to. It related principally to the power of the College of Physicians in the provinces. What I wanted to know was, principally, how we stood in the country. He said a remedy of the evils complained of in country practice could only be obtained through the Legislature; and that it ought to be done.

4426. When you came to settle in London, had you not some conversation with Dr. Baillie about taking out a licence from the College?—I had. Dr. Baillie and I began our education together. We used to dissect together at his uncle's, Dr. William Hunter's.

4427. It was from no apprehension of not being sufficiently grounded in medical knowledge, that you declined being examined by the College?—I was never afraid of examination by any one in my profession. When I was busy on the subject of medical reform, several of the fellows were very kind to me. Amongst the rest, I waited on Sir Lucas Pepys, by his own desire. One morning he took a great deal of pains, first to induce me to make application to him as president, that a reform in medicine was wanted. He said, "If you will do that, we will take it up." I said, "Sir Lucas, I have no authority to do that. I think you say the College of Physicians ought to have the direction: but we are concerned in it as well as you; and we cannot transfer the whole to you. Besides, I am only a delegate. I cannot do that without authority." He then wanted me to become a licentiate, saying, "As you have been in the country some years, I dare say you may have forgotten your Latin a good deal, but I shall be there, and nothing unpleasant to you shall occur." On which I was a little nettled, and I said; "Sir Lucas, there was a period in my life, when I could speak Latin as fluently as English; and if I should think fit to be examined, I would revive it before I came. I would ask no favour, or receive one. But since I am a graduate of Edinburgh, I do not think that it is of any consequence to me, to become a licentiate of the College. If you will prosecute me, and oblige me to come before you, I shall be glad;

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glad; for then you will force others to do the same; and one great object of reform will be obtained. But there is not one physician in all Lincolnshire who has been examined by the College; and I shall not be the first."

4428. About what year was this?—I should say about the middle of the period of my being busy on medical reform.

4429. While you resided in Lincolnshire?—Yes; then when I came to London, Dr. Baillie, with whom I had always been on very good terms, from having consulted with him on many medical cases, said, "Now, as you are come to London, I cannot meet you in consultation, unless you will agree to be one of us." I said, "What do you mean by one of us?" He replied, "We all know you are an Edinburgh graduate; therefore you have a right to be examined." I said, "But if I am examined, and am successful in my examination, will that make me one of you?" He hesitated a little. I then said, "Will you have the goodness to answer the question?" He replied, "We will make you a licentiate." I said, "But I think I have a right to go in at the front door of the College, and while I think so, I will never consent to go in at the back door: and if you choose to prosecute me, you are heartily welcome." That was shortly before his death.

4430. You still continued your acquaintance with him?—Oh dear, yes.

4430*. Did the College of Physicians, in the course of the year 1806, endeavour to extend its jurisdiction into the provinces?—They did so. The late Dr. Buck, physician of Newark, handed to me the original of the letters signed by the registrar of the College, Dr. Hervey, which had been sent to the chairman of the quarter sessions of the Newark district, and which the chairman had given to Dr. Buck, with the following observations: "I do not intend to distribute them. The College has taken an improper method, and I will not be a party to it. I should be ashamed to countenance what I esteem such illiberal conduct." The following is the letter:

Sir, College of Physicians, 22 December 1806.

The Royal College of Physicians in London, have subjoined a copy of their Advertisement respecting the irregular state of the practice of physic in the country, and have enclosed lists for distribution in your neighbourhood: not doubting that you, and all the magistrates of your county, will heartily concur in this endeavour on the part of the College, to make known by these means, that those whose names are mentioned in the list, are (except the graduates in medicine of the Universities of Oxford and Cambridge) the only persons legally qualified for the important duty of prescribing for the sick.

I have the honour to be, Sir,

Your most obedient humble servant,

James Hervey, Registrar.

To the Chairman of the Quarter Sessions.

ADVERTISEMENT.

The Royal College of Physicians in London, having received accounts from various parts of England, complaining of the number of irregular practitioners, calling themselves physicians, who exercise the practice of physic without authority, and in many instances without due qualification, feel it their duty to apprise the public of the legal provisions to obviate this evil, and to refer them to the list annually printed by the College (which in future they will take care to have properly circulated), in order that the names of all those may be known, who, having been examined by the College according to law, have been deemed competent to practise as physicians.

Extract from the Act of Parliament of the 14 & 15 Hen. 8.

"That it may be enacted by this present Parliament, that no person from henceforth be suffered to exercise or practise physic, through England, until such time that he be examined at London, by the said president, and three of the said elects, and have from the said president and elects letters testimonial of their approving and examination; except he be a graduate of Oxford or Cambridge, which hath accomplished all things for his favour without any grace."

By order of the College.

25 June 1806.

James Hervey, Registrar.

John Kidd, Esq., M. D., called in; and Examined.

4431. YOU are Regius Professor of Physic in the University of Oxford?—I am.

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4432. What other appointments, lectureships, &c., do you hold in the University of Oxford?—There is officially attached to the regius professorship of medicine a pre-lectureship in anatomy.

4433. What lectureship is that?—Tomlins's.

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4434. In order to obtain a degree in medicine at Oxford, it is necessary first to have graduated in arts?—Yes.

4435. How long has that been the case? What successive changes have taken place in the statutes of the university upon that subject?—I can state this general fact: that the statutes of the university were not collected into one body till the beginning of the 17th century. Previous to that, any information which is to be acquired, must be acquired from four documents kept respectively, one by the vice-chancellor, another by each of the two proctors, and another in the archives of the Bodleian library.

4436. Confining the question to what has taken place since that time, what has been the practice?—From the commencement of the 17th century till the year 1781, nobody could be admitted as a bachelor of medicine till he had graduated as bachelor of arts and master of arts; and had passed a full year from his having obtained the degree of master of arts.

4437. Supposing a person enters as a student at Oxford at any given time, in how many years would he be able to take his master of arts degree?—At the end of seven academical years: and from the beginning of the 17th century to the year 1781, it was necessary to have passed three years between the master of arts and the bachelor of medicine: but in 1781, those three years were contracted to one year.

4438. Then it would take eight complete years before he could become bachelor of medicine?—Yes.

4439. What is the interval between taking a degree of bachelor of medicine and obtaining a licence to practise?—The licence to practise is given at the time that he takes the bachelor of medicine degree.

4440. That has always been the case?—I believe it has.

4441. What interval takes place between the bachelor of medicine degree and the doctorate?—From the beginning of the 17th century till 1781, four years; they were contracted, in that year, to three years.

4442. It would take therefore 11 complete academical years to become M. D.?—Yes.

4443. How many terms is he required to keep for his master of arts degree?—He must have kept 16 terms for a bachelor of arts, and three terms between that and a master of arts.

4444. You have four terms a year?—Yes.

4445. Must the 16 terms all be kept?—No; I believe the act of entering secures one term, and the act of taking the degree another.

4446. That reduces it to 14?—Yes, and two others are allowed; that will reduce it to 12.

4447. According to college rules, do they require the student to reside during the two terms, the one when he enters, the other when he takes his degree?—It would be for each individual college to determine; but some of the larger colleges require it; I know Christ Church does.

4448. How many of the three terms, between the bachelor of arts and the master of arts, are positively required to be kept?—One.

4449. Are there any college rules, requiring those three terms to be kept?—No, I think not. No further residence is required on this account, that, generally speaking, a man may spend his time to more advantage, if for instance he is studying law or medicine, in London than he could at Oxford.

4450. Previous to the late enactment at Oxford, a person must have taken a master of arts degree before he could graduate in medicine?—Yes.

4451. When was the statute passed?—Either at the close of last year, or the beginning of the present.

4452. Have you a copy of the statute with you?—I have.

[The Witness delivered in the same.]

4453. Is a person, who intends to proceed in medicine after taking his master of arts degree, required, upon his becoming A. M., to declare himself a student in medicine?—I believe not.

4454. Therefore he might defer declaring his intention of proceeding in medicine until immediately previous to the conferring the degree?—I believe he might.

4455. Previous to the late change, what medical lectures was it necessary for the candidate for a medical degree to have attended?—I cannot answer that question without going a little into detail. According to the statutes, there are several lectures defined: but according to the practice, for many years past, and that practice

practice founded on good reason, he was not obliged to attend any medical lectures in Oxford. When the statutes were collected into one body, there was no school of medicine, I believe, in any part of England, except the two Universities of Oxford and Cambridge. Consequently, all the information a man was supposed capable of acquiring, must have been obtained there: and with a view to that, having first been required to go through arts, and having prepared himself during seven years in what may be called a general education, he then entered his name as a studiosus in medicinâ, and for three years he was to attend the medical and anatomical lectures given in the university. After he had taken his bachelor of medicine degree, he was bound to reside for the four years during which he pursued his studies in medicine, occasionally giving expositions of different parts of the science, or the authors who have treated on the science. In the course of time, when Edinburgh and London had facilities for pursuing the study of medicine which Oxford had not, the practice became this. As soon as a young man had taken his bachelor of arts degree, he went either to London, or Edinburgh, or to any foreign university where medicine was taught; and it was understood (though no direct proof was afforded) and pretty well known, that during three years, till he took his master of arts degree, he continued his medical studies; and he continued them usually till he took his bachelor of medicine degree. At the end of eight years he might be candidate for a bachelor of medicine degree; and as it was naturally understood by the university that a person who had given so much time previously to his general education, did not lightly enter upon the study of any particular branch, it was considered that, in lieu of a formal examination, the professor of medicine, or whoever in his place presented to a degree, might satisfy himself that the candidate was well grounded in it; and, upon his testimony, the university granted the degree. If the candidate applied for a licence, a further guarantee was required. For the regius professor of medicine, together with one resident doctor in medicine, must sign to the fitness of the candidate; or if the professor of medicine did not sign, three doctors of medicine were to sign.

4456. Will the answer you have given, apply to the whole of the following subjects of inquiry: viz. to the number of courses of lectures on the several branches of medical science that the candidate for a medical degree must have attended; to the length, as to time or number of lectures, of the several courses; to the persons by whom such courses must have been delivered; to the length of attendance upon hospital practice; to the number of patients the hospital must contain; to the schools at which, and the time during which the candidate must have dissected; to the manner and time of his applying himself to practical pharmacy and to surgery; and to the order in which, during the successive years of the whole period of his medical studies, he must have applied to the various elementary branches of medical science? Are the Committee to understand, that according to the statutes or practice of the university, there was no such qualification, as is implied in those questions, required?—By the statutes that had become obsolete, there was; but in practice there was not.

4457. Did that practice arise out of a prevailing opinion, that there were other schools of medicine which gave greater facilities for pursuing medical study, than it was possible for Oxford itself to afford?—Yes, I believe so.

4458. Though no attendance upon medical lectures at Oxford was required, yet were certificates required in proof of those branches of medical study having been pursued in some other school?—No; the word of the individual given to the professor, and the knowledge of his habits derivable from the professor's extensive acquaintance, were considered sufficient.

4459. Was it the practice of the regius professor to interrogate the candidate where he had been pursuing a course of medical study; and in case it appeared that he had not been doing so in a way to qualify himself for practice, to refuse to recommend him to the university?—I do not know how that may have been in the time of my predecessor. Since I have had the professorship, if I have had any doubt respecting any individual, I have submitted him to an examination myself, thinking it right to do so.

4460. Did the professor upon interrogating a candidate whether he had attended lectures, require him to produce certificates from the professors whose lectures he said he had attended; or did he rely upon the word of the gentleman presenting himself, that he had attended such courses?—In my own case I have relied upon the word of the person, having also collateral testimony from other persons, that he had been employed in studying his profession.

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M. D.

4461. Are there any medical exercises, any act or opponency, to be kept, any thesis to be supported, in the schools previously to taking a degree?—Yes, two disputations for the degree of M. B., on subjects previously approved by the professor; which are held from one to three on two distinct days.

4462. Has that been considered as a mere form, or is it intended to be a fair trial of the medical knowledge of the party?—For the last half century it has been a mere form.

4463. One witness has stated to this Committee that he read a thesis in the schools in the presence of the bedel only?—I will explain that. In order to take the bachelor of medicine degree, there are two formal disputations. The professor attends at those; but in taking the superior degree, the person who reads the lecture, is supposed to be giving information to others; and then the professor does not attend.

4464. During your professorship, has it ever occurred that the disputations for the bachelorship were read before the bedel alone?—No, I have not the least idea that that was ever so.

4465. Could it have been so, during your professorship, without your knowledge?—It might; inasmuch as I am allowed, by the statutes, if I cannot go myself, to have a deputy; but I think it very unlikely that such a thing could have occurred.

4466. What is the sort of proceeding in keeping the various exercises in the schools required for a bachelorship in medicine?—Two questions are disputed by the person who is a candidate for the degree of M. B. on two different days. He goes on one of those days as a respondent; and on the other as an opponent: and the professor of medicine sits over him (as they term it) during the time that the disputation is going on.

4467. There is one act and one opponency?—Yes.

4468. Does the keeper of the act merely read the thesis; or does the professor interrogate him upon the subject of it, so as to take that opportunity of knowing whether he is well informed in medical science?—No. I beg pardon for using the expression; but it would be perfectly absurd to do it. It has been a mere form for these 50 years.

4469. How long before the taking a degree are the act and opponency usually kept?—Some time between the regency after taking the master's degree, and the moment of taking the bachelor's degree.

4470. At any convenient time?—Yes.

4471. The syllogisms are merely put *pro formá*?—Quite so.

4472. During the period of your professorship, have you had occasion to reject any candidate on account of insufficiency in his studies of medicine?—No.

4473. What number have taken medical degrees during that period?—On the average not above three in a year. The following is a return extracted from the registers of the university:

DEGREES IN MEDICINE.

DATE.	M. D.	M. B.	
1822 - -	1	4	
1823 - -	4	1	
1824 - -	-	2	
1825 - -	1	-	
1826 - -	2	1	1 D. M. incorporated, from Dublin.
1827 - -	1	3	
1828 - -	-	1	2 D. M. incorporated, from Dublin.
1829 - -	2	2	
1830 - -	-	4	
1831 - -	1	1	
1832 - -	-	1	
1833 - -	3	5	
to 24 April 1834 - -	-	3	

Philip Bliss, Registrar.

4474. The changes which have been made in the course of medical study and examination are contained in the printed copy of the new statutes, which you have given in?—Yes.

4475. When are those changes to take effect?—This next term.

4476. These

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4476. These new statutes do not impose any additional form or examination on conferring a licence to practise?—No.

4477. To obtain a licence to practise, is it absolutely necessary to have previously taken the degree of bachelor in medicine?—From all the knowledge I have, it has been the fact for the last 50 years; but I rather suppose that in former times a licence was sometimes granted to masters of arts: but of that I am not certain. It has not been acted on for a long time.

4478. According to the new regulations, the licence to practise will be granted immediately after taking the degree of bachelor of medicine?—Yes, I think so.

4479. According to the existing statutes, may a master of arts, of a certain standing, take the degree of doctor in medicine, without having previously become bachelor?—No.

4480. How many acts and opponencies must be kept for the doctorate?—None. The candidate must previously read six lectiones in the public schools.

4481. Are those lectiones matters of form?—Yes.

4482. Are they all read in one day?—In two days, I think.

4483. Three a day?—Yes.

4484. Is it usual to compose any lectio really for the occasion; or does any scrap of paper or book, read at the time, serve the purpose?—That entirely depends upon the individual; for nobody is present but himself and the bedel.

4485. Does the bedel generally provide the lectio?—I am sure I do not know how that is.

4486. If there are several candidates for the degree of bachelor of medicine reading their theses on the same day, does the bedel provide the theses?—It usually happens that two men studying medicine agree to come down at the same time, for mutual convenience; and to go into the schools to dispute.

4487. Has the bedel, in that case, provided the theses?—He does so occasionally, I believe. I am quite aware, and so is every one present, that when customs have become obsolete, (and from the good sense of the world many necessarily become obsolete) they may become the subjects of ridicule; and those who do not understand the grounds of such change, may throw blame on the university, which does not justly attach to it. With respect to any of those exercises which the university formerly required, if it be known that the individual member has studied medicine effectually in London, or Edinburgh, or elsewhere, there is no necessity in the university to require an attendance on all those forms and lectures in Oxford, which become of no value when its students resorted to better schools of medicine.

4488. Was it the practice of the professor to interrogate the candidate for the doctorate in the same manner as he interrogated the candidate for the baccalaureate, respecting the medical studies he had been pursuing in the interval between the taking the bachelorship and the doctorate?—No, and for this reason; that usually on taking the bachelor of medicine degree, he got the licence to practise; and settled somewhere, and was in actual practice; and then presented himself in three years for his doctor's degree.

4489. The same answer would apply to attending on lectures and hospital practice, if such attendance were not considered necessary in the interval between the taking the bachelor of medicine degree and the doctor's degree?—Yes.

4490. You never knew an instance of a bachelor in medicine applying for the doctorate, and being refused, unless there was some other reason than want of adequate medical knowledge, for the refusal?—No, of course not.

4491. In the statutes lately passed, has any alteration been made in the studies or examinations required as a qualification for the doctorate, between the taking the bachelor's and the doctor's degree?—As the case stands at present a person must have kept 28 terms, that is seven full years, before he can have his bachelor of medicine degree. The interval between the bachelor and the doctor will now remain the same.

4492. Whatever additional examinations are required, will be previous to obtaining the bachelor's degree; but not subsequently?—Yes. There is this provided, that he shall compose and recite a thesis between the two.

4493. By what steps can a graduate of Trinity College, Dublin, be incorporated, and become a graduate in medicine at Oxford?—He must bring certificates of having gone through arts, and of being of the same standing from his matriculation that he would have been required to have been at Oxford.

4494. No further examination is required of graduates of Trinity College, Dublin,

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Dublin, if they are of requisite standing, than is required of graduates of Oxford itself?—No.

4495. The certificates he has to produce are of what kind?—I think of the time of his having been matriculated, and his having taken the degrees in arts.

4496. Can a Dublin bachelor of arts be incorporated as a bachelor of arts at Oxford?—I apprehend so.

4497. Would an under-graduate, having kept a certain number of terms in Trinity College, Dublin, be allowed those terms if he wishes to enter at Oxford?—I should think it is so. The general impression in Oxford is, that Dublin stands just on a par with Cambridge, as to the privilege of incorporation.

4498. A master of arts can be incorporated also?—Yes.

4499. If the whole time requisite for his taking a bachelor of medicine degree has not yet expired, he could be incorporated as a master of arts first, and then, when the necessary time had elapsed, be allowed to proceed in medicine?—Yes.

4500. All in this case that would be required would be that he should produce the requisite certificates of his matriculation and degrees taken in the University of Dublin?—Yes.

4501. Is the *bene decessit* required to be produced?—I presume it is, but I do not know.

4502. Are any and what changes made in the mode of incorporation, by the new statutes?—I am not aware that there is any change made: only, that in conformity with the intention and wording of the new statutes, if a man coming from Dublin as bachelor of medicine wished to become a doctor of medicine in Oxford, he must subject himself to an examination at Oxford, as if he were about to take a bachelor of medicine degree.

