

ABSTRACT OF THE TOTALS OF INCOME AND EXPENDITURE UNDER



Royal College of Surgeons in Ireland.

SIXTH ANNUAL REPORT OF THE COUNCIL.

THE COUNCIL have to report that since their election, on the 5th day of June, 1848, they have held forty-one meetings, at which the number of attendances, of each Member of Council, was as follows :

	MEETINGS.		MEETINGS.
The President attended ...	35	Mr. Trant ...	28
The Vice-President ...	32	Mr. Rynd ...	31
*Sir P. Crampton ...	5	Mr. Adams ...	21
Mr. Carmichael ...	14	Mr. Barker... ..	37
Mr. Read ...	9	Mr. Colles ...	31
Mr. Cusack ...	12	Mr. Power ...	39
Mr. Jacob ...	38	Mr. Lipsett... ..	31
Mr. Porter ...	22	Mr. Mac Donnell ..	30
Mr. Tagert ...	28	Mr. Corr ...	41
Mr. Williams ...	21	†Mr. Stapleton ...	15
Mr. Armstrong ...	36		

THE Council have to report that no Candidates offered themselves for the Fellowship of the College during the past year, but Mr. Richard Owen has been elected, by the Council, an Honorary Fellow of the College. Fifty-eight gentlemen were examined as candidates for letters testimonial, of whom 45 were admitted Licentiates and 13 rejected. Eight Licentiates obtained the Diploma in Midwifery. Five Fellows and two Licentiates died during the year, and the entire number now upon the lists of the College amounts to 443 Fellows and 606 Licentiates.

The Council beg leave to submit an Abstract of the Income and Expenditure of the College for the year ending the 5th of April, 1849, and they place upon the table a detailed account of the particulars of Receipts and Disbursements for that period.

* Elected 1st December, 1848.
† Elected 1st January, 1849.

each head, from 6th April, 1848, to 5th April, 1849.

Expenditure.

Incidents,	£228 14 4
This Item is composed of Fuel, Candles and Soap, Gas-light, Printing and Stationery, Painting, Cleaning, Glazing, Repairs, Servants' Clothing, printing Parchments for Diplomas, &c.	
Taxes,	191 7 3
Library, including Clerk's salary,	129 3 0
Museum, including Curator's salary and gratuities, and Porter's wages,	208 7 9
School,	108 11 3
Insurance of Premises against Fire,	29 5 0
Surgical Society,	154 6 6
Remuneration to Examiners,	248 1 3
Ditto to Secretary of Council for Expenses in London, while employed on the business of the College,	47 16 0
Ditto to the Professor of Chemistry, for a Course of Lectures delivered to the Registered Pupils,	100 0 0
Repaid to 11 Candidates for Letters Testimonial, who had withdrawn or been rejected, the sums respectively deposited by them,	231 5 0
Salary of Secretary of Council,	100 0 0
Dito of Registrar,	80 0 0
Wages of House Servants,	102 16 0
Superannuation Allowance to Christopher Dixon, late dissecting room Porter, commencing 6th July,	23 12 0
Total Amount of Expenditure from 6th April, 1848, to 5th April, 1849,	£1844 3 0
Balance to credit of College, 5th April, 1849,	629 0 1
	<hr/> £2473 3 1

During the past year the Council instituted the experiment of assembling the College at stated periods, for the purpose of affording to the Fellows an opportunity of consultation, respecting matters interesting to the body, and to the profession generally; and, they have much gratification in stating that the result has been in the highest degree satisfactory, both as tending to promote harmony of feeling and action among the Fellows at large, and as supplying to the Council correct information as to the feelings and wishes of their constituents. Meetings were held in accordance with this design in September and January last, and the Council beg leave to incorporate in this report, as a part of their record of the proceedings of the year, the substance of the communications which they thought it their duty upon those occasions to make to the College.

At the meeting in September, the Council acquainted the College that "the late President and Vice-President, and the Secretary of the Council were examined before the Select Committee of the House of Commons, appointed to consider the subject of legislation for the arrangement of the Medical Profession, and gave evidence in accordance with the resolutions of the Council referred to in their fifth annual report. The parliamentary inquiry is now, as the Council have reason to believe, terminated; but nothing in the shape of legislation has been accomplished. Since the period of the annual meeting no other event of general interest has come within the cognizance of the Council, but their attention having been called to the circumstance of the publication, by certain Fellows and Licentiates, of advertisements calculated to lower the character of the College and the Medical Profession generally, a Committee was appointed to consider and suggest the best means for preventing such occurrences." The Committee agreed to a Report, which was received with approbation by the College.

