wish to make upon this portion of our author's labour, but this I must reserve for another letter.

Yours faithfully,

W. NEWNAM.

Farnham, March 22, 1845.

REMARKS ON SIR JAMES GRAHAM'S AMENDED MEDICAL AND SURGICAL BILL.

By G. W. HARDY, M.R.C.S., Surgeon to the Warrington Dispensary, &c.

By many persons, and amongst them the Editor of the *Lancet*, (see *Lancet*, March 15, page 308,) it is supposed that, according to this amended bill, all the present members of the Royal College of Surgeons, who are not fellows also, could only be registered as licentiates in medicine and surgery. There are some, however, who think differently, and as the profession generally are deeply interested in the satisfactory adjustment of the measure, it is highly desirable that all misunderstanding on this point should be speedily removed. In no other way, perhaps, can this be more easily accomplished than by direct inquiry from Sir James Graham himself, in his place in Parliament; and it is hoped that some member of House will put the question to him. In the mean time, it may not be altogether useless to examine the various clauses which bear upon it.

According to the 13th clause, it appears that in future, medical and surgical practitioners are to be registered as physicians, surgeons, or licentiates in medicine and surgery.

In the 14th, 15th, and 16th clauses, the qualifications which will entitle any one to registration under each of these three classes, are clearly explained. But in each of them there is an exception made in favour of certain parties, "for whose registration," it is said, "special provision is hereinafter made."

This special provision is nowhere to be found, except in the 32nd clause, which enacts "that it shall be lawful for the Council, on the application of any person legally practising, or entitled to practise, at the end of this Session of Parliament, as a physician, or surgeon, in any part of the United Kingdom of Great Britain and Ireland, or as an apothecary in England, to cause the name of such person to be registered as a physician, surgeon, or licentiate in medicine and surgery, *as the case may be*, on production to the said Council of his diploma, licence, or certificate." It is evident, therefore, who are the parties excepted in the 14th, 15th, and 16th clauses, and equally clear also, that licentiates of the Society of Apothecaries may register as licentiates in medicine and surgery; that members of any of the Royal Colleges of Surgeons are intended to be registered as surgeons, and not as mere licentiates in medicine and surgery; and that duly authorised British and Irish physicians may register as physicians, if they can prove that they were in possession of their respective licenses and diplomas "at the end of this Session of Parliament."

The manner in which the fees for registration are mentioned, in the 32nd clause, also seems to confirm this view of its general import. If the fees required by it from physicians and surgeons had reference to them as associates and fellows only, there would have been

no necessity for the expression, "and of five shillings in every other case." The words would have been "and of five shillings in the case of licentiates." The real intention of this part of the clause appears to be, that the fee for the registration of physicians, surgeons, and licentiates in medicine and surgery, who are admitted under its provisions, shall be five shillings in each case; but that in those instances where the physicians and surgeons so registered, shall have been elected associates or fellows of their respective colleges before the end of this present Session of Parliament, then the fee shall be twenty shillings each.

There is, however, an important distinction to be observed respecting the three classes of practitioners registered under the provisions of this 32nd clause. The physicians will not become associates, nor will the surgeons become fellows of their respective colleges; neither will the licentiates become members of the Colleges of Surgeons. These honours, if not previously conferred upon them, can only be acquired subsequently to the passing of the act, on registration *after examination*, as clearly pointed out in the 19th and 20th clauses.

If this explanation of the operation of these several clauses affecting the present members of the Royal College of Surgeons be correct, it is obviously a mistake to suppose, either that they are to lose their present title of surgeon, or that the present race of apothecaries (many of whom may never have heard a lecture on surgery, nor seen a single operation performed) are to be elevated by legal enactment to an equal rank in the profession.

It cannot be denied, however, that both physicians and surgeons, who may now be duly qualified by diploma, will find themselves in a somewhat anomalous and unenviable position under the provisions of the new bill, for, although allowed to retain the names or titles by which they are now designated, they will be indirectly stigmatized as unworthy the honours conferred upon them, and virtually deprived of the privileges they have hitherto enjoyed. There can be no mistake about the meaning of the 15th, 16th and 19th clauses, which, whether intended or not, collectively declare that every physician or Surgeon, who is *worthy of the name*, is also *worthy of the Fellowship* of his College. But that, inasmuch as the present members are denied all right or title to the fellowships, therefore the public must take it for granted, on the authority of an Act of Parliament, that however lengthened may have been their preparatory studies—however great the talents they may have displayed, or however extensive the knowledge they may have acquired by diligent application to the practice of their profession for a long series of years, still they are only mere pretenders to the title, by which as an act of grace, they are permitted to style themselves. Such a measure is not only exceedingly absurd, but it is, at the same time, monstrously unjust, and it is surprising that any intelligent or generous minded man should have been found willing to aid in promoting its enactment. Sir James Graham must have been deceived as to the amount of evil it contemplated; for, after reading the statement in which he so strongly expresses his "anxious desire to sustain the station, honour, and attainments of general practitioners," it is scarcely possible to believe that he *wilfully* seeks to make such "new

arrangements," as will not be "conducive to the honour, the character, and the station" of the members of that College, which he has so highly enlogised.