4503. According to the new statutes, before a person can take a medical degree at Oxford by incorporation, he must undergo the same medical examination that the Oxford candidate is required to undergo?—I think so, unless he have undergone an equivalent examination in Dublin. The clause is in these words: "Statutum est, quod unusquisque sive graduatus in medicinâ, sive studiosus, ex alia academia hic incorporandus, priusquam in matriculam hujus academiæ referatur, testimonia coram Vice-Cancellario exhibeat, quibus liquido pateat eum exercitia præstitisse omnia, quæ in suâ academiâ nondum graduati pro baccalaureatu in artibus præstare tenentur. Cantum sit insuper, ne quis in medicinâ graduatus incorporetur, nisi examen prius subierit, tempus compleverit, et reliqua præstiterit omnia, quæ per præsens hoc statutum requiruntur."

4504. Under the new statute, if a medical graduate of Trinity College, Dublin, should have attended all the lectures and hospital practice, performed all the exercises, passed all the examinations, and done whatever else is requisite in that university to obtain his degree, will it be necessary he should undergo examination at Oxford a second time on the same subjects?—I should think not. It will depend upon the interpretation of the words just read. But it is clearly physically impossible he can be said *tempus complevisse* in Oxford in the moment of his applying for his degree, and I should therefore think the *examen* applies to his own university.

4505. Do you think that under those words, putting a liberal construction upon them, the graduate of Trinity College, Dublin, who has performed exercises in his own university fully equivalent to those required at Oxford, might be allowed to pass, without undergoing at Oxford another examination?—I should think myself quite justified, having been satisfied that he had undergone that examination, in asking him one question *pro formâ*.

4506. For incorporating at Oxford a graduate of Trinity College, Dublin, is it made a condition, that he shall have resided within the walls of that college?—That I am not aware of. My impression is, that they are required to give proof of having done most fully what is required by the college for complete residence.

4507. What means does the University of Oxford possess for teaching the various branches of medical science; and how are those means employed? What professorships and lectureships are there in the university or any college of the university, for teaching any branch of science strictly medical or akin to medicine?—There are annually given two courses of lectures in anatomy.

4508. By whom?—By myself.

4509. At what period of the year are those lectures delivered?—In Lent term and in Michaelmas term.

4510. Of how many lectures does each course consist?—About 20.

4511. Do

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4511. Do you give those lectures as professor; or by virtue of the lectureship which you hold jointly with your professorship?—As professor, I am bound to read four lectures in Lent term, and three lectures in Michaelmas term. The four lectures in Lent term are on a recent subject; the three lectures in Michaelmas term, on osteology.

4512. Besides anatomy, do you give lectures on physic?—No.

4513. Are any lectures given on the theory or practice of physic?—Dr. Ogle gives clinical lectures, and also lectures on the theory and practice of medicine.

4514. At what time of the year does he lecture?—He gives notice at the commencement of Michaelmas term, both for the lectures on the theory and practice of medicine, and also for the clinical lectures.

4515. Does he actually lecture?—Yes.

4516. Since when?—Dr. Aldrich founded a lectureship on the theory and practice of medicine, about 33 or 34 years ago; Dr. Bourne was the first lecturer, and Dr. Bourne annually gave notice; but the fact was, as the medical students at Oxford went to London for their education, there never was a class; at least, more than once or twice.

4517. Have lectures been actually given by Dr. Ogle?—Yes, two or three times. I think he has not had a class more than three times.

4518. Have you actually given your courses of lectures on anatomy?—Twice a year since the year 1816.

4519. Are clinical lectures given at the Radcliffe Infirmary?—Yes.

4520. How long have they been given there?—They have been established there about 60 years, I think.

4521. They are under a different endowment from the Aldrich professorship?—Yes.

4522. What is the name of that endowment?—The Litchfield Clinical Lectures, founded by Lord Litchfield.

4523. Are they actually given?—Notice is given; and if pupils present themselves, the lecturer is bound to give them; and of late years they have been actually given.

4524. You state that you have lectured since 1816?—Yes. For six years, I lectured for Sir Christopher Pegge, my predecessor.

4525. For several years past has there been actually a class attending the clinical lectures?—I believe, for the last four or five years, there has been actually a class; though a very small one.

4526. Previous to that was there any class?—Hardly ever.

4527. Are there any other lectures, upon any branch of medicine, or of science akin to medicine?—Yes; a very effective course of chemistry is given.

4528. In what terms is that given?—The time is at the discretion of the professor, he being bound to give one course a year; but, for the convenience of the university, it is generally given, partly in Lent, and partly in Michaelmas term.

4529. Dr. Daubeny is the present professor?—He is.

4530. Of how many lectures does his course consist?—I think, about 25.

4531. Are any lectures given on botany?—Lectures have from time to time been given on botany.

4532. Has a regular course of lectures on botany, for the instruction of the medical students, been given every year?—No.

4533. Is there a dissecting room at Oxford?—Not belonging to the university.

4534. To whom does it belong?—It belongs to Christ Church.

4535. How long has there been that dissecting room?—I think since the year 1762.

4536. By whom founded?—It is a private endowment, for six individuals of the college. The lecturer is bound to lecture to six young men elected, or from the foundation, at Westminster.

4537. Have there been annually dissecting pupils?—No. For the last few years, it has been utterly impossible to get a subject. But, till within the last few years, I had a subject for each course: and those young men who wished to study medicine, asked my permission, which I was happy to give, to dissect in that school.

4538. Have there been of late years any dissecting students in that school?—No. In fact, I have had no subject for the last five or six years.

4539. Under the new statutes, is it required that candidates for medical degrees shall have attended the lectures of the professor of anatomy, or of physic, or of any

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other professor on subjects akin to medicine, at the university?—The statute is expressed in general terms: that he shall bring certificates that shall satisfy the professor of physic of his having given attendance at some sufficient school of medicine.

4540. Other schools having greater advantages for teaching medicine than Oxford, is not this a liberal course for the university to take, as being one more likely to ensure proficiency of the candidates, than if the requisite lectures were required to be attended at the university itself?—I apprehend there will be no practical difference in the education at Oxford; and that this statute has been passed quite in deference to public opinion. But the public not being aware of the altered state of the university, and that it would be absurd to comply with the former statutes, the university have passed this statute out of respect of the public; there being no necessity to do it.

4541. The public has required evidence of that being performed, which was actually performed previous to the passing of the statute?—This is the state of the case. A member of Oxford, meaning to study medicine, puts himself to a serious expense of time and money to pass through certain degrees, and to become a doctor of medicine. Having to pass 11 years before he could attain that degree, he did not do that lightly. He was engaged four years in his general education. Then he came to London; and, as it might be pretty well known whether he had been spending his time idly or not, the university on that knowledge gave the degree. But, as the public very naturally said, that they wished there should be a document to satisfy the university, in my estimation, it was to satisfy the public that this statute has been passed; but it will make no practical difference in the study of medicine by members of the University of Oxford.

4542. Is it not desirable, that the qualifications of those who apply for a degree should be tested by actual examination?—Certainly, it is desirable.

4543. The statute declares, that the examination is not to be secret; but that all who have a certain standing or degree in the university, may be present during the examination?—Yes.

4544. Is this regulation useful, as a check upon the examiners, perhaps, as well as upon the examinees?—Not very useful: for I do not consider the examination much test of what the man is really.

4545. Do not you think the examination in arts, introduced into the university, is calculated to promote the study of those subjects upon which the candidates for the degrees in arts are examined?—It not only is calculated to do so, but it has done it; but it is very easy for those who know but little, to pass a tolerably good examination:—by taking precautions at the time.

4546. You allude to the practice of *cramming*, as it is called?—Yes.

4547. Is it not easy for a person, really conversant with medicine, to ascertain by examination whether the candidate had been merely crammed, or whether he understands the subject?—I think it would very likely be easy; but not in so determinate a way as to give proof to the world.

4548. What is the mode of appointing to your professorship?—The King appoints.

4549. To the lectureships you hold?—Being appointed professor of medicine, the Tomlin lectureship of anatomy becomes mine officially, and Dr. Aldrich's lectureship on anatomy, besides this.

4550. What are the duties attaching to the professorship?—The giving of lectures in anatomy, and recommending to degrees.

4551. What are the duties attaching to the lectureships?—The eldest, which is the Tomlin's, I stated just now. I am bound to read four lectures, each of one hour, in Lent term, on a recent subject, on the viscera and so on. In Michaelmas term, I am bound to read three, each of an hour long, on the skeleton. Pursuant to the conditions attached to Dr. Aldrich's lectureship, which was founded in the year 1800, the course is rather more extended; but not so extended, as is given.

4552. Do you know what is required by the endowment of the Aldrich professorship of medicine, held by Dr. Ogle?—I do not know further than in general terms: that he is to deliver a course of lectures on the theory and practice of medicine.

4553. What salary is attached to your own professorship and lectureships?—As regius professor of medicine, I receive 36*l.* The original sum was 40*l.*, paid from the Exchequer. As such, I am master of Ewe Elm Hospital, the salary of which

which is 70*l.* a year, with a portion of the fund proceeding from the estates, divided between the master and the almsmen.

4554. The mastership you speak of, was annexed to the professorship in the reign of James the First?—Yes.

4555. Do you hold any other offices of emolument in the university?—Yes, I do. I have the honour of holding the Radcliffe librarianship: but that is entirely out of the jurisdiction of the university.

4556. State, if you have no objection, the emoluments of the librarian?—It is 150*l.* a year; and there is a private foundation at Christ Church, left by Dr. Lee; for a master of arts, or at least for a person who has taken that degree, to read a course of lectures on anatomy to six students of Christ Church elected from Westminster School: and if no others present themselves, he is bound to lecture to those six men. But, as it would be absurd to have two courses of lectures going on at the same time, those lectures have in general been considered as given by the regius professor of medicine. Sir Christopher Pegge did the same as I do.

4557. Exclusive of those emoluments, there are the fees for degrees, and for attendance on lectures?—Yes.

4558. The Committee do not inquire into their amount.—They are very soon told.

4559. As you have dropped the expression, that they are very soon told, do you mean that the emoluments attending on the lectures do not more than cover the expenses of the lectures?—That has happened to me more than once. I am bound to lecture to six young men appointed by the dean of Christ Church; and of course all medical students, apprentices to surgeons, and other medical gentlemen in Oxford, I am always happy to see present. But it has happened to me that the subject I have procured for the lectures has absorbed all I have received, or within 2*l.* or 3*l.* of it.

4560. What has been the usual number of students attending your lectures?—All together, including those six and others who are following the course, 20 I call rather a large class.

4561. Is it compulsory on those six to attend?—No, not at all.

4562. Are there any extra-university lecturers, lecturing within the precincts of the university on medical subjects?—No.

4563. Is there a demonstrator attached to the dissecting-room?—That cannot be answered directly. For many years, a surgeon was appointed by the dean and chapter of Christ Church to dissect for the lecturer. That was not according to Dr. Lee's plan. There were reasons why, after a few years, it was thought better to comply strictly with his plan; and therefore, if I should have a subject again, I should dissect myself, as I have done on former occasions.

4564. Is there any museum for anatomical preparations?—Belonging to Christ Church, not belonging to the university.

4565. When was that established?—About the year 1762, I think.

4566. By whose endowment?—Dr. Lee's.

4567. Have the medical students in the university free access to that collection?—Perfectly so. A man resides within the school, ready to attend them.

4568. Whether they reside in Christ Church, or not?—Yes.

4569. Is that by the conditions of the endowment, or the courtesy of the College?—By the courtesy of the College.

4570. Are there clinical lectures in surgery as well as medicine, given at the Radcliffe Infirmary?—Not formal lectures. The surgeons, as they go round, instruct their pupils in the particular cases.

4571. What is the number of beds at the Radcliffe Infirmary?—Till within a few years, a little short of 100. They can now make up, I believe, 120.

4572. On what conditions are the students in medicine admitted; do they pay fees?—Yes, they do.

4573. Do you know the amount of those fees?—I believe about three guineas.

4574. Is that for both medical and surgical?—I do not know; but whatever it is, it is separate.

4575. Dr. Ogle is the clinical lecturer on medicine?—Yes.

4576. Who is the surgeon?—There are four attached to it.

4577. Is it the special business of any one to give clinical lectures in surgery?—No.

4578. Is there a medical library at the university?—A very extensive one indeed,

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indeed, in the Radcliffe and the Bodleian; and many of the colleges have pretty extensive medical libraries.

4579. What is the extent of the medical books at the Radcliffe library?—I believe that in medicine and natural history, the Radcliffe is confessedly, by booksellers in London, considered one of the best libraries in existence.

4580. What are the annual funds for its maintenance?—That I do not know. It is a private trust.

4581. Considerable sums are annually laid out in the purchase of books?—Oh yes, to a considerable extent. I should apprehend, occasionally, to nearly 1,000 *l.*

4582. It is for natural history as well as medicine?—For anything connected in any degree with medicine. Therefore, natural history is included.

4583. On what conditions are students in medicine admitted to the use of it?—By the courtesy of the trustees. No member of the university, not even the vice-chancellor, could go into it, without that permission.

4584. Practically what facilities of access are given to the library?—Not only every facility, but invitations are held out to make use of the library.

4585. At what hours is it accessible?—From 10 o'clock in the morning till it is dusk, throughout the year.

4586. Is there a fire in the winter?—I hope there will be next winter; but there is not at present.

4587. Are there private reading-rooms, or do they read in the hall?—There are two circular galleries, one above another; and within those galleries they use the books.

4588. Either at the Bodleian or the Radcliffe library, are the books allowed to be taken from the library?—No, in neither case.

4589. From the college libraries, are persons allowed to borrow books?—I can only answer as to my own college. I should suppose as a general practice, no college refuses books to those who wish to have them in their possession for a time.

4590. That is the case at Christ Church?—Yes; and I fully believe at every other.

4591. Is the collection of medical books at Christ Church considerable?—Yes, very considerable; but not of modern books. Those relating to anatomy and physiology, have of late years been placed in the anatomical school, belonging to Christ Church.

4592. Is there in that school a considerable collection of modern medical books?—Not of strictly medical books. A very good collection of anatomical works, and some very expensive ones.

4593. What sum is annually expended on the botanical garden by the university?—I believe 200 *l.* is allowed by the university.

4594. That is independent of the salary attached to the professorship?—Yes.

4595. Have the students in medicine free access to it?—I believe so.

4596. Were lectures on botany given in the time of the late professor?—Yes; but they were not given regularly. Latterly his health was impaired, and he was not often called on to give lectures.

4597. What is the salary attached to that professorship?—I do not know.

4598. Has the present professor announced his intention of giving lectures?—I do not know that it is announced: but it is very well known that he intends to do so.

4599. He was elected this year?—Yes.

4600. When were you yourself elected to the Radcliffe library?—In February last.

4601. They are about to make additions to the botanical garden?—Yes. Dr. Daubeny is very much engaged at present.

4602. Are the additions to the botanic garden to be made by the university itself, or by private subscription?—By private subscription.

4603. Has the professor in chemistry been in the habit of teaching the art of analysis, and chemical manipulations to students anxious to be informed upon these subjects?—Yes.

4604. He has given private instruction?—I do not know that, for this reason; that usually there are not three medical students actually in Oxford at any given time.

4605. Independently of the public lectures, has he been in the habit of teaching any person applying to him the art of analysis, and chemical manipulation?—

I have no doubt he would, if applied to : but I doubt whether he has been applied to.

4606. You have been chemical professor?—I have.

4607. During the time of your chemical professorship, were any such applications ever made to you?—Yes. I had for three or four years a private class, independently of the public class.

4608. Of what number of pupils did that private class consist?—About five or six.

4609. The object of that private class was to learn the art of chemical manipulation?—Yes.

4610. Were they principally medical students?—No, they were not.

4611. Is pharmaceutical chemistry taught at the university?—Dr. Daubeny, since he has had the professorship, which he has had for twelve years, has made it a point to introduce as much of that as possible.

4612. Do you know what portion of his course is devoted to pharmaceutical chemistry?—I can hardly tell what portion ; for I understand as each subject comes before him, he takes each in a prominent way.

4613. Is that portion of his course which he gives to pharmaceutical chemistry as extensive, as would be given to that subject in a regularly constituted medical school?—I believe it is really.

4614. Did you not state that the whole number of lectures in chemistry was 25?—I believe that was the number.

4615. In a course consisting of only 25 chemical lectures, would it be possible, considering the extent of the whole subject, to devote to pharmaceutical chemistry sufficient time and attention, to be of use to medical students?—I will answer that question thus : the lectures Dr. Daubeny gives, are not given to young men who are to make up medicines ; but are intended to teach the principles to men who have received a general education.

4616. Are you a fellow of the College of Physicians?—Yes, I am.

4617. When did you become a fellow?—I was admitted a fellow of the College of Physicians in 1818.

4618. At the time of becoming a fellow of the College of Physicians, were you one of the faculty, practising medicine in London?—No.

4619. At the time of your becoming a fellow of the College, had you an intention, or did you declare to the College that you had an intention, of settling in London to practise as a physician?—No.

4620. You have stated that in the early days of science in England, when medical instruction was confined, or nearly so, to the two English universities, regular examinations in the studies connected with medicine were required of candidates for degrees in those universities ; but that since other and better schools of medicine have been established in various parts of the empire, the universities do not require of its members a strict study of medicine within its walls?—Yes ; that was the intention of my answer. I believe the fact was, that till more efficient schools were instituted elsewhere, the university not only exacted a strict residence of several years of those who were to study medicine, but took care they should attend the lectures, and forfeit for every lecture they did not attend : but as soon as more efficient schools were instituted elsewhere, without thinking it necessary to alter their statutes, they let them become obsolete, and let the students study medicine in London, or Paris, or Leyden or wherever it might be.

4621. Have they always expected that candidates for a degree in law, physic, or theology should have a solid foundation in general literature, as well as the particular faculty?—Yes, that was a very strict requisition in the eyes of the university.

4622. And they neither have required nor do require that knowledge of that kind which can better be attained elsewhere, should be attained within their walls?—Just so.

4623. The having the requisite certificates refers not so much to direct knowledge in medicine, as to that general knowledge, which is as essential to a well-educated physician as to a well-educated lawyer?—That is not quite the state of the case. In speaking of the degree of medicine, though they have not hitherto required any direct testimonial of his having gone through a course of study, they expected that the professor should satisfy himself upon that point ; and on the professor's certificate they have given the degree.

4624. You have considered it your duty since you have held the office of regius professor,

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professor, before you presented a person for a degree, to satisfy yourself that he was qualified to receive the degree?—Yes.

4625. Have you ever recommended any man for a medical degree, who has not been, generally speaking, competent to discharge the duties connected with the medical profession?—I do not know of any such person. I once delayed my consent to present to a degree, because I could not satisfy myself as to one point; and I was satisfied afterwards.

4626. The giving a degree depends upon the conscientious conviction of the professor presenting the candidate, and not upon the examination which the candidate has to pass through?—It will in future depend upon the examination. In presenting to a degree, the professor says in fact, that he is satisfied that the candidate is fit for that degree: and if the professor refused to do it, the degree would not be given.