The Council also informed the College that a commencement had been made in taking advantage of the permission to recommend candidates for Assistant Surgeoncies in the Army, granted to this College by the Director General; and that Mr. Grey, one of the Licentiates, having been examined and approved by a committee of the Council, had been so recommended. The Council have now the pleasure of stating, that their recommendation was at once attended to, and that Mr. Grey has received the commission of Assistant Surgeon to the Forces.

On the 8th of January the Council again convened the College, when they reported that,

"Since the meeting in September last, they have been engaged in the consideration of a Bye-law, having for its object the prevention of the system of advertising by Fellows and Licentiates, in relation to which the College then expressed a strong opinion. The subject has been carefully examined in all its bearings by a sub-committee, and the details having been submitted to Mr. Napier, Q. C., his opinion, unfavourable to the enactment of a Bye-law, has been given in the following terms:—

"Mr. Napier is requested to state, for the information of the Council of the College, whether a Bye-law to the following effect can be legally en-

med. reform bill
wms. as
Surgeons

forced:—“If any Fellow or Licentiate of the College shall publish or circulate any advertisement, hand-bill, circular letter, or other document, which, in the opinion, and by the judgment of the Council, is declared to be contrary to the Declaration made and subscribed by him to promote the reputation, honor, and dignity of the College, he shall, after such previous notice, and such hearing as, under the circumstances, the Council shall think proper, be admonished, and ordered to abstain from publishing or circulating such advertisement, hand-bill, circular letter, or other document: and if, after such admonition and order, he shall again publish or circulate any such advertisement or hand-bill, and thus shall wilfully violate this Bye-law, it shall be lawful for the Council to pass such judgment or censure, or to inflict such fine as they shall think sufficient upon the person so offending; or (in case it shall seem expedient), to recall and declare the Letters Testimonial, or Diploma, respectively, of such Fellow or Licentiate to be void; and, therefrom, every such Licentiate or Fellow shall accordingly cease to be a Fellow or Licentiate of this College.”

“He is also requested to alter or amend this Bye-law where necessary, should he consider that a regulation of this description can be effectually brought into operation, or to prepare such other form of Bye-law as he may consider suited to attain the proposed object.

“Copies are sent of the Charters of the College and a Report of a committee appointed to consider this matter. In this Report the grounds upon which the Council relies to justify this measure are set forth. Copies are also sent of the hand-bills which have compelled the College to interfere in the matter.

“If it should be the opinion of Mr. Napier that this, or any other Bye-law to the same effect, cannot be enacted, he is requested to say whether any legal remedy can be adopted to remedy the evil.”

OPINION OF COUNSEL.

“I have anxiously considered this case, and have not been able to come to the conclusion that the proposed Bye-law would be sustainable.

“There is no doubt that it is neither high-minded nor creditable, so far as the *individual* is concerned, for any professional man to advertise himself as entitled to public patronage on the score of cheapness; but I do not think it is a proper subject for a Bye-law. That portion of the public which is influenced by the cheapness rather than the capability of the practitioner, would be secured by some under-hand contrivance by which any Bye-law would be evaded; but although this satisfies me that the enactment of such a Bye-law could not really accomplish the proposed object, it is not on that ground I have felt bound to advise against the enactment of the Bye-law which is proposed. A surgeon is legally entitled to pecuniary remuneration; the amount of it must, to some extent, be controlled by his own discretion, and the manner of regulating it is for himself to adopt. But I think it would be going too far to say, that such discretion should not be exercised to lower his fees below the standard which the opinion of the College might consider proper for maintaining the status of the profession.

"That there is a violation of good taste and professional propriety in publishing such puffing advertisements after the manner of quack doctors, cannot be doubted by any well-regulated mind; and I think it would be quite allowable for the College to announce its opinion to that effect, in moderate language, by any public resolution or declaration of the members.

"To attempt a Bye-law, and fail, would leave the matter in a more unsatisfactory position than it now occupies: success is *possible*, but according to the best opinion I can form, defeat is probable.

"The College of Physicians are differently circumstanced; because the fee of a physician is regarded, in law, as a gratuity, not as a legal right. This is supposed to be more for the interest of the profession. A Bye-law to prevent a Licentiate of the Physicians from catering for reduced fees, would, I think, be sustainable: the case of a surgeon is different.

"Looking at the position of the parties now obtruding their 'prices' on the public, I think they would rather be assisted than prejudiced by any proceeding levelled at them; I, therefore, advise the College to take no step against them, further than the expression of opinion which I have suggested, which should be framed in cautious language, but containing a clear and explicit statement of the duties which every Licentiate owes to himself, in reference to the character and respectability of the profession.

"(Signed),

"January 2nd, 1849."

"JOSEPH NAPIER.