Be this as it may, we must not suffer ourselves, at this important crisis, to be misled from the path of duty by honied words. The plan of operations laid down in the Journal must be zealously carried out. Every county, city, and town, must pour forth their memorials and petitions, and neither the Home Secretary nor the Legislature must have any peace till our just rights are fully conceded.

Warrington, March 18, 1845.

[The right of the existing members of the College of Surgeons, to register as surgeons under the new bill, is now acknowledged in several official communications from the Home Office, but the communication of Mr. Hardy contains many valuable observations on other points connected with the registration and future position of various classes of medical practitioners, and we therefore insert it at length. Mr. Hardy himself subsequently wrote to Sir James Graham the following letter and received the annexed reply.]

"To the Right Hon. Sir James Graham, Bart.

"Sir,—Towards the end of this week, a public meeting of the members of the Royal College of Surgeons, resident in this town and neighbourhood, will be held, for the purpose of taking into consideration the new medical and surgical bill lately presented to the legislature by yourself. As there is a difference of opinion respecting its effects, on our present rights and privileges, and as it is desirable that our proceedings should not be based upon any misunderstanding of the various clauses affecting them, I beg you will excuse the liberty I take in inquiring directly from yourself, what may be your intention with regard to the registration of the present members of the College of Surgeons?

"According to the view I take of the meaning of the 32nd clause, it would appear that those physicians and surgeons, who are now associates and fellows of their respective colleges, will be entitled to register as associates and fellows, on payment of a fee of one pound; that every other British and Irish physician will be entitled to register as a physician (but not as an associate, except after further examination, according to the 19th clause,) and that every other member of the Royal College of Surgeons will be entitled to register as a surgeon, (but not as a fellow, except after further examination, according to the 19th clause,) on payment of the fee of five shillings; and that every licentiate of the Society of Apothecaries, will be entitled to register as a licentiate in medicine and surgery on payment of the like fee, but will not become a member of the Royal College of Surgeons, without further examination, according to the 20th clause.

"Several Journalists take a very different view of the operation of this clause, and if their opinions be wrong, the minds of vast numbers of the profession have been grossly abused, and much unnecessary agitation and opposition provoked to no purpose. In order, therefore, that we may not be led into error by any misunderstanding on this point, you would greatly oblige us by informing me before the meeting, whether the above exposition of the 32nd clause be the true one,

or whether you intend the present members of the Royal College of Surgeons to register merely as licentiates in medicine and surgery.

"Having been a member of that college upwards of twenty years, during nearly the whole of which period I have been one of the surgeons to a public institution, the rules of which do not permit any mere licentiate of the Society of Apothecaries to fill that office, I feel deeply interested in the inquiry; and humbly beg, therefore, that you will pardon the liberty I take in occupying your time with it.

"I am, Sir,

"Your most obedient humble servant,

"G. W. HARDY.

"Warrington, March 24, 1845."

[Answer.]

"To G. W. Hardy, Esq.

"Sir,—I am desired by Sir James Graham to acknowledge the receipt of your letter of the 24th instant, and, in reply, to inform you that your views with respect to the 32nd clause of the New Medical Bill, are quite correct; and that those taken by the Journalists are erroneous.

"I have the honour to be, Sir,

"Your obedient servant,

"HENRY H. D. O'BRIEN, Pr. Sec.

"Whitehall, March 26, 1845."

PRIVILEGES OF PHYSICIANS.

TO THE EDITOR OF THE PROVINCIAL MEDICAL AND SURGICAL JOURNAL.

SIR,

Your remarks, in the number for March 26th, deserve well the attention of the physicians of England. Whilst the general practitioners are laudably contending for peculiar advantages, and the pure surgeons entrenching themselves, the domain of the physicians is invaded and laid waste from different quarters. By the wording of English statutes, by the meanings of literature, of professional distinctions, departments, and offices, physicians are they, and they only, who *practise* pure physic. The academic title of *medicæ doctor* has come, through the lapse of centuries, to be considered as synonymous with *physician*; and, now-a-days, we find men, who have obtained this prefix, no matter, whence, confounding all the useful, fair divisions of our profession, practising as general practitioners, with the physician's title. Open the Medical Directory for London, just published by Mitchell, Red Lion Court, and every page illustrates this assertion.

Foreign degrees are now purchased openly and shamelessly by persons who are unable, or afraid, to be examined at Surgeons' Hall or Blackfriars, and these worthies then, some of them practise, as independent apothecaries, some in partnership. Doctors, indeed! This is in *private* life. But the public offices, reserved solely for physicians, are usurped by operating surgeons, simply because they have medical degrees; and I know of more than one hospital, where this unjust impropriety is tamely permitted. I hail, therefore, with satisfaction, your proposal for a meeting of that endangered portion of our profession—the pure physicians.

Remaining, Sir, your humble servant,

ROBERT HULL, Physician.

Norwich, April 1845.