4627. You stated that though there are anatomical lectures at the university, the candidate need not have attended these lectures, as a necessary qualification for being presented by the professor?—No.

4628. There does exist the necessity that he shall have been a bachelor and master of arts?—Yes.

4629. Then his qualification for being a physician seems to depend not so much upon the attention he has given to medical studies, as on his previous attention to other studies unconnected with medicine?—Not quite that; for the professor would not present him for a medical degree, till he was satisfied.

4630. So far as respects the statutes of the university, is not that the case?—It is implied, that he must have attended to the study of medicine, and that he has satisfied the professor of that.

4631. It entirely depends, so far as the university is concerned, on the manner in which the professor of medicine discharges his duty?—Yes.

4632. Before a degree of doctor of medicine is given by the university, means are taken which enable persons, acting on behalf of the university, to satisfy themselves that the person has competent medical knowledge?—Yes.

4633. That is not done by examination?—No; not by public examination.

4634. Is it done by the professor examining the candidate in the various branches of medicine?—I apprehend that if the professor had any reason to doubt the proficiency of the individual, he would do so. On one occasion I had some reason to doubt, and I made use of my power.

4635. In what way did you make use of your power?—By actual examination.

4636. In what way did you examine the applicant?—Upon the point in which I had reason to suppose he was deficient.

4637. What was that?—In his knowledge of Greek and Latin. He was a stranger. He came from another university, in fact.

4638. Was that the only case in which you examined an individual for his degree?—It was the only instance in which I thought it necessary to examine an individual for his degree. On all other occasions I was well acquainted with the individual, by his having attended my lectures, or by my having seen him at intervals when he came down to the university, or through his friends; and I was made aware what hospitals he was attending, and that he had the character of diligence; and I think I have acted conscientiously in doing so.

4639. Are you in the habit of obtaining from the teachers of hospitals which the candidates for degrees have attended, the character they have there borne for diligence in the study of their profession?—No; I have not, and for these two reasons: first, that I have been pretty well satisfied from other sources as to character for industry and propriety; and in the next place, I am convinced that in by far the majority of cases no lecturer can possibly give testimony to the proficiency of persons who have attended his lectures.

4640. Still the course of study at Oxford that qualifies the individual to practise medicine, is totally unconnected with the study of medicine; and is necessarily connected only with literature and science, generally?—It is impossible to say that is the case. For the statutes not having been abrogated, the university might enforce the attendance of the man from his bachelor of arts to his master of arts degree. They have not done that, because they knew he could get a better education in medicine elsewhere. Practically the university insist upon his getting a medical education; that is the effect of it.

4641. Can you state to the Committee any of the great names in English medicine sent forth by the University of Oxford?—I will begin by one whose name will

will be acknowledged by every medical man who has ever read anything in his profession. That was Willis, in the time of Charles the First. I will mention the name of Lower, who almost anticipated Harvey in the discovery of the circulation of the blood. I do not mean to say he deserves the merit of the discovery, but he was engaged in the pursuit of that science. Mead was another. Harvey himself was of Merton College.

4642. Was not Sydenham?—That I was not aware of. Freind is another, and Frewin is another.

4643. Was not Linacre, the founder of the College of Physicians, an Oxford man?—He was.

4644. Have any of your predecessors in the professorship of physic been in holy orders?—Not to my knowledge.

4645. Has the professor of anatomy been in holy orders?—I never recollect an instance.

4646. The professor of chemistry?—No. Dr. Daubeny is the present. Those within my recollection have all been medical men.

4647. The professor of botany?—No one, that I am aware of.

4648. Of late years it has not been the practice to confer any of those professorships on persons in holy orders?—No.

4649. They have been principally held by graduates in medicine?—Yes.

William Macmichael, Esq., M. D., again called in; and further Examined.

4650. ARE there any points in your former evidence upon which you wish to offer any explanation?—Yes, there are two points: my impression was, that as soon as a fellow became a clergyman, he ceased to be a fellow. I had never seen the term of “Reverend” prefixed to any fellow’s name: but that I understand is not the case. The registrar tells me that three fellows, now on the list, are clergymen.

4651. You are aware that since the year 1765 an alteration has been made in the bye-laws regarding persons in holy orders?—Yes, so I understand. The present registrar tells me, that the names of the three clergymen, now on the list, are Dr. Samuel Holland, Dr. Joseph Hurlock, and Dr. Fearon.

4652. According to the ancient bye-law, which is retained in the statutes of 1765, were not persons in holy orders excluded from the fellowship?—I do not know that fact; but it is very likely they were.

4653. Will you look into the statutes of 1765, chapters 11 and 12, de Candidatis and de Sociis, and say whether you do not find clauses which would exclude persons in holy orders from the candidateship and fellowship?—It appears that these were clearly then the bye-laws; it is now altered.

4654. In the modern bye-laws, that statute is omitted?—It is not a statute now. Another point I wish to correct: It was my impression that a statute had been altered purposely to allow Sir Charles Clark to be examined as a licentiate; but I was mistaken. He was admitted to be examined as a licentiate, by virtue of the statute which had been in existence long before I belonged to the College.

4655. That was under the statute allowing the president specially to recommend a person as licentiate, who had not studied medicine at a university?—Yes, without the necessity of two years’ previous residence at a university. The only copy of statutes we attend to, is that which the bedel brought here to-day. The circumstance of a person practising midwifery, does not exclude him from the fellowship now; seven years ago that statute was altered.

4656. It does not exclude him, if there is *gravis aliqua causa*?—Yes; that is, if he be an eminent man.

4657. It is a bye-law which may be broken at pleasure?—Exactly.

4658. Was it lately proposed to publish another volume of Transactions of the College?—Yes, three years ago it was proposed; and the College had proceeded so far as to have the preface written for that volume, having the materials already collected. It was proposed to make a selection of the papers read at the evening meetings, to publish them in a volume with the preface, which was written three years ago; and I have a copy of that preface, which will better inform the Committee what the College have done within the last 10 years than anything I can state.

4659. Have the goodness to read it?—“Preface for the first volume of a new series of Medical Transactions of the College of Physicians, written December 1831. The first design of the Transactions of the College of Physicians came from

John Kidd, Esq.
M. D.

23 April 1834.

Wm. Macmichael,
Esq. M. D.

Wm. Macmichael,
Esq. M.D.

23 April 1834.

Dr. Heberden, and to the early volumes he was a most liberal contributor. Dr. Heberden says in one of his papers, vol. I. p. 45, 'One use of such collections of medical papers as the College now proposes to publish, is to preserve any materials as they occur, which are true, and original, and useful towards better ascertaining the nature of a disease, or the power of a remedy, without waiting till we have time to draw up a perfect history.' More than 10 years have elapsed since the last volume of the Transactions was published: a considerable part of this time was occupied in the removal of the college to its present situation. When the new building was completed (1825), one of the first subjects which came under consideration, was how (besides fulfilling the main purpose of its first establishment, viz. to supervise the practice of physic, and to guard the public, as far as the law allows, against the abuses of ignorant pretenders) the College might best promote the cause of science, and be rendered most useful to the medical profession at large. It possesses a library and a museum of morbid preparations; but the first, consisting as it chiefly does of donations and bequests, is by no means complete; and the museum, though very useful for the illustration of the lectures delivered annually within its walls, is not of that magnitude as to be eagerly sought after by those who are in pursuit of rare specimens of disease. It was not therefore by making the library and museum more accessible to the public than they have always hitherto been, that the College could expect to attain the object it had in view: but any cause of assembling which might unite the leading members of every class of the profession, and combine the reading of a medical paper with the ease and facilities of social intercourse, appeared to fulfil that intention. The evening meetings at the College of Physicians were accordingly determined upon, and the manner in which they have been attended is the best proof of the usefulness and propriety of their establishment. From the character of the meeting, the papers were necessarily short, and occasionally written, as well as delivered, in the tone of animated conversation; for being addressed to large audiences, their attention is more easily kept up by this manner of address than by a discourse of greater formality. In imitation of the practice of the learned bodies established in different parts of Europe, more especially of the Royal Society in London, which had so greatly contributed to the advancement of natural knowledge by collecting and preserving the useful observations that chance or experiment brought to light, the College of Physicians announced, more than 50 years ago, that they were ready to receive any medical papers that should be presented to them, in order to publish the most useful. It was stated at the same time that, though to perfect the history of diseases and ascertain the effects of medicines was the principal view of the College, yet that papers which related in any manner to medical subjects could be received. An inspection of the contents of the six volumes of the Medical Transactions already published will show that they have contributed not a little to our present stock of professional information; and to form an estimate of the value of some of the communications, it may be sufficient to mention, that among them will be found the original essays of Dr. Heberden on Angina Pectoris, of Sir George Baker on the Painter's Colic, and of Dr. Darwin upon the use of Digitalis in Dropsy. But these are important strides made in the pursuit of knowledge, which can only be expected to be the rare reward of the labour of many years of anxious diligence and patient investigation. The practice of physic is however receiving constant improvement from the zeal and assiduity of physicians of experience; and these less considerable but daily contributions should be treasured up and given at intervals to the public. To encourage as much as possible the contribution of papers by those engaged in professional duties at home, was not the only method by which the College endeavoured to enlarge the boundaries of science. They drew up also a string of questions relating to the medical statistics of distant countries. These, by the liberal assistance and co-operation of different departments of His Majesty's Government, have been widely distributed, and are constantly bringing home the most satisfactory answers from all quarters of the globe. Such an extensive circulation of printed forms, asking distinct and pertinent questions which admit of short and definite answers, are likely soon to collect a great mass of valuable information; which being transmitted to a common centre, can be communicated to the public in a compendious and easily accessible manner."

4660. There have been evening meetings instituted at the College?—There have.

4661. Do they still go on?—Yes, there will be one on Monday next, at which a paper by the Dean of Westminster will be read.

4662. You stated in your former evidence that there was a very important paper

paper of Dr. Wells, that on the Rheumatism of the Heart. Was Dr. Wells the original discoverer of that disease?—He was not. Dr. Baillie distinctly states in both his works, that on morbid anatomy and in another work, that Dr. David Pitcairn, who was a fellow, was the person who originally pointed it out to the profession. I have brought with me Dr. Baillie's work.

4663. Are any of the papers in the College Transactions contributed by licentiates?—Several most important ones; the College Transactions contain a great many by licentiates. One most important one is by a licentiate, the late celebrated Dr. Darwin. It is the original paper on the use of Foxglove in Dropsy.

4664. Should you say, reviewing the circumstances which have occurred, that there has been any unwillingness evinced on the part of the licentiates to contribute to the Transactions published by the College of Physicians?—No. The very last volume contained a paper by a licentiate, Dr. Gooch; there were others, I believe; but I recollect that particularly.

4665. The president has a vote in the distribution of the Tancred scholarships?—He has.

4666. Do you know how that has been lately exercised?—I believe almost uniformly in favour of the sons of licentiates. Two instances I recollect, the son of Dr. Burrows, and the son of Dr. Pinkard.

4667. Do you know of an application for a Tancred scholarship, made by a licentiate to the president lately?—He told me this morning he had been applied to by a licentiate for his interest for a Tancred scholarship for his son.

4668. Have you seen the petition of the licentiates?—No, I have not.

4669. Does the name of that licentiate who has lately applied to the president for the scholarship, appear upon that petition?—I find, it does not.

4670. Did you ever procure a book from the library for a licentiate?—Yes, I recollect having procured a book. I know the title of the book, and I know the name of the gentleman for whom I procured it.

4671. Did you ever know any application of that sort, made to a fellow, refused?—I never did: and this very gentleman to whom I allude, at another time asked me, as he was carrying on some researches, whether he could have access to the library, and take an extract from a book. I took him with me to the library, and told him, that having made him known to the librarian, he might at any time enter, and sit down, and consult any book, and make any extracts he pleased. This was two or three years ago. I saw him yesterday to know whether my impression was correct, and he said it was, perfectly.

4672. Do you think, if such an application were to be refused by any fellow of the College, the fellow so refusing would be acting in the spirit of the College, in the general desire manifested towards the licentiates?—I should think he would form a very singular exception; it would be acting quite contrary to the spirit of the fellows in general.

4673. Is there any other explanation you would wish to give?—I wish to state that the College of Physicians has done every thing in its power to promote science and encourage knowledge. About seven years ago, this paper was printed; and it has been sent all over the world, and we have now more than 100 answers to it.

4674. What is the nature of that paper?—Statistical questions.

[*It was delivered in, and read.*]

QUESTIONS proposed by the ROYAL COLLEGE of PHYSICIANS, *London.*

1. What is the population of the place?
2. What proportion do the annual deaths bear to the population?
3. Are there any remarkable instances of longevity among the inhabitants?
4. What are the features, complexion, colour of the hair, and average stature of the natives?
5. What is the medium height of the thermometer in the summer and winter months?
6. From what quarter do winds chiefly prevail, and during what months?
7. What is the nature of the soil?
8. Are there any mineral springs there? If so, are they saline, chalybeate, sulphureous, or of what nature?
9. What are the medicinal substances of the country, and how are they prepared?
10. What diseases prevail there?
11. In what season of the year does illness most prevail, and what are the diseases incidental to the seasons?
12. What remedies do the natives employ in the diseases to which they are subject?

Wm. Macmichael,
Esq. M.D.

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13. What is the education of those who practise medicine?
14. Have the natives any writings or traditions on medical subjects?
15. What is the diet of the natives?
16. Do they practise vaccination? If so, whence do they obtain the lymph?

4675. Answers that are still in the course of being received?—Yes; one was received the other day. Of the last two I examined, one was from Van Diemen's Land, the other from Newfoundland.

Lunæ, 28^o die Aprilis, 1834.

HENRY WARBURTON, ESQUIRE, IN THE CHAIR.

Algernon Frampton, Esq. M.D., called in; and Examined.

Algernon Frampton,
Esq. M.D.

28 April 1834.

4676. YOU are an Elect of the College of Physicians?—I am.
4677. Do you remember an application being made to you by Dr. Yelloly some years back, for assistance to procure for him a book from the College library?—I do.

4678. State the circumstances under which that application was made, and the answer you gave to it?—I gave only a verbal answer. I declined to procure that book.

4679. What was your reason for that?—At that time Dr. Yelloly was residing at Norwich, or in its immediate neighbourhood, having left London several years. During the whole of this time no communication had taken place between Dr. Yelloly and me, although we had been colleagues at the same hospital for some years; and indeed that previous intercourse for some time had been anything but familiar. The application was made to me in a manner which I thought extraordinary; namely, through a person of whom I had no knowledge whatever; he did not appear to me a gentleman, but an ordinary man; and it surprised me exceedingly, both on account of the facts I have already stated, and also because I well knew that Dr. Yelloly was upon much more intimate terms with one, at least, of the fellows, to whom he could readily apply.

4680. Was the book to be committed to the hands of this third person?—I understood so, and I believe so; and, under those circumstances, I did not think it incumbent upon me to make myself responsible for the safety of a rare and valuable work, which was to be delivered to a stranger, and sent, I knew not how, to Norwich. I beg to add, that I supposed at the time, whether correctly or not, that it was not allowed to send such books to such a distance, without the special permission, either of the College, or the president; to whom, or to whose officer, of course Dr. Yelloly could apply.

4681. Have the fellows themselves been scrupulous about taking books belonging to the College library into the country?—I believe there is no standing law against it; but I know that fellows do not think themselves at liberty to take books into the country without the special permission of the College; and that has been usually the custom, I believe. Dr. Mayo, I understand, when he went to reside at Tunbridge, although a fellow of the College, did not make use of any such supposed privilege; but obtained the consent of the College for that purpose.

John Yelloly, Esq. M.D., called in; and further Examined.

John Yelloly, Esq.
M.D.

4682. WERE any reasons assigned to you, why this request of yours could not be complied with?—The reason assigned was in a letter directed to me by Dr. Frampton, and sent by the post: viz. that feeling some difficulty upon the subject, he had consulted with a brother fellow of the College; and they thought the application was irregular, and therefore he declined it: but Dr. Frampton did not tell me any mode by which I could obtain the book, nor of any difficulties that were entertained upon the subject. A letter was written to me by Dr. Frampton; and

and in consequence of a question being asked of me by this Committee during my first examination, whether I was in possession of it, I have caused it to be searched for ; but it has not been found. I thought I had written to Dr. Frampton ; and if I sent a third person without a letter, I was not aware of it. I meant to make the application in the most respectful manner.

John Yelloly, Esq.
M.D.

28 April 1834.

[*Added by the Witness on correcting his Evidence.*]

“ On referring to an old servant of mine, Mr. Thomas Gregory, a highly respectable and trustworthy officer of the London Institution, I find, that he perfectly remembers delivering the letter I wrote to Dr. Frampton.”

Algernon Frampton, Esq. M.D., further Examined.

4683. DID you ever endeavour to introduce any change in the mode of appointing lecturers at the London Hospital?—Yes. I object to the present mode of appointing lecturers.

Algernon Frampton
Esq. M.D.

4684. What is there in the present mode of appointing lecturers to the London Hospital, that you disapprove of?—I disapprove of the lecturers appointing each other ; I claimed, as physician of the hospital, both for myself and my colleagues, that they should have the privilege each of electing, if they chose, in the order in which they stand.

4685. When was it that you made this complaint?— I have always objected to it.

4686. Does the practice of which you complained, continue to this time?—It does, much to my annoyance, and with my continual opposition.

4687. Will you explain what is the present mode of appointing lecturers?—It is begun in this manner ; the anatomical and surgical lecturers have appointed other lecturers ; and those conjointly appoint lecturers, as they see occasion, and whom they please.

4688. With whom does the election of the lecturers rest?—Entirely with that body, the existing club of lecturers.

4689. Have the subscribers to the hospital anything to do with the appointment?—Nothing at all.

4690. What disadvantageous results has this mode of appointment produced?—I conceive it to be very unjust and unfair ; and it forms a division in the medical officers of the hospital, which is injurious, both to the harmony of the officers and to the whole school.

4691. Do you mean that the persons who appoint, are only a certain portion of the whole number of lecturers?—Yes ; at present they may be the majority, but originally they were a very small portion.

4692. How is it that, unless they form the majority, they can keep the election in their own hands?—Because they retain the power to themselves ; they admit no other consideration ; the medical officers are never suffered to consider how the lectureships shall be filled.

4693. What is the whole number of lecturers?—I do not know exactly ; it will be stated in the Returns made to this Committee.

4694. Has each of the lecturers the same right of appointment?—They form a club, a committee of lecturers, among themselves, to the exclusion of the other officers of the hospital ; and they themselves appoint, without reference to the other officers, what lecturers they please.

4695. What is it that gives to certain lecturers a greater right of electing than to the others?—I do not conceive they possess any right ; but they claim it on this ground, that they built the theatre on hospital ground.

4696. Then you consider that this is a usurped power ; and that the medical officers and lecturers have each an equal right of choosing?—Yes.