The Council also informed the College that they had entered into communication with the Irish government upon the subject of the arrangements for the establishment of a new Irish University in connexion with the Provincial Colleges now in course of being organized, but that they were then unable to communicate any satisfactory information respecting it, a position in which the Council still continues, except in so far as that they have received from his Excellency the Lord Lieutenant, an assurance that the new arrangements would not be completed without affording to the Council an opportunity for their consideration.

At the same meeting, the Council stated that they had addressed a remonstrance to the Lords of the Admiralty against the unsuitable treatment to which Assistant Surgeons of the Royal Navy are subjected, a step which they have since followed up by the presentation of a petition to parliament.

The Report concluded in the following terms:—

"The Council regret to be obliged to state that since they met the Fellows in September, the College has lost three highly respected Fellows: Mr. Wilmot, Dr. Renny, and Mr. Auchinleck.

"To the memory of Mr. Wilmot, as a former Professor in the School, and a Fellow of very long standing, the Council thought it right to mark its respect by requesting the Fellows and Licentiates to attend at his funeral, which they did numerous and most respectfully.

"In the case of Dr. Renny, who may be called the Founder of the College, the Council think a memorial of a somewhat more permanent charac-

Founding of Queen's University

Memorial to
D. Renny

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ter is called for, and they have accordingly made arrangements for erecting a Monumental Tablet in Christ Church Cathedral, where it is the desire of his family that it should be placed."

Since the meeting of the College in January last, the Council have been in communication with the Government, in reference to complaints made by several Fellows and Licentiates of the scale of fees awarded to medical witnesses for the crown, for attendance upon trials in cases of assault. The insufficiency of the remuneration was admitted by the Under Secretary of State with whom the Council communicated, and a promise given by him that the attention of the Lords of the Treasury should be called to the subject, although in the existing condition of the public finances, he could not hold out much hope of an immediate satisfactory alteration,

Fee to med.
Witnesses

Towards the end of the month of March the Council, taking into consideration the importance of rendering the conduct of the Examinations of candidates for Letters Testimonial as impressive as possible, passed a resolution regulating the mode of collecting the opinions of the Examiners, in reference to the case of each candidate, whereby a due degree of solemnity should be attached to the transaction, and the individual responsibility of the Examiners satisfactorily defined. With a similar regard to the latter object, in reference to the analogous case of elections of Examiners and Professors, the Council, about the same time, resolved that at all such future elections the electors shall vote openly. They also take this opportunity of expressing an opinion, that it would be advisable to establish an understanding that gentlemen should not be continued in the office of examiners during a longer period than five successive years.

Open vote ab
Exam. Election

The subject of the restriction of disgraceful advertising by Fellows and Licentiates, to which allusion has been already made, has engaged the serious consideration of the Council, and they are forced to concur in the opinion of their legal adviser, that the enactment of a penal Bye-law in relation to such offences, would involve the College in serious difficulties. They have, however, (in accordance with the advice of Mr. Napier,) a declaratory Bye-law under consideration, which they hope may have the effect of recalling those offenders, against whom it is directed, to a sense of self respect and consideration for the respectability of the profession which they are disgracing by conduct unworthy of the meanest tradesman. The Bye-law has been laid before the Council in the following terms:—

Byelaws - app
Advertising

"In order to uphold and promote the reputation, honour, and dignity of the College, it is hereby made a Statute, Bye-law, or Ordinance, that it shall not be lawful, or held to be in accordance with the Charter or Bye-laws of the College, for any of its Fellows or Licentiates to publish or circulate any advertisement, handbill, or circular letter, or other document which may have the effect of lowering the Surgical profession in general, and this College in particular, in public estimation; and if any Fellow or Licentiate of the College shall publish or circulate any advertisement, handbill, or circular letter, which, in the opinion, and by the judgment of the Council, shall be declared to be injurious to the reputation, honour, and dignity of the College, such publication shall be held and considered to be contrary to the de-

claration made and subscribed by Fellows and Licentiates on their admission, and a wilful violation of this Bye-law, Rule, or Regulation; and the Council shall deal with, and punish such violation according to the provisions of the Charter in such case made and provided."

There remains but one topic to which the Council desire to direct the attention of the College, and that is the fact of the rapidly progressive increase of the number of Licentiates. In the year 1846-7 there were 38 admissions; in 1847-8, 61, and, in the year just ended, 64 gentlemen *applied* for examination.

This result is sufficiently accounted for by the decline of the practice of seeking the diploma of the College of Surgeons of England, which formerly prevailed to so great an extent among the students. The Council feel much satisfaction in pointing to this circumstance, and founding upon it their congratulations upon the strength and importance that must be added to the College, and, by consequence, to the profession generally, by this incorporation into a national body, of the great majority of the Medical Practitioners of Ireland.

By order of the Council,

H. MAUNSELL,

Secretary.

May 16th, 1849.