4697. Have they ever endeavoured to exercise the right?—They have claimed it ; even lately it was claimed.

4698. Is the theatre private property?—It is claimed as private property ; but the committee of the governors have come to the conclusion that they have no right to it.

4699. Is

Algernon Frampton,
Esq. M.D.

28 April 1834.

4699. Is there a collection of anatomical and other preparations attached to the school?—The anatomical lecturer has a museum; it is not attached to the school: that collection is entirely private property, neither belonging to the hospital, nor to the school.

4700. Does the system of which you complain, extend to other schools in London?—I believe not: but I am not acquainted with that.

4701. Would the appointments be better filled at the London Hospital, if the right of electing were given to the whole of the medical officers?—Assuredly.

4702. If it were given to the whole of the subscribers to the hospital, what would then be the result?—I think the duty of the medical officers should be, to recommend: the governors ought to have the appointment.

A P P E N D I X.

PART I.

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APPENDIX.

— No. 1. —

STATUTA COLLEGII MEDICORUM LONDINENSIIUM.
M DCCCXI.

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STATUTA COLLEGII MEDICORUM LONDINENSIIUM.

CUM Regis Henrici Octavi privatâ gratiâ et Parlamento decretis sancitum est, ut Collegium perpetuum doctorum et gravium virorum, qui Medicinam in Urbe Londino et Suburbis, intraque septem millia passuum ab eâ Urbe quaquaversus, publice exerceant, instituatur; visum est nobis, Præsidenti et Collegio, ut Statuta quædam et Ordinationes pro salubri gubernatione, supervisu, et correctione Collegii seu communitatis prædictæ, et omnium hominum eandem facultatem in dictâ Civitate, seu per septem milliaria in circuitu ejusdem Civitatis, exercentium, secundum potestatem auctoritate prædictâ nobis concessam, faciamus.

CAPUT I.

De Electis.

1. CUM decrevit Parliamentum ut semper Octo sint Electi ad negotia quædam præstanda, quæ ab eâdem auctoritate iis commissa fuerunt, statuimus et, quantum in nobis est, ordinamus, ut singuli Electi è numero Sociorum creentur, qui omnes locum suum inter Socios nihilominus retineant.

2. Cum etiam decrevit Parliamentum, ut Electi ex eorum numero Præsidentem quotannis eligant, volumus ut postridiè Divi Michaëlis (si quidem commodè fieri poterit, at verò si ob gravia quædam impedimenta id non licebit, alio die magis idoneo, modo sit intra hebdomadam à tempore præstituto) inter Comitibus majora ista Electio fiat, si anni superioris Præsidentis finito præsendi anno superfuerit; sin autem prius defecerit, quamprimum commodè fieri poterit, alius intra viginti dies per eosdem subrogetur.

3. Cum auctoritate prædictâ ibidem ordinatum est, ut si quispiam ex Electorum numero vel morte vel aliter defecerit, novus Electus à reliquis Electis intra dies triginta vel quadraginta examinatur et eligatur, volumus ut intra tempus supra præscriptum, à Præsidente aut Propræsidente convocentur Electi, ad examinandum et eligendum novum Electum.

4. In hâc Electione occultè ferantur suffragia. Quilibet scilicet Electus nomen ejus, quem velit in Electi locum eligere, in Præsidentis, aut eodem absente, Propræsidentis manus tradat. Is autem pro Electo novo habeatur, in quem plures ex Electis præsentibus consenserint.

5. Qui in hunc ordinem Electus fuerit, det fidem se in neminem suffragium collaturum, ut in Præsidentis aut Electi locum subrogetur, nisi secundum formam statuti, et nisi ejus gravitatem, eruditionem, mores integros, ætatem decentem, sincerum animum in Collegium et rempublicam, et alacritatem in obeundis officiis, cognita et perspecta habuerit.

CAPUT II.

De Præsidente et Propræsidente.

1. CUM auctoritate prædictâ ordinatum est, ut Præsidentis singulis annis eligatur, sitque è numero Electorum, et quem cæteri Electi, secundum Parliamenti decretum et formam statuti, idoneum judicaverint, volumus ut ista Electio eo anni tempore fiat, quo jam antè constitutum est, cum de Electis egimus.

2. In Præsidentis Electione occultè ferantur suffragia. Quilibet scilicet Electus nomen ejus quem velit in Præsidentis locum eligere, in senioris è præsentibus Electis manus tradat. Is autem pro Præsidente novo habeatur, de quo plures ex Electis præsentibus consenserint.

3. Det fidem Præsidentis electus, se pro viribus conaturum, ut honos Collegii conservetur; et statuta ejusdem sine fraude observentur; omniaque acturum in salutem reipublicæ, et honestam Collegii utilitatem.

4. Fidem à Præsidente novo, coram Sociis omnibus, qui in Comitibus illis adfuerint, accipiat senior ex Electis præsentibus.

5. Qui fidem à Præsidente novo acceperit, idem illi porrigat muneris insignia, dicatque, "Damus tibi præsidendi auctoritatem, inque tuas manus hæc muneris insignia tradimus."

6. Finito anno, officium suum deponat Præsidentis dicatque, "Depono præsidendi auctoritatem, inque tuas manus" (senioris scilicet ex Electis præsentibus) totius Societatis nomine, restituo, ut integrum sit, quibus eligendi potestas est, quem velint eligere. Reddo igitur tibi muneris hæc insignia, precorque Collegio et vobis omnibus omnia fausta."

7. Quo facto, senior ex Electis præsentibus, seorsim congregatis, cæteris proponat Præsidentem eligendum modo suprâ statuto; et ad socios reliquos, unâ cum cæteris Electis, reversus, eum qui electus fuerit, clarè et nominatim pronunciet electum in Præsidentem, jubeatque ut omnes eum pro Præsidente habeant; denique fidem ab eo accipiat, formulâ suprâ præscriptâ.

8. Præsidentis officium sit, ut comitia indicat, et causas Comitiorum exponat: singulorum sententias expectet; questiones ritè propositas, approbatas, et literis mandatas enunciet. Electos, Censores, Officiarios, Socios et Candidatos, nec non ad medicinæ facultatem exercendam per Collegium admittendos, cum cæteris quorum ea res intererit, proponat. In omnibus Collegii negotiis aliorum suffragia primùm accipiat, dein suum ferat, et pro majori parte pronunciet. Curet prætereà ut sigillum commune custodiatur in Apothecâ, cujus Præsidentis, Thesaurarius, Registrarius, et Censorum senior diversas habeant claves; sigillum Collegii apponat omnibus, quibus Collegium id apponendum decreverit; omnia fidei suæ à Collegio commissa diligentèr custodiat; rationem denique acceptorum et expensorum saltèm semel in anno, et quotiescunque ipsi visum fuerit, à Thesaurario cæterisque Officiariis Collegii exigat, coram Electis, quos omnes monitos volumus, ut computandis rationibus præsto sint, si modo commodè poterint.

9. Liceat Præsidenti quâcunque de causâ impedito, Propræsidentem ex Electorum numero, per literas propriâ manu subscriptas, vel per nuncium fidelem ad Registrarium missum, substituere. Propræsidenti nullam prærogativam concedimus, nisi ut locum Præsidentis suppleat in iis Collegii negotiis gerendis et administrandis, quæ absque ministerio Præsidentis aut Propræsidentis obiri nequeant.

10. Duret officium pro arbitrio Præsidentis.

11. Si vero Præsidentis morte vel alitèr defecerit, statuimus ut senior ex Electis locum atque auctoritatem ejusdem habeat, donec Præsidentis novus in Præsidentis itâ deficientis locum surrogetur.

12. Præsidentis novus locum istius qui defecerit, per reliquum anni spatium suppleat.

CAPUT III.

De Censoribus.

CUM voluit et concessit Rex Henricus Octavus literis suis patentibus Parlamento sancitis, "Quod per Præsidentem et Collegium quatuor singulis annis eligantur, qui habeant supervisum et scrutinium, correctionem, et gubernationem omnium et singulorum Civitatis Londini Medicorum utentium Facultate Medicinæ in eâdem civitate, ac aliorum medicorum forinsecorum quorumcunque facultatem illam medicinæ aliquo modo frequentantium et utentium infra eandem civitatem et suburbia ejusdem, sive intra septem milliaria in circuitu ejusdem civitatis, ac punitionem eorundem pro delictis suis in non bene exequendo faciendo et utendo illa; nec non supervisum et scrutinium omnimodarum medicinarum et earum receptionum per dictos medicos, seu aliquem eorum hujusmodi, ligeis nostris pro eorum infirmitatibus curandis et sanandis, dandarum, imponendarum et utendarum, quoties et quando opus fuerit pro commo et utilitate eorundem ligeorum; ita quod punitionis hujusmodi medicorum, utentium dictâ Facultate Medicinæ, sic in præmissis delinquentium, per fines, amerciamenta et imprisonment corporum suorum, et per alias vias rationabiles et congruas exequatur."—Cumque in Parlamento, anno 32 ejusdem Regis, decretum fuit his verbis; viz.

"The President for the time being, Commons and Fellows, and their successors, may yearly, at such time as they shall think most meet and convenient for the same, elect and choose four persons of the said Commons and Fellows, of the best, learned, wisest and most discreet, such as they shall think convenient and have experience in the said Faculty of Physic, and that the said four persons so elected and chosen, after a corporal oath to them ministered by the said President or his deputy, shall and may have full authority and power, as often as they shall think meet and convenient, to enter into the house or houses of all and every apothecary, now or at any time hereafter using the mystery or craft of apothecary within

within the said city only, to search, view and see such apothecaries' wares, drugs and stuffs as the said apothecaries or any of them have, or at any time hereafter shall have, in their house or houses; and all such wares, drugs and stuffs as the said four persons shall then find defective, corrupted and not meet nor convenient to be ministered in any medicines for the health of man's body, the same four persons, calling to them the Wardens of the said Mystery of Apothecaries within the said city for the time being, or one of them, shall cause to be brent, or otherwise destroy the same, as they shall think meet by their discretion."

1. Statuimus et ordinamus ut singuli annis, postquam Præsident electus fuerit, quatuor viri docti è Sociorum numero à Præsidente in Comitiiis iisdem majoribus, vel in Comitiiis quibuslibet majoribus, sive ordinariis sive extraordinariis, quamprimum commodè fieri poterit, singulatum proponantur secundum formam et seriam à Collegio sancitas, et consensu majoris partis Sociorum præsentium eligantur ad omnia ista munia peragenda, quæ à prædictis literis patentibus et Parlamenti decretis fuerunt mandata.

2. In hâc electione occultè per pilas ferantur suffragia.

3. Iidem quatuor viri è Sociis electi, Censorum nomine designentur.

4. Censorum etiam officium sit, unâ cum Præsidente vel Propræsidente, omnes examinare, qui ad medicinam exercendam in Civitate Londino, aut per septem milliaria in circuitu ejusdem, habiles et idonei sint, secundum Statuta nostra, ut examinentur, priusquam in Sociorum aut Candidatorum ordinem vel Permissorum numerum eligendi proponantur.

5. Quodcumque in Pharmacopolarum officinis notatu dignum Censoribus visum fuerit, literis mandetur, et hæ notæ per annum integrum in Collegio, omnibus qui eas inspicere velint adeundæ, palàm servantur.

6. Jurent Censores coram Præsidente, se officio suo, auctoritate Regis et Parlamenti sibi mandato, probè functuros, sicut eos Deus adjuvet, et Sancta Dei Evangelia.

7. Dent etiam Collegio fidem, se omnia negotia à statutis sibi commissa, fidelitè procuraturos.

8. Si quis è Censorum numero, nondum finito anno, vel morte vel aliter defecerit, alium è Sociorum numero in Comitiiis majoribus, quamprimum commodè fieri poterit, Præsident aut Propræsident eligendum in Censorem proponat, qui, modo prædicto electus, Censoris qui defecerit, locum per reliquum anni spatium suppleat.

CAPUT IV.

De Thesaurario.

1. THESAURARIUS eligatur eodem modo quo Censores, et iisdem Comitiiis.

2. Collegii redditus et emolumenta percipiat Thesaurarius, et conservet in usum Collegii, ejusdem suppellectilem, libros, utensilia, ornamenta procuret.

Si quid reparandum fuerit in Collegii ædificiis, curet ut id tempestivè fiat.

3. Lites Collegii, cum Præsidente, aut Propræsidente et Censoribus, prosequatur.

4. Collegii Officiariis sua cuique stipendia, ex statutis debita, quatuor usitatis anni temporibus persolvat.

5. Pecunias Collegii ad calculos revocet, et earundem rationem Præsidenti aut Propræsidenti et Electis reddat, quoties ad hoc à Præsidente vocatus fuerit, quam, à Præsidente et Electis comprobata, Collegio, in Comitiiis majoribus postridie Divi Michaëlis habitis, quotannis exponat. Rationem autem acceptorum et expensorum in usum Bibliothecæ, ad Calculos seorsim revocatam, reddat Præsidenti et reliquis Bibliothecæ Curatoribus semel quotannis, et quoties ad hoc à Præsidente vocatus fuerit.

6. Librum acceptorum et expensorum Sociis in Comitiiis majoribus proferat, quotiescunque majori parti Sociorum præsentium visum fuerit.

7. Reparandis Collegii ædificiis, rebusque necessariis in usum Collegii coëmendis, ne impendat plus quam viginti libras, sine Præsidentis aut Propræsidentis consensu.

8. Det fidem se perfuncturum officio suo fidelitè secundum Statuta, omniaque acturum in honorem et utilitatem Collegii.

Det porrò cautionem Thesaurarius, seipsum obstringendo mille libris, et proponat duos prædes in Comitiiis majoribus approbandos, quorum uterque se obstringat quingentis libris, Collegii pecunias Thesaurario commissas satis tutas fore.—*Vide Annals, vol xx. p. 191.*

CAPUT V.

De Registrario.

1. REGISTRARIUS eligatur eodem modo quo Censores, et iisdem Comitiiis.

2. Officium Registrarii hoc sit; singulis Collegii Comitiiis, sive majoribus sive minoribus, legitimè et tempestivè admonitus per Bedellum, coram adsit, sub pœnâ decem solidorum.

3. Sin autem causâ qualibet, à Præsidente aut Propræsidente approbandâ, impeditus fuerit quo minus adesse possit, liceat ei Socium aliquem pro tempore substituere, qui et absentia ejus causam Præsidenti aut Propræsidenti significet, et locum ejus diligenter suppleat.

4. Quæcunque ibi acta fuerint, nisi quæ sint levioris momenti, literis mandet, et, antequam Comitii ista soluta fuerint, clarâ voce perlegat. Quæ quidem acta sic perlecta, et à Præsidente aut Propræsidente, et majore parte Sociorum præsentium approbata, postquam iisdem Præsident aut Propræsident nomen suum subscripserit, in libro annalium, quamprimum commodè fieri poterit, inscribantur.

5. Inscribantur etiam in libro annalium sententiæ et commenta quævis juris-consultorum, ad res Collegii pertinentia, nisi alitè, si res exigat, Collegio visum fuerit.

6. Formulas literarum ad Collegium vel à Collegio datarum in libro annalium inscribat, si Præsidenti et Collegio visum fuerit.

7. Initio Comitiorum majorum Registrarius, tradito in manus Præsidentis aut Propræsidentis annalium libro, acta eadem quibus Præsidentis aut Propræsidentis nomen in Comitii novissimis majoribus et Comitii minoribus illis insequentibus subscriptum fuerit, perlegat; nec non initio Comitiorum minorum quæcunque in iis Comitii novissimis acta fuerint.

8. Curet præterea ut intra paucos dies post Comitiam majora ordinaria, postridiè Divi Michaëlis habita, in publicum edatur Catalogus Sociorum, Candidatorum, Permissorum, et eorum qui extra urbem ad medicinæ facultatem exercendam Permissi sunt; nec non officiorum qui, secundum Parliamenti decretum, ad res insanorum inspiciendas, à Collegio quottannis eligantur.

9. Det fidem se officio suo ritè perfuncturum in honorem et utilitatem Collegii, omniaque diligenter in libro annalium quæ fuerint acta vel in majoribus vel in minoribus Comitii, sine fraude inscripturum.

CAPUT VI.

De Bedello.

1. BEDELLUS eligatur in Comitii majoribus, sive ordinariis sive extraordinariis; quotiès vero defecerit, alius à Præsidente in Comitii majoribus, sive ordinariis sive extraordinariis, eligendus proponatur, qui, si major pars Sociorum præsentium consenserit, pro Bedello habeatur.

2. Deficere autem Bedellum volumus, si aut mortuus fuerit, aut officium suum resignaverit, aut à majore parte Sociorum in Comitii majoribus, sive ordinariis sive extraordinariis, præsentium amotus fuerit.

3. Bedellus duos Patres-familias à Præsidente approbatos nominet, qui pro eo spondeant, Collegii bona, curæ et custodiæ ejus commissa, satis tuta fore.

4. Det fidem Bedellus se fidelitè et sedulo inserviturum Præsidenti et Collegio in omnibus Collegii negotiis; promittat insupèr, se nec prece, nec pretio, nec gratiâ secreta Collegii cuiquam vulgaturum.

5. Fidem a Bedello vel Latinè vel Anglicè Præsidentem accipiat, et quid sit officium ejus utrâlibet linguâ exponat.

6. Bedelli officium sit, schedulas admonitionum scribere; Socios omnes ad Comitiam accersere; in eorum adventum omnia parare, nitida conservare; in Comitii ministrare; res in Collegii usum à Præsidente acceptas fidelitè ferre et referre; quibuscunque, sive medicis, sive agyrtis, et impostoribus, jubente Præsidente aut Censoribus, diem indicere; pharmaca sive vitiosa, sive adulterina, jussu Censorem comburere aut alitè destruere; Collegii insignia gestare, et cætera peragere quæ sunt ministri.

CAPUT VII.

De Comitii.

CUM Rex Henricus Octavus, literis suis patentibus Parlamento sancitis, Præsidenti et Collegio, sive communitati, et eorum successoribus concessit, "Quod ipsi congregationes licitas et honestas de seipsis, ac statuta et ordinationes pro salubri gubernatione, supervisus et correctione Collegii et omnium hominum facultatem medicinæ in Civitate Londino seu per septem millia in circuitu ejusdem civitatis exercitium, secundum necessitatis exigentiam, quotiès et quandò opus fuerit, facere valeant.

1. Statuimus et ordinamus quod istæ congregationes Comitiam vocentur.

De Comitii Majoribus.

2. Comitiam ordinaria, majora dicenda, quater anno celebrentur.

Prima scilicet postridiè Divi Michaëlis, secunda postridiè Divi Thomæ, tertia postridiè festi Palmarum, quarta postridiè Nativitatis Divi Johannis Baptistæ. Sin, ob gravia quævis impedimenta, id quocunque horum dierum non licebit, alio die magis idoneo celebrentur, modò sit intra hebdomadam à tempore præstituto.

3. Et præter illa ordinaria, Præsidenti concedimus, ut Comitiam majora extraordinaria, quotiès ipsi visum fuerit, habeat; immò per fidem Collegio datam ipsi præcipimus, ut quotiès quatuor Censores, aut quinque è Sociorum numero id, per literas ad ipsum missas, petiverint, intra dies quinque indicat.

4. Socii omnes qui in urbe aut suburbiis habitant, singulis Comitii majoribus, sive ordinariis sive extraordinariis, intersint, nisi grave aliquod impedimentum obstiterit.

5. In omnibus majoribus Comitii, si pauciores quam decem Socii adsint præter Præsidentem aut Propræsidentem, nihil negotii tractetur.

6. Si pauciores quàm decem Socii tempore præstituto comparuerint, unusquisque absens et in Urbe Londino vel suburbiis habitans, nisi qui ætatis suæ octogessimum annum compleverit, illicò mulctetur per Præsidentem aut Propræsidentem decem solidos.

7. Quapropter, tridudò antequàm futura sint Comitiam majora, aut pridè ejus diei si res urgeat, auctoritate Præsidentis monendi sunt omnes Socii in urbe aut suburbiis habitantes, per Bedellum, ut intersint Comitii futuris die, horâ, et loco præscriptis. Modus admonitionis sit: "Auctoritate Præsidentis moneo te, domine, ut Comitii majoribus (ordinariis vel extraordinariis) intersis die, horâ, et loco, à Præsidente præscriptis. A. B. Bedellus."

8. In Comitii majoribus, sive ordinariis sive extraordinariis, fiant electiones et admissiones Sociorum, Candidatorum et Permissorum; aliaque negotia, à Sociis universis communiter

munitè tractanda, ibidè excutiantur. Quod vero ad eorum qui in Candidatorum ordinem aut in Permissorum numerum admitti petunt, examinationes attinet, eæ fieri possunt vel in majoribus Comitibus vel in minoribus, pro arbitrio Præsidentis aut Propræsidentis, et Censorum, aut eorum partis majoris.

9. Quicumque proponit aut dicit aliquid, stet capite aperto, et Præsidentem aut Propræsidentem solum alloquatur. Quod si plures simul loqui inceptent, cedat junior seniori. Unusquisque quàm breviter poterit, et ad rem propositam semel tantum loquatur, nisi impetratâ à Præsidente aut Propræsidente veniâ; et ejusdem monitu sileat. Nemini liceat loquentem interpellare, nisi Præsidenti, aut Propræsidenti, aut Censorum præsentium seniori, cujus etiam munus sit, quemlibet officii sui admonere. Reliqui Socii attentis sint, nec privatis colloquiis, susurris, strepituve, loquentem vel auditores inturbent; et semper ad Præsidentis nutum fiat silentium. Cuicumque contra facienti quadraginta solidorum mulctam per Præsidentem, et Censores, aut eorum majorem partem illicè irregandam statuimus.

10. Quodcumque ab aliquo Socio propositum fuerit, alius Socius propositum se approbare palàm enunciet; illud ita approbatum literis mandetur, et postquam à Præsidente aut Propræsidente perlectum fuerit, approbationi reliquorum Sociorum proponatur.

In rebus dubiis, et magni momenti, delegati pro arbitrio Præsidentis constituantur, qui rem undiquaque excutiant, referantque ad Collegium. Ita tamen ut liberum nihilominus sit Sociis omnibus, vel Sociorum in Comitibus majoribus præsentium majori parti, delegatorum sententiam vel confirmare vel irritam facere.

11. Nemo suffragia Sociorum roget, nisi Præsidentis aut Propræsidentis.

12. In omnibus Collegii negotiis, præter illa in quibus suffragandi modus per statuta ordinatur, ferantur suffragia prout visum fuerit Præsidenti, vel Propræsidenti; nisi suffragia per pilas ferenda postulaverint quinque è Sociis præsentibus.

13. Nemo deniquè discedat nisi impetratâ prius à Præsidente aut Propræsidente veniâ, antequam Præsidentis aut Propræsidentis Comitibus hisce verbis dimiserit.

“Solvimus hæc Comitibus.”

De Comitibus Minoribus.

14. Habeantur etiam alia Comitibus ordinaria, minora dicenda, singulis mensibus; et extraordinaria aliis temporibus Præsidentis aut Censorum senioris monitu.

15. Minoribus Comitibus intersint Præsidentis aut Propræsidentis, Registrarius aut Registrarii vicarius, et quatuor Censores, qui ad res ritè peragenda sufficient.

16. Sin autem gravi aliquâ de causâ à Præsidente aut Propræsidente, et Censoribus præsentibus, aut eorum parte majore approbandâ, quilibet Censor impeditus fuerit, quo minus adesse possit, ei liceat, impetratâ prius à Præsidente aut Propræsidente gratiâ, aliquem è Sociorum numero pro eâ vice substituere; ita tamen ut præter Præsidentem vel Propræsidentem, Registrarium, vel Socium qui ejus locum suppleat, tres Censores et absentes Censoris vicarius conveniant.

17. Quod si pauciores comparuerint, nihil negotii tractetur.

18. Cum de rebus pecuniariis Collegii agitur, accessatur Thesaurarius.

19. In his Comitibus illi, qui secundum statuta nostra habiles et idonei sint ut in Candidatorum ordinem aut Permissorum numerum eligendi proponantur, pro arbitrio Præsidentis aut Propræsidentis, et Censorum, aut eorum partis majoris, formâ præscriptâ per eosdem examinentur; et alia ibidè negotia tractentur, quæ à Præsidente et Collegio iis mandata fuerint.

20. Per præmissa potestatem quamlibet Censoribus à regni statutis concessam, nullo modo imminui volumus.

CAPUT VIII.

De Statutis Condendis et Abrogandis.

1. NEMO statutum quodvis vel condendum vel abrogandum in Comitibus majoribus proponat, nisi prius consilium suum cum Præsidente communicaverit.

2. Quoties aliquid novi in iis, quæ ad statuta pertinent, proponendum fuerit, id Præsidentis Sociis omnibus, quotquot in urbe aut suburbiis habitant, schedulâ monitoriâ notum faciat, saltè triduo ante Comitiorum habendorum tempus.

3. Ad statutum aliquod novum condendum, sufficient Comitibus duo majora, vel ordinaria vel extraordinaria; ad abrogandum non nisi tria. Volumus autem ut major pars Sociorum præsentium propositis assentiatur in Comitibus prædictis continuo ordine habitis.

4. Quicquid de hæc re in Comitibus primis à majore parte Sociorum præsentium decretum fuerit, id literis mandatum, si Collegio visum fuerit, alienjus juris-periti judicium subeat; cujus responsum in Comitibus majoribus proximè insequentibus, si quidem id commodè fieri poterit, per Præsidentem aut Propræsidentem renunciatur.

5. Quotiescunque aliquod statutum vel abrogatum vel conditum fuerit, liber statutorum de novo muniatur sigillo Collegii, et insigniatur Præsidentis nomine, die mensis, annoque Domini, in quibus sigillum apponi fecerit Collegium.

CAPUT IX.

De Ordine Candidatorum.

1. NEMO in Candidatorum ordinem admittatur qui non in omnia Britanniarum jura natus est, vel qui munus Collegii quodvis exequi per statuta Regni prohibitus est.

2. Nemo in Candidatorum ordinem admittatur qui non annum ætatis suæ vicesimum sextum clauserit.

3. Nemo in Candidatorum ordinem admittatur, nisi qui in Academiâ, vel Oxoniensi vel Cantabrigiensi, Medicinæ Doctor creatus fuerit, idque postquam omnia in statutis utriusvis Academiæ præscripta compleverit, sine dispensatione vel gratiâ insolitâ. Si quis vero Doctoratus gradum in Academiâ Dublinensi adeptus fuerit, volumus ut antequam eligendus proponatur, literas testimoniales, tam ab illâ Academiâ de præstitis omnibus exercitiis ibi necessariis, sine dispensatione vel gratiâ insolitâ, quam ab alterutrâ Academiarum prædictarum de corporatione suâ Registrario proferat. Illos vero qui in prædictis Academiis vel honoris causâ, vel ex mandato qualicunque, aut privilegio extraordinario, Medicinæ Doctores creati fuerint, gradûs istiusmodi virtute in Candidatorum ordinem cooptari nolumus.

4. Nemo in Candidatorum ordinem admittatur, qui medicamentum quodvis arcanum (nos- trum vulgo dictum) in morbis curandis ad quæstum usurpaverit, aut qui pharmacopolæ vel obstetricis arte, aut mercibus quibusvis vendendis victum quærivaverit, nisi gravi aliquâ de causâ Comitii majoribus approbandâ aliter visum fuerit.—*Vide Annal. vol. xxi. p. 46.*

5. Nemo in Candidatorum ordinem admittatur, qui non ante examinationem primam omnes Socios in urbe et suburbiis habitantes, gratiâ impetrandæ ergo, visitaverit.

6. Nemo in Candidatorum ordinem admittatur, qui non priùs examinatus et approbatus fuerit in tribus Comitii, sive majoribus sive minoribus, pro arbitrio Præsidentis aut Propræsidentis et Censurum, aut eorum majoris partis secundum hanc formam.

Forma Examinationis.

7. Unusquisque eorum qui in ordinem Candidatorum admitti petat examinetur :

In primis Comitii, in parte Medicinæ Physiologicâ.

In secundis, in parte Pathologicâ.

In tertiis, in parte Therapeuticâ.

Præterea examinetur in Græcis literis, ad medicinam spectantibus ; scilicet in Hippocrate, vel Galeno, vel Aretæo. Proponantur cuiquam in primâ examinatione loci ex Aphorismis Hippocratis vel è Galeno ; in secundâ et tertiâ examinatione loci ex Hippocrate vel Galeno, vel Aretæo, qui Latinè reddantur, et brevi commentario illustrentur. Singulæ examinationes prædictæ Latinè fiant. In singulis examinationibus, sive in Comitii majoribus sive minoribus fiant, liceat cuilibet Socio pro arbitrio disputare et periculum facere quantum examinandus in re medicâ valeat.

8. Qui ad hanc formam in Comitii minoribus examinatus, et à Præsidente aut Propræsidente et Censuribus, aut, uno Censurum absente, à Præsidente aut Propræsidente, tribus Censuribus, et absentis Censuris Vicario, aut eorundem majore parte suffragiis per pilas occultè acceptis in utrâque examinatione approbatus fuerit, in Comitii majoribus proximè insequentibus proponatur in ordinem Candidatorum admittendus, et si major pars Sociorum præsentium consenserit, peractis iis ab ipso, quæ per statuta nostra requiruntur, quamprimùm admittatur.

9. Qui vero in Comitii majoribus examinatus fuerit, si in singulis examinationibus se idoneum præstiterit majori parti Sociorum præsentium, à tertiâ examinatione statim proponatur in ordinem Candidatorum admittendus, et si consenserit major pars Sociorum in illis Comitii præsentium, peractis iis ab ipso, quæ per statuta nostra requiruntur, quamprimùm admittatur.

10. Si verò quisquam in utrâvis examinationum prædictarum à Præsidente vel Propræsidente et Censuribus, vel uno Censurum absente, à Præsidente vel Propræsidente, et Censuribus præsentibus, et absentis Censuris Vicario, aut eorundem majore parte, suffragiis per pilas occultè acceptis, minùs peritus, nec ad facultatem medicinæ in Urbe Londino et intra septem milliaria in circuitu ejusdem exercendam idoneus existimatus fuerit ; à Præsidente vel Propræsidente coràm Censuribus præsentibus, si in Comitii minoribus, sed coram Sociis, si in Comitii majoribus examinatio fiat, admonetur, ne medicinam in dictâ urbe, aut per septem milliaria in circuitu ejusdem exercent, donec sententiâ Præsidentis vel Propræsidentis et Censurum peritior et satis idoneus existimetur ; et non nisi præterito integro anno ad examinationem iterùm admittatur.

11. Antequàm quisquam in Candidatorum ordinem admittatur, det fidem infra scriptam Præsidenti aut Propræsidenti coram Sociis præsentibus in majoribus Comitii: “ Dabis fidem te observaturum Statuta Collegii, aut mulctas, tibi contra facienti irrogandas, promptè persolutorum ; et pro viribus conaturum ut honos ejus integer conservetur ; omniaque in arte medicâ factarum in reipublicæ utilitatem.”

12. Quam fidem literis mandatam quilibet Candidatus, postquam admissus fuerit, insuper confirmet nomine suo subscripto.

Forma Admissionis.

13. Admittendus, flexis genibus, manus, invicem applicatas, humiliter tradat in manus Præsidentis vel Propræsidentis, qui dicat, “ Ego, A. B. Præsidentis vel Propræsidentis hujus Collegii, admitto te in ordinem Candidatorum, precorque tibi omnia fausta.”

14. Omnes Candidati, tempore admissionis suæ, literas habeant sigillo Collegii munitas sub hâc formâ :

“ Sciant omnes, Nos, A. B. Medicinæ Doctorem et Præsidentem Collegii Medicorum Londinensis, una cum consensu Sociorum ejusdem, auctoritate nobis à Domino Rege et Parlamento concessâ, examinasse, approbasse et admisisse in ordinem Candidatorum, doctum et probum virum T. S. in florentissimâ Academiâ Doctorem, vel à florentissimâ Academiâ Oxoniensi vel Cantabrigiensi ad practicandam in medicinâ admissum, eique concessisse liberam facultatem et licentiam exercendi scientiam et artem medicam juxta formam statutorum ad hoc editorum.

“ In cujus rei fidem et testimonium sigillum nostrum commune præsentibus apponi fecimus. Datum Londini, die mensis, annoque Domini”

15. Si quis, postquam in ordinem Candidatorum fuerit admissus, pharmacopolæ aut obstetricis arte, aut mercibus quibusvis vendendis victum quæritaverit, statuimus illum è Candidatorum ordine excidisse.

16. Si quis Candidatus criminis alicujus gravioris ac publici damnatus fuerit, è Candidatorum ordine expellatur, si ita visum fuerit majori parti Sociorum in Comitii majoribus præsentium, suffragiis per pilas occultè acceptis.

17. Si quis Candidatus medicamentum quodvis arcanum (nostrum vulgò dictum) venditaverit, et delicti hujus à Præsidente et Censoribus, aut eorum majore parte convictus fuerit, è Candidatorum ordine, si ita judicatum fuerit à majore parte Sociorum in Comitii majoribus præsentium, suffragiis per pilas occultè acceptis, expellatur.

18. Nullus Candidatus à Præsidente in Comitii majoribus ad eligendum in ordinem Sociorum proponatur, qui non in ordine Candidatorum benè se gesserit, et secundum Statuta Collegii se idoneum præstiterit.

Quandoquidem nonnulli sunt quibus, propter licentiam ad practicandum in medicinâ ab Academiâ sive Oxoniensi sive Cantabrigiensi, per totam Angliam præter Urbem Londini et intra septem milliaria in circuitu ejusdem per statuta regni licet medicinam exercere, nullâ coram nobis habitâ examinatione, volumus, præmissis non obstantibus, ut unusquisque eorum qui annum octavam à primâ commoratione suâ in alterutrâ Academicarum prædictarum compleverit, et annum ætatis suæ vicesimum sextum clauserit, et ea quæcunque de ordine Candidatorum præscripta fuerint, præter doctoratûs in medicinâ gradum præstiterit, postquam in tribus Comitii, sive majoribus sive minoribus, pro arbitrio Præsidentis et Censorum aut eorum majoris partis, secundum formam de Candidatis dictam, examinatus et approbatus fuerit, admittatur ad medicinæ facultatem exercendam in Urbe Londino et intra septem milliaria in circuitu ejusdem, si ita visum fuerit majori parti Sociorum in Comitii majoribus præsentium, suffragiis per pilas occultè acceptis; volumus quoque ut locum infrâ Medicinæ Doctores in ordine Candidatorum occupet, nomine Candidati Inceptores designatus.

Si quis vero ita admissus gradum Doctores Medicinæ in alterutrâ Academicarum prædictarum intrâ triennium non susceperit, statuimus et ordinamus illum è Candidatorum ordine excidisse, nisi gravi aliquâ de causâ aliter visum fuerit majori parti Sociorum in Comitii majoribus præsentium.

CAPUT X.

De Sociis.

1. NEMO in Sociorum ordinem admittatur qui non fuerit aut annum integrum Candidatus, postquam Doctoris Medicinæ gradum susceperit, secundum formam de Candidatis dictam, aut è Permissorum numero electus, ut postea statutum est.

2. Nemo in Sociorum ordinem admittatur, qui non in omnia Britanniarum jura natus est, vel qui munus Collegii quodvis exequi per statuta regni prohibitus est.

3. Nullus Candidatus in Sociorum ordinem admittatur, nisi priùs Præsidentem, gratiæ impetrandæ ergo, visitaverit.

4. Nemo in Sociorum ordinem admittatur, qui medicamentum quodvis arcanum (nostrum vulgò dictum) in morbis curandis ad quæstum usurpaverit, aut qui pharmacopolæ aut obstetricis arte, aut mercibus quibusvis vendendis victum quæritaverit, nisi gravi aliquâ de causâ, Comitii majoribus approbandâ, aliter visum fuerit.—*Vide An. vol. xxi. p. 46.*

5. Nemo, in Sociorum ordinem electus, admittatur, nisi priùs fidem infra scriptam Præsidenti aut Propræsidenti, coram Sociis præsentibus in majoribus comitiis, dederit: “Adniteris pro viribus ut status Collegii perpetuetur; statuta Collegii observabis, aut mulctas tibi contrâ facienti irrogandas promptè persolves.”

“Secreta Collegii foràs non vulgabis.

“Neminem aut in Sociorum aut Candidatorum ordinem cooptandum, aut ad medicinæ facultatem in Urbe Londino et per septem milliaria in circuitu ejusdem exercendam admittendum, decernes, quem, seposito omni affectu, scientiâ aut moribus minùs idoneum esse judicaveris.

“Omnia deniquè in arte medicâ pro viribus facies, ad honorem Collegii et reipublicæ utilitatem.”

6. Quam fidem literis mandatam quilibet Socius, postquam admissus fuerit, insuper confirmet nomine suo subscripto.

Forma Admissionis.

7. Admittendus, flexis genibus, manus, invicem applicatas, humiliter tradat in manus Præsidentis aut Propræsidentis, qui dicat:—

“Ego, A. B., Præsidentis, vel Propræsidentis, hujus Collegii, admitto te in Societatem nostram, precorque tibi omnia fausta.”

8. Omnes Socii, tempore admissionis suæ, literas habeant sigillo Collegii munitas sub hac formâ:—

“Sciant omnes, Nos, A. B., Medicinæ Doctorem et Præsidentem Collegii Medicorum Londinensis, unâ cum consensu Sociorum ejusdem, auctoritate nobis à Domino Rege et Parlamento concessâ, approbâsse, et in Societatem nostram cooptâsse doctum et probum virum T. S. in florentissimâ Academiâ Medicinæ Doctorem: largitosque præterea usum et fructum omnium commoditatum, libertatum, ac privilegiorum, quæ Collegio nostro auctoritate prædictâ, et jam concessa sunt, et in futurum concedenda; in cujus rei fidem et testimonium sigillum nostrum commune præsentibus apponi fecimus. Datum Londini, in Collegio nostro die mensis annoque Domini”

9. Si quis postquam in Sociorum ordinem fuerit admissus, pharmacopolæ vel obstetricis arte, aut mercibus quibusvis vendendis victum quæritaverit, statuimus et ordinamus illum è Societate nostrâ excidisse.

10. Si quis Socius criminis alicujus gravioris ac publici damnatus fuerit, è Societate nostrâ expellatur, si ita visum fuerit majori parti Sociorum in Comitibus majoribus præsentium, suffragiis per pilas occultè acceptis.

11. Si quis Socius medicamentum quodvis arcanum (nostrum vulgò dictum) venditet, et delicti hujusce à Præsidente et Censoribus, aut eorum majore parte convictus fuerit; è Societate nostrâ, si ita judicatum fuerit à majore parte Sociorum in Comitibus majoribus, sive ordinariis sive extraordinariis, præsentium, suffragiis per pilas occultè acceptis, expellatur.

CAPUT XI.

De Permissis.

CUM Rex Henricus Octavus literis suis patentibus, Parlamento sancitis, concessit Præsidenti et Collegio seu Communitati Facultatis Medicinæ Londini et Successoribus suis, " Quod nemo in Civitate Londino, aut per septem milliaria in circuitu ejusdem, exerceat facultatem medicinæ, nisi ad hoc per Præsidentem et Communitatem, seu successores eorum qui pro tempore fuerint, admissus sit per ejusdem Præsidentis et Collegii literas, sigillo suo communi sigillatas, sub pœnâ centum solidorum pro quolibet mense quo non admissus eandem facultatem exercuit."

1. Statuimus et ordinamus ut omnes ita admissi Permissorum nomine designentur.

2. Statuimus et ordinamus ut nemo in Permissorum numerum eligendus proponatur, qui non annum ætatis suæ vicesimum sextum se clausisse, aut literis testimonialibus, chirographo ministri Ecclesiæ ubi baptizatus fuerit, munitis, aut aliquo alio testimonio firmo, Præsidentem et Censores in Comitibus minoribus certiores fecerit; et qui non gradum Doctoris in Medicinâ susceperit, et antequam illum gradum susceperit, per duos annos integros in aliquâ Academiâ animo medicinæ studendi commoratus fuerit; et commorationis istius literas testimoniales in illâ Academiâ usitatas Comitibus minoribus exhibuerit.

3. Nemo in Permissorum numerum admittatur, qui medicamentum quodvis arcanum (nostrum vulgò dictum) in morbis curandis usurpare solitus fuerit, nisi ante examinationem primam id medicamentum ac ejusdem adhibendi modum Præsidenti aut Propræsidenti et Censoribus planè exposuerit.

4. Antequam quispiam in Permissorum numerum admittatur, si fortè chirurgorum aut pharmacopolarum sodalitiò olim donatus fuerit, sodalitiò istius privilegiis omnibus renunciet, nec non emancipationis suæ literas, firmâ auctoritate comprobatas, Registrario proferat.

5. Nemo in Permissorum numerum admittatur, qui non priùs examinatus et approbatus fuerit in tribus Comitibus, sive majoribus sive minoribus, pro arbitrio Præsidentis aut Propræsidentis et Censorum, aut eorum majoris partis, secundum hanc formam.

Forma Examinationis.

6. Unusquisque eorum qui in numerum Permissorum admitti petat examinetur:

In primis Comitibus, in parte Medicinæ Physiologicâ.

In secundis, in parte Pathologicâ.

In tertiis, in parte Therapeuticâ.

Prætereà in singulis examinationibus locum è Celso vel è Sydenhami operibus Anglicè reddat. Singulæ examinationes prædictæ Latinè fiant.

7. In singulis examinationibus, sive in Comitibus majoribus sive minoribus fiant, liceat cuilibet Socio pro arbitrio disputare et periculum facere quantum examinandus in re medicâ valeat.

8. Qui ad hanc formam in Comitibus minoribus examinatus, et à Præsidente aut Propræsidente et Censoribus, aut, uno Censorum absente, à Præsidente aut Propræsidente, tribus Censoribus et absentis Censorio Vicario, aut eorundem majore parte, suffragiis per pilas occultè acceptis, in utrâque examinatione approbatus fuerit; in Comitibus majoribus proximè insequentibus proponatur, in Permissorum numerum admittendus; et si major pars Sociorum præsentium consenserit, peractis iis ab ipso quæ per statuta nostra requiruntur, quamprimùm admittatur.

9. Qui verò in Comitibus majoribus examinatus fuerit, si in singulis examinationibus se idoneum præstiterit majori parti Sociorum præsentium, à tertiâ examinatione statim proponatur in Permissorum numerum admittendus; et si consenserit major pars Sociorum in illis Comitibus præsentium, peractis iis ab ipso quæ per statuta nostra requiruntur, quamprimùm admittatur.

10. Si verò quispiam in utrâvis examinationum Prædictarum à Præsidente vel Propræsidente et Censoribus, vel, uno Censorum absente, à Præsidente vel Propræsidente et Censoribus præsentibus, et absentis Censoris Vicario, aut eorundem majore parte, suffragiis per pilas occultè acceptis, minùs peritus, nec ad medicinæ facultatem in Urbe Londino et intra septem milliaria in circuitu ejusdem exercendam idoneus existimatus fuerit; à Præsidente vel Propræsidente coram Censoribus præsentibus, si in Comitibus minoribus, sed coram Sociis, si in Comitibus majoribus examinatio fiat, admoneatur, ne medicinam in dictâ urbe aut per septem milliaria in circuitu ejusdem exerceat, donec sententiâ Præsidentis vel Propræsidentis et Censorum peritior et satis idoneus existimetur, et non nisi præterito integro anno ad examinationem iterùm admittatur.

11. Antequam quispiam in numerum Permissorum admittatur, det fidem infra scriptam Præsidenti aut Propræsidenti coram Sociis in majoribus Comitibus:

" Dabis fidem te observaturum Statuta Collegii, aut mulctas, tibi contra facienti irrogandas, promptè persoluturum; omniaque in medicinâ faciendâ pro viribus facturum in honorem Collegii et reipublicæ utilitatem."

12. Quam fidem literis mandatam quilibet Permissus, postquam admissus fuerit, insuper confirmet nomine suo subscripto.

13. Quoties aliquis in Permissorum numerum ut admittatur in Comitiiis majoribus vel minoribus examinandus fuerit, Socios omnes in urbe dictâ et suburbiiis habitantes examinationis illius futuræ, quamprimùm commodè fieri poterit, certiores faciat Bedellus.

Forma Admissionis.

14. Admittendus, flexis genibus, manus invicem applicatas humiliter tradat in manus Præsidentis vel Propræsidentis, qui dicat:—"Ego, A. B., Præsidentis, vel Propræsidentis, hujus Collegii, admitto te ad Medicinæ Facultatem in Urbe Londino, et per septem milliaria in circuitu ejusdem exercendam, quamdiù te benè gesseris; precorque tibi omnia fausta."

15. Omnes Permissi, tempore admissionis suæ, literas habeant sigillo Collegii munitas sub hâc formâ:—"Sciant omnes, Nos, A. B., Medicinæ Doctorem et Præsidentem Collegii Medicorum Londinensis, unâ cum consensu Sociorum ejusdem, auctoritate nobis à Domino Rege et Parlamento concessâ, examinasse et admisisse A. B. ad Facultatem Medicinæ in Civitate Londino et per septem milliaria in circuitu ejusdem exercendam, quamdiù se benè gesserit.

"In cujus rei fidem et testimonium sigillum nostrum commune præsentibus apponi fecimus. Datum Londini die mensis annoque Domini . . ."

16. Si quis verò in Urbe Londino, aut per septem milliaria in circuitu ejusdem, medicinæ facultatem exercuerit, qui ad hoc per Præsidentis et Collegii literas sigillo nostro communi sigillatas non sit admissus; auctoritate Præsidentis et Censuræ, si modo ipsis aut eorum majori parti ita visum fuerit, admoneatur per Schedulam in manus traditam, vel in domo ejus relictam, in his verbis:—

"We, the Censors of the Royal College of Physicians, London, having received information that you are practising physic within the City of London and seven miles of the same, do hereby admonish you to desist from so doing, until you shall have been duly examined and licensed thereto under the common seal of the said College, otherwise it will be the duty of the said College to proceed against you for the recovery of the penalties thereby incurred.

"College of Physicians, }
"Warwick Lane. }

A. B. E. F.
C. D. G. H.

"The Board for examining persons who have the requisite qualifications, is holden at the College on the first Friday in every month."

CAPUT XII.

De Permissorum Electione Extraordinariâ in Socios.

1. QUANDOQUIDEM fieri potest, ut inter Permissos numerenter viri quidem egregii, et de re medicâ præclare meriti, quos statutum nostrum de Sociis in ordinem Sociorum cooptari vetat, statuimus et ordinamus ut, non obstante statuto de Sociis, liceat Præsidenti quotannis, nec sæpiùs, in Comitiiis minoribus ordinariis mense Martii habitis, nisi gravi aliquâ de causâ, Comitiiis majoribus approbandâ, alio mense visum fuerit, unum, pro suo arbitrio, è Permissis, qui decennium compleverit à tempore admissionis, utpote morum integritate, doctrinâ, et artis medicæ peritiâ insignem, in Socium approbandum Censoribus proponere; qui, si Præsidentis et Censores, aut eorum major pars, suffragiis per pilas occultè acceptis, consenserit, in Comitiiis majoribus ordinariis postridiè Nativitatis Divi Johannis Baptistæ habitis, à Præsidente in Socium eligendus proponatur; et si major pars Sociorum præsentium, suffragiis per pilas occultè acceptis, consenserit, in Societatem nostram quamprimùm admittatur.

*Vid. An. vol. xxi.
Mens. Martii 2dº
1827.*

2. Non licebit Præsidenti alterum iisdem Comitiiis minoribus approbandum proponere, nec in aliis quibuslibet Comitiiis minoribus intrâ annum habendis, sive vir propositus approbatus fuerit sive rejectus.—*Vid. Ann. vol. xx. p. 198.*

3. Quicumque ita è Permissorum numero in ordinem Sociorum approbandus proponatur, eum approbandum proponat Præsidentis in Comitiiis minoribus hisce verbis: "Commendo vobis A. B. qui decennium complevit ex quo tempore in Permissorum numerum admissus est, quem, propter egregiam morum probitatem, doctrinam, et singularem in arte medicâ peritiâ, omninò dignum censeo qui, suffragiis vestris priùs approbatus, eligendus in Socium proponatur Comitiiis majoribus ordinariis postridiè Nativitatis Divi Johannis Baptistæ habendis;" et in Comitiiis majoribus his verbis: "Propono vobis A. B., propter egregiam morum probitatem, doctrinam, et singularem in arte medicâ peritiâ, in ordinem Sociorum eligendum."

4. Non licebit Propræsidenti, vel Præsidentis Vicario, hoc officio fungi.

5. Liceat porrò cuilibet Sociorum in Comitiiis majoribus ordinariis, postridiè Divi Michaëlis habendis, aliquem qui annos septem integros in numero Permissorum fuerit, annunque ætatis suæ tricesimum sextum clauserit, examinandum proponere.

6. Nemo vero aliquem è Permissorum numero ita examinandum proponat, nisi priùs in Comitiiis majoribus, postridiè Divi Johannis Baptistæ proximè habitis, suum consilium Collegio palàm exposuerit.

7. Qui Permissum aliquem examinandum proponit, his utatur verbis: "Liceat mihi proponere Præsidenti et Collegio virum egregium, A. B., qui annum ætatis tricesimum sextum clausit, et qui ultra annos septem medicinæ facultatem exercuit, ex quo tempore in Permissorum numerum admissus fuit; et quem scio esse aptum, habilem, et idoneum, tam moribus quam doctrinâ, qui in Societatem nostram eligatur."

8. Is adeo, si consenserit major pars Sociorum in illis Comitiiis præsentium, juxta formam pro Candidatis usitatam, à Præsidente vel Propræsidente, et Sociis in tribus Comitiiis majoribus ordinariis examinetur; et si in singulis examinationibus à majore parte Sociorum, præsentium in illis Comitiiis, approbatus fuerit, suffragiis per pilas occultè acceptis, Comitiiis majoribus ordinariis proximè insequentibus, à Præsidente vel Propræsidente proponatur in ordinem Sociorum admittendus, et si consenserit major pars Sociorum in illis Comitiiis præsentium, suffragiis per pilas occultè acceptis, quamprimùm commodè fieri potest, admittatur, dummodò nec lex terræ, nec ullum statutum Collegii nostri, eundem ad illud beneficium accipiendum inhabilem reddiderit.

CAPUT XIII.

De Electione Extraordinariâ in Permissorum Numerum.

QUANDOQUIDEM fieri potest ut viri sint quidam egregii et in studiis medicis satîs versati, qui non duos annos integros ante susceptum gradum Doctoris Medicinæ in aliquâ Academiâ commorati fuerint, ideoque, per statutum nostrum de Permissis, in numerum Permissorum admitti vetantur, statuimus et ordinamus ut, non obstante statuto de Permissis, liceat Præsidenti pro suo arbitrio quotannis unum Medicinæ Doctorem, utpote ob morum integritatem et artis medicæ peritiâ, in numerum Permissorum approbandum Censoribus proponere, hisce verbis: "Commendo vobis A. B., quem propter egregiam morum probitatem, et in arte medicâ peritiâ, omninò dignum censeo, qui suffragiis vestris priùs approbatus, eligendus in numerum Permissorum, examinationibus tribus ordinariis pro Permissis institutis debite peractis, proponatur;" qui si major pars Comitiorum minorum suffragiis per pilas occultè acceptis consenserit, examinetur, prout de Permissis statutum est; et si in singulis examinationibus approbatus fuerit, in Comitiiis majoribus ordinariis insequentibus à Præsidente eligendus proponatur, et si major pars Sociorum præsentium, suffragiis per pilas occultè acceptis, consenserit, in numerum Permissorum quamprimùm admittatur, juxta formam Permissis dictam.

CAPUT XIV.

De Actis Literariis.

1. CUM conditori nostro augustissimo et viris illis eximiis quorum beneficiis auctum est Collegium nostrum, id planè erat consilii, ut non modò indoctos colibeamus, sed etiâ veram medicinæ scientiam, quantum in nobis sit, provehamus; volumus ut quæcunque de re medicâ scripta, sive de propriis scriniis, sive alienis deprompta, à Socio aliquo, vel Candidato, vel Permisso, in manus Registrarii tradita fuerint, et suffragiis Præsidentis, Censorum, Electorum, Thesaurarii et Registrarii, vel eorum majoris partis, per pilas occultè acceptis approbata, typis eadem, sumptu Collegii, mandentur.

2. Statuimus autem et ordinamus quod antequàm de scripto aliquo suffragia ferantur, illud in conventu Sociorum (quo loco et tempore decreverit præsidens) à Registrario, vel ab alio quolibet Socio, perlegatur.

3. Inscribantur à Registrario in libro, tituli opusculorum ita acceptorum, à quo scriptum sit utrumque opusculum, per cujus manus traditum, quo die acceptum, lectum, et dijudicatum, et quid de eo fuerit iudicium Collegii.

4. Singula scripta postquàm de iisdem modo suprâ statuto dijudicatum fuerit, in Bibliothecâ Collegii reponantur, et dijudicationis istius per literas propriâ manu scriptas auctorem certiore faciat Registrarius.

5. Nolumus prelo subjici scriptum quodcunque, donec illud recensendi et castigandi, vel etiam subducendi facultas auctori data fuerit.

6. Libro quo edantur acta ista literaria Collegii titulus sit, "Medical Transactions of the Royal College of Physicians in London."

CAPUT XV.

De Bibliothecâ.

1. STATUIMUS et ordinamus ut Bibliotheca curæ commissa sit Præsidentis, Electorum, ducrum è Censorum numero seniorum, Thesaurarii et Registrarii, qui designentur nomine Curatorum Bibliothecæ.

2. Per eosdem eligatur Bibliothecarius, et pro ipsorum arbitrio amoveatur.

3. E pecuniâ in usum Bibliothecæ undecunque numeratâ, libris, Collegii jussu, tam coëmendis, quàm commutandis, quantum opus fuerit impendatur.

4. Liceat cuilibet, vel Socio, vel Candidato, libros quosvis in domum suam deportare; eâ tamen lege, ut libros sibi traditos sygraphâ suâ agnoscat, et eosdem se redditurum spondeat, nec non, ante Comitiorum majorum ordinariorum proximè insequentium tempus, libros eosdem Bibliothecario reddat, sub pœnâ quinque solidorum pro singulis libris in usum Bibliothecæ numerandorum.

5. Quapropter antequàm Comitia soluta fuerint Præsidentis aut Propræsidentis monitu, an librorum in Bibliothecâ repositorum numerus sit completus, Socios præsentis certiores faciat Bibliothecarius.

De Conservatione Materie Medicæ.

6. Quæcunque ad Materiam Medicam pertinentia in usum Collegii collecta et recepta, et in posterum recipienda, curæ commissa sint Præsidentis, Censorum, et quatuor è Sociis quotannis eligendorum eodem modo quo Censores et iisdem Comitiiis; qui designentur nomine Curatorum Materie Medicæ.

7. Eadem

7. Eadem servantur in Arcâ, in Bibliothecâ Collegii vel alio loco magis idoneo repositâ, à quolibet Socio vel Candidato pro arbitrio suo adeundâ; et ab omnibus aliis, modò præsens sit unus è Curatorum numero.

8. Res ita collectæ à Curatoribus ordinentur, nomen utriusque materiæ in libro inscribatur; quicquid adjiciendum sit procuretur; quicquid imperfectum, vitiatum, aut mancum sit restauretur.

9. Deniquè Curatores, admoniti per Bedellum ut intersint Comitii minoribus ordinariis mense Junii habitis, singulas res diligenter inspiciant, et quicquid notatu dignum sit referant ad Collegium in Comitiiis majoribus postridiè Divi Johannis Baptistæ habendis.

CAPUT XVI.

De Conversatione Morali et Statutis Pœnalibus.

1. NE quis quidquam vulget quod in Comitiiis, sive majoribus sive minoribus, secreti nomine dictum sit.

2: Nullus, sive Socius, sive Candidatus, sive Permissus fuerit, Socium, aut Candidatum, aut Permissum ignorantæ in arte suâ, vel maleficii nomine, nisi coram iudicibus legitimis accuset, aut coram quibusvis afficiat contumeliis. Si quem contrâ fecisse Præsidenti et Censoribus aut eorum majori parti innotuerit, primâ vice solvat quatuor libras, secundâ vice duplicetur mulcta; quòd si tertio quis similiter diliquerit, et modo prædicto convictus fuerit, si quidè Socius aut Candidatus fuerit, expellatur è Societate nostrâ, vel è Candidatorum ordine; sin idem sit è Permissorum numero, solvat decem libras. Quam quidam decem librarum mulctam quotiescunque idem Permissus ejusdem delicti modo prædicto denuò convictus fuerit, ipsi irrogandam statuimus.

3. Nullus Socius, Candidatus, vel Permissus, salutatione officiosâ vel animi benevoli obtentu, opem medicam ultrò offerat, nedùm subministret ægro cuilibet, quem medici cujusvis, sive Socii, sive Candidati, sive Permissi curæ commissum esse cognoverit, et ad quem non accersitus fuerit.

4. Si quis autem malitiæ hujusmodi convictus fuerit, præter ignominia notam quam isti (quantum in nobis est) inuri volumus, quadraginta solidos mulctetur à Præsidente et Censoribus.

5. Si quis paciscatur cum pharmacopolis de aliquâ pretii parte ex medicamentis præscribendis percipiendâ, si sit Socius aut Candidatus, et hujusce delicti à Præsidente et majore parte Sociorum in Comitiiis majoribus, sive ordinariis sive extraordinariis, præsentium convictus fuerit, è Societate nostrâ vel è Candidatorum ordine expellatur.

6. Sin Permissus delicti hujusce à Præsidente et Censoribus, aut eorum majore parte, convictus fuerit, decem libras quotiescunque id admisit, mulctetur.

7. Medicus quisque, sive Socius, sive Candidatus, sive Permissus fuerit, singulis suis schedulis, in quibus ægri curatio prescribitur, diem præscriptionis, ægri nomen, et sui denique nominis literas initiales adscribat; nisi causa intersit à Præsidente et Censoribus approbanda.

8. Si plures medici curationis gratiâ convenerint, consultandum est summâ modestiâ, et non nisi semotis arbitris à re alienis. Nec quisquam prescribat, inmodò ne innuat quidem quid agendum sit coram ægro aut adstantibus, priusquam, junctis consiliis inter ipsos medicos, curandi methodus fuerit constituta. Sin autem medici in diversas iverint sententias, ita ut in eandem medendi methodum consentire nequeant, summâ tamen prudentiâ et moderatione se gerant, eorumque dissensionem, ita ut, tam ægro, quàm amicis ejus, quam minimùm molestiæ pariat, ordinarius medicus ægro aut adstantibus significet.

9. Qui leges has consultandi non observaverit, et à Præsidente et Censoribus aut eorum majore parte convictus fuerit, quinque libras mulctetur.

10. Nullus deniquè medicus, sive Socius, sive Candidatus, sive Permissus, consilium ineat in Civitate Londinò et intra septem milliaria in circuitu ejusdem, de rebus medico propriis, nisi cum aliquo è Sociorum vel Candidatorum ordine, vel è Permissorum numero; sub pœnâ quinque librarum, quotiescunque hujusce delicti à Præsidente et Censoribus, aut eorum majore parte convictus fuerit.

11. Omnes mulctæ, quæ aut per statuta regni, aut per hæc statuta nostra irrogatæ fuerint, cedant duntaxat in usum Collegii.

12. Omnes mulctæ quæ per statuta nostra irrogatæ fuerint, illicd solvantur.

13. Quotiescunque cuilibet absentis aliquæ mulctæ irrogatæ fuerint, eundem istius irrogationis per literas propriâ manu scriptas certiore faciat Registrarius, et admoneat ut, per fidem Collegio datam, mulctas illi irrogatas promptè persolvat.

14. Deniquè per fidem Collegio datam Socios omnes hortamur et obtestamur, ut quoquoersum diligenter prospiciant et providenter agant; nec quenquam, respectu personarum habito, admittant in Societatem Collegii, sed ad laudem, decus, honorem, et perpetuitatem societatis omnia decernant. Quoniam certum est, Collegium nostrum nullâ re firmius stabiliri posse et continuari, quàm bonis legibus, probis gubernatorum moribus, et Sociorum singulari virtute atque eruditione.

CAPUT XVII.

Tabula Honorariorum et Stipendiorum.

STATUIMUS et ordinamus ut solvantur quotannis pro honorario è Collegii reditibus.

	£.	s.
Singulis Censoribus	20	—
Thesaurario	20	—
Registrario	20	—
Bibliothecario, ex Munificentia Doctoris Harveii	20	—
Bedello, pro Stipendio	12	—
— insuper pro arbitrio Præsidentis et Collegii	20	—

Statuimus et ordinamus ut tempore admissionis suæ solvat :

Candidatus.

										£.	s.
In usum Collegii	-	-	-	-	-	-	-	-	-	17	-
Præsidenti	-	-	-	-	-	-	-	-	-	2	-
Thesaurario	-	-	-	-	-	-	-	-	-	-	10
Registrario	-	-	-	-	-	-	-	-	-	1	-
Bedello	-	-	-	-	-	-	-	-	-	-	14
Bibliothecæ	-	-	-	-	-	-	-	-	-	2	2

Socius.

In usum Collegii	-	-	-	-	-	-	-	-	-	16	-
Præsidenti	-	-	-	-	-	-	-	-	-	1	-
Thesaurario	-	-	-	-	-	-	-	-	-	-	10
Registrario	-	-	-	-	-	-	-	-	-	-	10
Bedello	-	-	-	-	-	-	-	-	-	-	14

Permissus.

In usum Collegii	-	-	-	-	-	-	-	-	-	36	-
Præsidenti	-	-	-	-	-	-	-	-	-	2	-
Thesaurario	-	-	-	-	-	-	-	-	-	-	15
Registrario	-	-	-	-	-	-	-	-	-	1	-
Bedello	-	-	-	-	-	-	-	-	-	-	15

Permissus in Socios electus ex proposito Præsidentis.

In usum Collegii	-	-	-	-	-	-	-	-	-	20	-
Bedello	-	-	-	-	-	-	-	-	-	1	-

Permissus in Socios electus ex proposito Socii.

Præsidenti	-	-	-	-	-	-	-	-	-	2	-
Singulis Censoribus	-	-	-	-	-	-	-	-	-	1	-
Thesaurario	-	-	-	-	-	-	-	-	-	-	10
Registrario	-	-	-	-	-	-	-	-	-	1	-
Bedello	-	-	-	-	-	-	-	-	-	-	14
Bibliothecæ	-	-	-	-	-	-	-	-	-	2	2

— No. 2. —

Being a RETURN made by the ROYAL COLLEGE of PHYSICIANS, LONDON, of all Charters, Acts of Parliament, or other Public Muniments, by which Powers and Privileges were granted to the College.

THE Charter of the College of Physicians was granted by Henry 8, and confirmed by Act of Parliament, 14th and 15th of the same Reign, c. 5, and again by Statute 1 Mary, (Sess. 2, c. 9). These Acts were recognised as Public Acts by Statute 10 Geo. 1, c. 20, which has now expired.

The Charters of James 1, Charles 2, and James 2, were not accepted by the College.

— No. 3. —

RETURN of the Number of PERSONS admitted as FELLOWS of the COLLEGE, in each Year, from 1771 to 1833, both Years inclusive, distinguishing the Number Admitted under different Bye-laws, and the Number Rejected.

DATE.	Fellows Admitted under the ordinary Bye-law.	Fellows Admitted under the Bye-law "De Permissorum Electione extraordinariâ in Socios."	REJECTED.	DATE.	Fellows Admitted under the ordinary Bye-law.	Fellows Admitted under the Bye-law "De Permissorum Electione extraordinariâ in Socios."	REJECTED.
1771	-	4	-	1804	2	-	-
1772	-	-	-	1805	4	-	-
1773	-	-	-	1806	5	-	-
1774	1	-	-	1807	1	1	-
1775	5	-	-	1808	6	-	-
1776	-	-	-	1809	3	-	-
1777	2	-	-	1810	3	-	-
1778	1	-	-	1811	1	-	-
1779	1	-	-	1812	-	-	-
1780	1	-	-	1813	4	-	-
1781	-	-	-	1814	3	-	-
1782	1	-	-	1815	3	-	-
1783	2	-	-	1816	2	-	-
1784	1	2	-	1817	3	-	1
1785	2	-	1	1818	7	-	-
1786	-	1	-	1819	7	-	-
1787	6	1	-	1820	8	-	-
1788	-	1	-	1821	4	-	-
1789	2	-	-	1822	5	-	-
1790	2	1	-	1823	-	1	-
1791	1	-	-	1824	2	-	-
1792	-	-	-	1825	4	1	-
1793	2	1	-	1826	5	-	-
1794	1	-	1	1827	4	1	-
1795	4	-	1	1828	3	1	-
1796	5	-	-	1829	-	1	-
1797	-	-	-	1830	3	-	-
1798	2	-	-	1831	8	1	-
1799	3	-	-	1832	5	1	-
1800	2	-	-	1833	2	-	-
1801	-	-	-				
1802	1	-	-	Years			
1803	3	-	-	63	149	19	4

— No. 4. —

A RETURN of the Number of PERSONS who have been Admitted as LICENTIATES of the COLLEGE from 1823 to 1833, both Years inclusive; and also, the Number of PERSONS applying for Admission as LICENTIATES, and Rejected on Examination, during the same period.

DATE.	ADMITTED.	REJECTED.
1823	14	-
1824	20	1
1825	16	-
1826	14	-
1827	11	2
1828	9	2
1829	7	-
1830	13	-
1831	7	-
1832	6	1
1833	9	1
Years		
11	126	7

— No. 5. —

The RETURN of the ROYAL COLLEGE of PHYSICIANS of LONDON shows, that the College contains

Fellows - - - -	113,	of whom 60	reside in London, or within seven miles of it.
Candidates - - -	6,	— 2	- - ditto - - ditto.
Inceptor-Candidates - -	7,	— 3	- - ditto - - ditto.
Licentiates - - - -	274,	— 142	- - ditto - - ditto.
TOTAL - - - -	400	207	

Besides Extra-Licentiates 40, none of whom reside in London, or within seven miles of it.

Of the - - - - -	Fellows	Of the Licentiates	TOTAL.
Are Physicians to the King - - - -	2	2	4
— Physicians Extraordinary to the King -	3	2	5
— Physician to the Queen - - - -	- -	1	1
— Physicians Extraordinary to the Queen -	2	1	3
— Physician to the King's Household -	1	- - -	1
TOTAL - - -	8	6	14

The Officers of the College are, 1 President }
 — 7 Elects - } Eight Elects.
 — 4 Censors.
 — 1 Registrar
 — 1 Treasurer.
 — 4 Curators of the Museum, besides the President and four
 Censors, who are Curators by virtue of their offices.

— No. 6. —

Being a Reprint of a RETURN made by the ROYAL COLLEGE of PHYSICIANS to
 The House of Commons in 1826.

IN obedience to the Order of the House of Commons, the Royal College of Physicians have made the following Return, which contains an Account of the Money which has been received by them, from Persons admitted as Licentiates, from 1st January 1823 to 31st December 1832; and also, an Account of the Manner in which it has been appropriated. In explanation of this Return, from which it appears that the Annual Expenditure of the College considerably exceeds its Revenue, they beg to state, for the information of the House of Commons, that, in addition to the sums of Money mentioned in the following Return, the whole Income of the College arises from various sources; viz, first, from Fees paid by Fellows, who each pay on admission 95*l.* 4*s.* a sum including 40*l.* for stamps; secondly, from Money paid by Extra-Licentiates, each of whom pays for Letters Testimonial, 17*l.* 9*s.*; and, thirdly, from Rents of Lands and Houses, the donation of former Fellows of their Society.

But for the last four years, the whole Income of the College has not equalled its Expenditure; the first amounting to 4,115*l.* 16*s.* 5*d.*; while its Expenditure has amounted to 4,821*l.* 12*s.* during the same period.

Further, they beg to state, that with the exception of a lease of the ground upon which the Building now stands, the College has never received any pecuniary aid from the Crown since its foundation. The original Building for the Meetings of the Corporation was purchased and added to by the private Subscriptions of the Fellows of that time; and when this was burnt down at the Great Fire of London, the edifice in Warwick-lane was built at the cost of the Fellows; and the Funds for the erection of the present Building in Pall-Mall East, which cost 25,000*l.*, were raised from the Sale of the Premises in Warwick-lane, which yielded 9,000*l.*; from 2,000*l.* given by the Trustees of Dr. Radcliffe; and from the Subscriptions of the present Fellows.

To meet these great demands, the College has foregone every expense, except such as was absolutely necessary to promote the legitimate objects of its institution, to further which the Fellows still continue a small Annual Subscription.

— No. 7. —

A Detailed ACCOUNT of all the MONEY RECEIVED by the ROYAL COLLEGE of PHYSICIANS, for the last Three Years, exclusive of the Voluntary Subscriptions of the Fellows.

Cr.

Between July 1830 and July 1831.		£.	s.	d.
COLLEGE Account:				
Balance of last Year's Account	- - - - -	53	13	-
Rents of Land and Houses	- - - - -	509	2	4
For the admission of Fellows	- - - - -	80	10	-
Ditto - - - Candidates	- - - - -	54	6	-
Ditto - - - Licentiates	- - - - -	180	10	-
Ditto - - - Extra-Licentiates	- - - - -	20	-	-
Balance of Account with Messrs Longman, Rees & Co.	- - - - -	88	8	5
Fines levied on some of the Fellows for non-attendance	- - - - -	13	10	-
		999	19	9
	Dr Balance - -	153	7	7
LIBRARY Account:				
Subscriptions from Candidates	- - - - - £. 6 6 -			
From the Sale of Duplicate Books	- - - - - 21 2 -			
Fines	- - - - - 2 - -			
		29	8	-
	Dr Balance - -	9	2	6
LADY SADLIER'S Account:				
Rent of a House	- - - - -	15	-	-
BAILLIE'S Account:				
Interest of Money in the Funds	- - - - -	55	10	-
		1,099	17	9
	Dr Total Balance - - £.	125	9	6
From July 1831 to July 1832.				
COLLEGE Account:				
Rents of Lands and Houses	- - - - -	552	19	-
For admission of Fellows	- - - - -	136	12	-
Ditto - - Candidates	- - - - -	90	10	-
Ditto - - Licentiates	- - - - -	252	14	-
Ditto - - an Extra-Licentiate	- - - - -	10	-	-
Balance of Account of Messrs Longman, Rees & Co.	- - - - -	76	2	5
		1,118	17	5
	Dr Balance - -	69	18	5
LIBRARY Account:				
Subscriptions of Candidates	- - - - - £. 10 10 -			
Sale of Books	- - - - - 1 1 6			
Fines	- - - - - 3 - -			
		14	11	6
	Dr Balance - -	17	-	1
LADY SADLIER'S Account:				
Rent of House	- - - - -	15	-	-
BAILLIE'S Account:				
Interest of Money in the Funds	- - - - -	55	10	-
		1,203	18	11
	Dr Total Balance - - £.	35	5	4

Cr—continued

From July 1832 to July 1833.		£.	s.	d.
COLLEGE Account :				
Rents of Land and Houses	- - - - -	437	18	
For admission of Fellows	- - - - -	64	8	-
Ditto - - Candidates	- - - - -	99	10	-
Ditto - - Licentiates	- - - - -	324	18	-
Ditto - - an Extra-Licentiate	- - - - -	10	-	-
Balance of the Account of Messrs. Longman, Rees & Co.	- - - - -	63	19	7
		991	14	1
	Dr Balance - -	115	16	1
LIBRARY Account :				
Subscriptions of Candidates	- - - - -	10	10	-
	Dr Balance - -	12	18	-
LADY SADLIER'S Account :				
Rent of House	- - - - -	15	-	-
BAILLIE'S Account :				
Interest of Money in the Funds	- - - - -	55	10	-
		1,072	14	1
	Dr Total Balance - - £.	152	12	7

A Detailed ACCOUNT of the EXPENDITURE of the ROYAL COLLEGE of PHYSICIANS for the last Three Years, exclusive of Expenses defrayed by the Voluntary Subscriptions of the Fellows.

Dr.

Between July 1830 and July 1831.		£.	s.	d.
COLLEGE Account :				
Fines, Amerciaments, &c. to the Crown	- - - - -	6	1	3
Assessed Taxes	- - - - -	77	17	4
Poor's Rates	- - - - -	179	3	4
Paving Rate	- - - - -	37	10	-
Sewers' Rate	- - - - -	11	13	4
Water Rate	- - - - -	9	-	-
Watering the Street	- - - - -	4	13	-
Salary to the four Censors	- - - - -	80	-	-
Ditto to Lecturers	- - - - -	52	-	-
Ditto to Registrar and Librarian	- - - - -	40	-	-
Ditto to Treasurer	- - - - -	20	-	-
Dr. Hamey's Legacy to the President	- - - - -	25	-	-
Ditto to Poor of the Parish of Christchurch	- - - - -	2	-	-
Ditto Gift to the Elects and Fellows attending the Annual Election of Officers	- - - - -	4	17	6
Salary to the Beadle	- - - - -	100	-	-
Ditto to the Porter	- - - - -	52	2	-
Ditto to the Housekeeper	- - - - -	25	-	-
Disbursements by the Beadle	- - - - -	41	6	-
Ditto by the Porter	- - - - -	3	14	11
Ditto by the Housekeeper	- - - - -	49	4	1
Printing and Stationery	- - - - -	90	19	9
Coals	- - - - -	60	-	3
Gas	- - - - -	54	11	1
Tradesmens' Bills	- - - - -	48	10	6
Dinner at the Annual Audit	- - - - -	10	17	6
Expenses of Evening Meetings	- - - - -	36	12	-
Transfer to Building Account	- - - - -	30	-	-
Stamps for Receipts	- - - - -	-	17	6

(continued)

Dr—continued.

LIBRARY Account :		£.	s.	d.
For Books and Periodical Publications	- - - - -	38	10	6
LADY SADLIER'S Account :				
To the Royal Society one-fifth of the Rent of House	- - £. 3 - -			
Croonian Lecturer	- - - - - 10 - -			
Stamps for Receipts	- - - - - 1 - -			
		13	1	-
	Cr Balance - -	1	19	-
BAILLIE'S Account :				
Disbursements for maintaining the Preparations in the Museum	- -	20	4	5
	Cr Balance - -	35	5	7
		£.	1,225	7 3

From July 1831 to July 1832.

COLLEGE Account :				
Fines, Amerciaments, &c. to the Crown	- - - - -	6	1	3
Assessed Taxes	- - - - -	77	17	2
Poor's Rate	- - - - -	58	6	8
Paving Rate	- - - - -	41	13	4
Sewers' Rate	- - - - -	11	13	4
Water Rate	- - - - -	18	-	-
Watering the Street	- - - - -	4	13	-
Subscription in aid of the sum required to make a Sewer in Knight- rider-street	- - - - - }	10	-	-
London Assurance Corporation	- - - - -	138	15	-
Hand-in-hand Corporation	- - - - -	10	2	6
Salary to the four Censors	- - - - -	80	-	-
Ditto to Lecturers	- - - - -	82	-	-
Ditto to Registrar and Librarian	- - - - -	40	-	-
Ditto to Treasurer	- - - - -	20	-	-
Dr. Hamey's Legacy to President	- - - - -	25	-	-
Ditto - - to Poor of the Parish of Christchurch	- - - - -	2	-	-
Ditto - - to the Elects and Fellows, present at the Annual Election of Officers	- - - - - }	4	5	-
Salary to the Beadle	- - - - -	100	-	-
Ditto to the Porter	- - - - -	52	2	-
Ditto to the Housekeeper	- - - - -	25	-	-
Disbursements by the Beadle	- - - - -	45	11	3
Ditto - by the Porter	- - - - -	4	5	8
Ditto - by the Housekeeper	- - - - -	50	8	6
Printing, &c.	- - - - -	64	3	6
Coals	- - - - -	60	19	3
Gas	- - - - -	33	9	8
Trademens' Bills	- - - - -	54	9	1
Dinners for the Censors and Wardens of the Society of Apothecaries, after their visiting Apothecaries' Shops, and at the Annual Audit	- - - - - }	35	4	-
Expenses of Evening Meetings	- - - - -	31	16	2
Stamps for Receipts	- - - - -	-	19	6
		£.	1,188	15 10
LIBRARY Account :				
For Books and Periodical Publications	- - - - -	31	11	7
LADY SADLIER'S Account :				
To the Royal Society, one-fifth part of the Rent of House	£. 3 - -			
Croonian Lecturer	- - - - - 10 - -			
Stamps	- - - - - 1 - -			
		13	1	-
	Cr Balance - -	1	19	-

— No. 8. —

A STATEMENT of the various FEES taken by the COLLEGE.

<i>On Admission as Candidate.</i>										£.	s.	d.	
To the College	-	-	-	-	-	-	-	-	-	14	-	-	
For Stamps in the Registrar's Book	-	-	-	-	-	-	-	-	-	-	2	-	
For the Library	-	-	-	-	-	-	-	-	-	2	2	-	
To the President	-	-	-	-	-	-	-	-	-	2	-	-	
To each Censor 1 l.	-	-	-	-	-	-	-	-	-	4	-	-	
To the Registrar	-	-	-	-	-	-	-	-	-	1	-	-	
To the Treasurer	-	-	-	-	-	-	-	-	-	-	10	-	
To the Beadle	-	-	-	-	-	-	-	-	-	-	14	-	
To the ditto for Diploma	-	-	-	-	-	-	-	-	-	-	10	-	
To the Porter	-	-	-	-	-	-	-	-	-	-	5	-	
For Stamp	-	-	-	-	-	-	-	-	-	15	-	-	
TOTAL										£.	40	3	-
<i>When a Candidate becomes a Fellow.</i>										£.	s.	d.	
To the College	-	-	-	-	-	-	-	-	-	14	2	-	
For the Stamp	-	-	-	-	-	-	-	-	-	25	-	-	
To the President	-	-	-	-	-	-	-	-	-	1	-	-	
To each Censor 10 s.	-	-	-	-	-	-	-	-	-	2	-	-	
To the Registrar	-	-	-	-	-	-	-	-	-	-	10	-	
To the Treasurer	-	-	-	-	-	-	-	-	-	-	10	-	
To the Beadle	-	-	-	-	-	-	-	-	-	-	14	-	
To ditto for the Diploma	-	-	-	-	-	-	-	-	-	-	10	-	
To the Porter	-	-	-	-	-	-	-	-	-	-	5	-	
TOTAL										£.	44	11	-
<i>For a General Licence.</i>										£.	s.	d.	
To the College	-	-	-	-	-	-	-	-	-	32	-	-	
For Stamps on the Registrar's Book	-	-	-	-	-	-	-	-	-	-	2	-	
For ditto on the Diploma	-	-	-	-	-	-	-	-	-	15	-	-	
To the President	-	-	-	-	-	-	-	-	-	2	-	-	
To each Censor 1 l.	-	-	-	-	-	-	-	-	-	4	-	-	
To the Registrar	-	-	-	-	-	-	-	-	-	1	-	-	
To the Treasurer	-	-	-	-	-	-	-	-	-	-	15	-	
To the Beadle	-	-	-	-	-	-	-	-	-	1	5	-	
To ditto for the Diploma	-	-	-	-	-	-	-	-	-	-	10	-	
To the Porter	-	-	-	-	-	-	-	-	-	-	5	-	
TOTAL										£.	56	17	-
<i>As Extra-Licentiate.</i>										£.	s.	d.	
To the College	-	-	-	-	-	-	-	-	-	10	-	-	
To four Examiners, 21 s. each	-	-	-	-	-	-	-	-	-	4	4	-	
To the Treasurer	-	-	-	-	-	-	-	-	-	1	1	-	
To the Registrar	-	-	-	-	-	-	-	-	-	1	1	-	
To the Beadle	-	-	-	-	-	-	-	-	-	-	6	-	
For Letter Testimonial	-	-	-	-	-	-	-	-	-	-	12	-	
To the Porter	-	-	-	-	-	-	-	-	-	-	5	-	
TOTAL										£.	17	9	-
<i>For Extraordinary Admission of a Licentiate as Fellow.</i>										£.	s.	d.	
To the College	-	-	-	-	-	-	-	-	-	20	-	-	
For Stamp	-	-	-	-	-	-	-	-	-	25	-	-	
To the Beadle	-	-	-	-	-	-	-	-	-	1	-	-	
Ditto for Diploma	-	-	-	-	-	-	-	-	-	-	10	-	
To the Porter	-	-	-	-	-	-	-	-	-	-	5	-	
TOTAL										£.	46	15	-

— No. 9. —

A RETURN of the Number of ACTIONS from 1750 to the present time, brought by, or in the Name of the College, or of the President of the COLLEGE of PHYSICIANS against any Person, for using the Art of Physic within Seven Miles of *London*, without Licence from the College, with the Date of every such Action.

IN the discharge of the trust reposed in them by the Legislature, the Censors of the College of Physicians have on several occasions, since the year 1750, admonished persons who have been reported to them as practising physic within the City of London, and seven miles of the same, without being duly licensed thereto: and many persons thus admonished, have either desisted from practising, or have appeared before the Censors, and have been licensed, after having been duly examined. The only prosecutions for this cause or for mal-practice, which during the above-mentioned period the College has thought proper to institute, have been as follows:

Dec. 22, 1809.—An action was commenced against Dr. Dick, for practising without a licence, to which the defendant appeared, and after having obtained time to plead, suffered judgment by default, and paid the penalties with the taxed costs. The penalties, amounting to 50*l.* were paid as follows: one moiety to the King, and the other moiety to the College.

June 27, 1810.—Dr. John Clarke was ordered by the College to be prosecuted for practising without a licence; but on the 6th of November, in the same year, it was ordered, that no farther proceedings should take place in this prosecution.

July 26, 1827.—A suit was instituted against Dr. Edward Harrison for practising without a licence. The defendant pleaded that he had practised only in surgical cases: on which ground a nonsuit was entered.

— No. 10. —

A RETURN of the Patronage exercised by the College, or the Officers of the College, in the way of Presentation, or right of Election to Lucrative Offices; also, of any Offices to which the College, or the Officers of the College, as such, have been required to recommend during the last Ten Years; also, of any Offices or Seats at Boards of Commissioners, held by the Officers or Fellows of the College, as such.

THE President and Fellows of the College of Physicians, as Visitors of the Physic-garden, in Oxford, have the power of appointing the professor of Botany in that University, by virtue of a decree in Chancery, founded on the will of Dr. James Sherard.

With this exception, the College possesses no patronage whatever, nor the right of presentation to any lucrative office.

Nor have the College, or officers of the College, as such, been required to recommend to any office, during the last 10 years. In July 1823, the College was required by the Secretary of State to recommend physicians to attend the Penitentiary, at Millbank: and the execution of the late Act, for licensing and inspecting Mad-houses, was entrusted to the College; but by the Act now in force, the appointment of Metropolitan Commissioners of Lunatics is vested in the Secretary of State.

Formerly the President and Censors of the College, were members of the Vaccine Board; but in 1825, the number was reduced to the President and two Censors; and now the President and one Censor only are members of that Board.

The President, for the time being, of the College of Physicians, is, by the will of Mr. Tancred, one of the seven electors of a certain number of scholars in the University of Cambridge. By Acts of Parliament the President is one of the trustees of the British Museum, and the President and Censors are trustees of the Hunterian Museum.

Also, in case of a vacancy in the office of physician to St. Bartholomew's Hospital, the College may recommend a physician to fill the vacancy, under the will of Dr. Hamey. See Evidence, page 20.

— No. 11. —

COPY of the STATUTES PROPOSED to be Enacted in February 1834.—[See the Evidence of Dr. *Wilson*, page 98.]

AMENDMENTS in the same.

DE SOCIIS.

NEMO in Sociorum ordinem admittatur, qui non fuerit annum integrum in numero Permissorum, postquam in Academiâ vel Oxoniensi vel Cantabrigiensi, Doctor in Medicinâ creatus est; idque postquam omnia in statutis utriusvis Academiæ præscripta complevit, sine dispensatione vel gratiâ insolitâ; vel postquam Doctoris in Medicinâ gradum in Academiâ Dublinensi suscepit, et literas testimoniales, tam ab illa Academiâ de præstitis omnibus negotiis ibi necessariis sine dispensatione vel gratiâ insolitâ, quam ab alterutrâ Academiarum prædictarum literas de incorporatione suâ Registrario protulit: vel qui non fuerit in Permissorum numero annos integros quinque, postquam gradum Doctoris in Medicinâ in aliquâ Academiarum Scoticarum suscepit, præmisso gradu vel Magistri, vel Baccalaurei in Artibus secundum formam pro Academiis Scoticis a delegatis regiis nuper præscriptam: vel qui non fuerit in numero Permissorum annos septem, postquam gradum Doctoris in Medicinâ in aliquâ Academiâ Scoticâ suscepit, secundum formam apud eos usque adhuc usitatam; vel in aliquâ aliâ Academiâ.

vel qui non fuerit in Permissorum numero annos integros septem, postquam gradum Doctoris in Medicinâ in aliquâ aliâ Academiâ suscepit.

De Electione Sociorum.

Habeantur Comitia Majora Extraordinaria quotannis festo Divi Thomæ. In iis Comitibus eligantur Socii, in hunc modum. Præsidentis et Censores proponant Collegio tote Permissorum numero quot eo anno eligendos velint; cui si consenserit major pars Sociorum præsentium, is sit numerus Permissorum eo anno eligendorum. Sin aliter, licebit alicui socio alium numerum proponere.

Præsidentis et Censores proponant Collegio tote Permissis quot eo anno eligendos velint. Si consenserit major pars Sociorum præsentium, is sit numerus Permissorum eo anno eligendorum. Sin aliter, licebet alicui socio alium numerum proponere.

Quo facto, ad numerum decretum a Collegio, singuli Socii eorum nomina inscribant tabellis, quos doctrinâ, scientiâ, artis peritiâ, moribus magis idoneos judicaverint: has conjiciant in cistam juxta Præsidentem positam. Tabellas, postquam omnes in cistam coniectæ sunt, depromat Præsidentis singularitatem, et legat coram Sociis, et declaret nomina eorum qui suffragia expleverint majoris partis Sociorum præsentium. Quod si suffragia majoris partis Sociorum præsentium lata fuerint paucioribus quam quos eligendos decreverit Collegium, ii quibus major pars annuerit, pro nominatis habeantur: de cæteris redeant in suffragia Socii, donec numerum præscriptum compleverint.

Unaltered.

Abjiciatur unaquæque tabella quæ inscripta sit nominibus Permissorum plurium vel pauciorum numero designato.

Unaltered.

Permissos ita Selectos Præsidentis Comitibus Majoribus Ordinariis, postero die habendis, admittendos proponat; qui quam primum admittantur in Societatem nostram, si in his Comitibus suffragia iis allata duplicaverint numerum tertiæ partis Sociorum præsentium.

Permissos ita Selectos Præsidentis singularitatem admittendos proponat; qui si suffragia per pilas iis allata duplicaverint numerum tertiæ partis Sociorum præsentium, admittantur in Societatem nostram in Comitibus Majoribus postero die habendis.

Si qui Permissi ita propositi rejecti fuerint a Comitibus Majoribus Ordinariis, nolumus alios eo anno in eorum locos subrogari.

Si qui Permissi ita propositi rejecti fuerint nolumus alios eo anno in eorum locos subrogari.

Si quis Socius, medicinam faciens in urbe Londino et intra septem miliaria in circuitu ejusdem, abfuerit Comitibus Majoribus Extraordinariis festo Divi Thomæ habitis, aut Comitibus Majoribus Ordinariis postridie habendis, mulctetur pro singulis delictis viginti solidos, nisi gravi aliquâ de causâ aliter visum fuerit Præsidenti et Censoribus.

Unaltered.

Præcipimus Sociis ut renuncient Collegio unumquemque Permissum, qui sive per alium, sive per se, aliquo modo ambitus causa ad eos accesserit; qui si hujus delicti convictus fuerit, statuimus et ordinamus, eum in Societatem nostram intra duos integros annos non eligi posse; similemque pœnam illi irrogamus toties quoties hoc modo deliquerit.

Bedellus Socios ad hæc Comitia citatos per schedulam quotannis moneat hæc de mulctâ absentibus irrogandâ.

Unaltered.

To be added to the Second Statute, De Permissis.

Aut qui non annum septimum a primâ commoratione sua in Academiâ Oxoniensi vel Cantabrigiensi compleverit, et annum ætatis suæ vicesimum sextum clauserit, et ab alterutrâ Acadæmiarum prædictarum licentiam ad practicandum adeptus fuerit, et literas testimoniales de præstitis omnibus negotiis ibi necessariis Comitibus Minoribus protulerit.

Unaltered.

Statute for the M. D. of Dublin, who cannot be Incorporated at Oxford and Cambridge.

Cum nonnulli sint Medicinæ Doctores ab Academia Dublinensi profecti, quibus injiciunt scrupulum Dogmata Ecclesiæ Anglicanæ, ideoque in Academiâ vel Oxoniensi vel Cantabrigiensi incorporari non possunt, statuimus ut unusquisque eorum (qui fidem dederit Comitibus Minoribus se nullam aliam ob causam incorporationem suam in iis Academiis non petuisse) eligi possit in Societatem nostram, postquam fuit duos integros annos in numero Permissorum.

in Medicinâ

(si fidem dederit, &c.

Provisional Statutes.

Statuimus et ordinamus ut in numerum Permissorum transeant omnes Candidati et Candidati Inceptores, qui in Societatem nostram ante diem Comitiorum Ordinariorum festo Divi Michaelis proxime habendorum, vel in iis Comitibus, non recepti fuerint; e quo numero, non obstantibus Statutis, a Præsidente proponantur Comitibus Majoribus admittendi, ut quisque ea expleverit quæ de Candidatorum ordine præscripta sunt.

Unaltered.

Porro licebit omnibus qui virtute gradûs Baccalaurei in Medicinâ vel Magistri in Artibus in Academiâ vel Oxoniensi, vel Cantabrigiensi, examinati fuerint, et in numerum Permissorum admissi intra tempus supra dictum, eodem modo in Societatem nostram non obstantibus statutis eligi.

Unaltered.

Horum omnium inscribantur nomina in Catalogo seorsim a cæteris, supra nomina Curatorum Musæi, adjectis cuique nomini iteris Capitalibus C. et I. C., ut sit unusquisque vel Candidatus, vel Candidatus Inceptor.

Omitted.

X. Y. C.
T. V. I. C.
O. P. I. C.

— No. 12. —

THE following RESOLUTIONS, prescribing the Period and Course of Study necessary to be observed, in future, by all persons applying for the Licence of the COLLEGE of PHYSICIANS, are extracted from the Report of the Committee, which commenced its Sittings in November, 1830, to consider the subject of Medical Education.

THAT it is expedient that the College should make the details of Medical Education, in future, a subject of express regulation, and further define the nature and extent of the previous studies, which should be considered indispensable for all persons presenting themselves for examination at the Censors' Board.

That all persons presenting themselves for examination at the Censors' Board, be required to produce proofs of having studied Medicine during a period of at least five years.

That the study of Medicine include the following particulars :

Two Courses of at least six months' duration, of Lectures on Anatomy and Physiology, to be given by regularly licensed Physicians or Surgeons.

Two Courses of Dissections and Demonstrations, of at least six months' duration.

Two Courses of Lectures on Chemistry.

Two Courses of Lectures of at least six months' duration, on the Practice of Physic, to be given by regularly licensed Physicians.

Two Courses of Lectures on Materia Medica.

One Course of Lectures on Botany.

One Course of Lectures on Midwifery.

One Course of Lectures on Forensic Medicine.

One Course of Lectures on Surgery, to be given by regularly licensed Surgeons, who are, or have been Surgeons to a General Hospital.

N.B.—Two Courses of Lectures, of three months duration, are to be considered equivalent to one of six months.

And three years at least of attendance on the Medical Practice of some General Hospital, containing, upon an average, one hundred In-patients, and having a regular establishment of Physicians and Surgeons.

That the Courses of Lectures specified above, be attended during the first four years of the prescribed period, and the Hospital Practice during the last three years of that period.

That the Censors' Board shall require from every applicant, before he is examined, satisfactory testimonials that he has fulfilled the Course of Medical Education prescribed by the College.

That those who have studied at Foreign Medical Schools, shall produce satisfactory testimonials to the Censors' Board, of having completed a course of study equivalent to that above enjoined by the College; provided always, that every such Candidate shall, before examination, have attended, for six months at least, the Physicians' practice at a General Hospital in Great Britain or Ireland, containing one hundred patients as aforesaid, and shall produce the usual certificate to this effect.

That in addition to each examination, as now enjoined by the Statutes, the Censors may ask questions in English, either *vivá voce*, or on paper.

— No. 13. —

MEMORIAL of STUDENTS in MEDICINE, Members of the two English Universities, to the COLLEGE of PHYSICIANS, London.

TO the President and Fellows of the Royal College of Physicians, The Memorial of the undersigned Students of Medicine, who are Members of the Universities of Oxford and Cambridge.

YOUR Memorialists beg to represent that they are members of the Universities of Oxford and Cambridge, and as such, have hitherto considered themselves entitled to look forward to the enjoyment of all the privileges conferred by the existing regulations of the College of Physicians.

Your Memorialists have learned from the public journals, that, by the regulations about to be enacted at your College, they will be excluded from partaking in those advantages, in the hope of obtaining which, they have devoted many years to an expensive course of study.

Your

Your Memorialists, therefore, submitting that the proposed alterations, if carried into immediate operation, will have towards them the effect of retrospective law, venture to suggest that their operation should in justice be deferred, so as not to affect those who have already entered upon a course of Medical Education.

SIGNATURES.

	Cambridge.	Oxford.	TOTAL.
Masters of Arts - -	1	1	2
Bachelors of Arts - -	2	1	3
Bachelors of Medicine - -	6	1	7
Students of Medicine - -	6	1	7
	15	4	19

	St. George's Hospital.	St. Thomas's Hospital.	St. Bartholomew's Hospital.	TOTAL.
Of whom are attending Hospital practice at - }	13	2	4	19



Drawn 5/12/82

