

The Journal.

Thursday, April 5, 1860.

DR. HARDING ON THE REGISTRATION OF HOMOEOPATHIC PRACTITIONERS.

A series of letters has lately appeared in the columns of the Globe, from the pen of the late Medical Registrar, &c. &c., in reply to certain charges made against his conduct while in office, in the matter of refusing registration under the Medical Act, to a Homoeopathic Practitioner, and all' to be the judiciary to determine whether qualifications accord with the intended meaning of the act, as before explained. And that there may not again be misunderstanding between the contending parties—the people and the profession—I will explain a little further what will live to be the opinion of the profession. They cannot register upon a degree from a Homoeopathic College—considering such a "Medical Degree" but Homoeopathic. At the same time that I wish to be respectful, I wish also to be very explicit in stating what I consider my opinion, as above. It is just to allow everybody and every class to judge in our own affairs for themselves. And the Legislature, when fully possessed of the bearings of the case—set forth, and determined by their own reflection—will be better enabled to judge what course is right. The Legislature, having power, and if also the inclination, to enforce registration, can confer J. C. Peterson privileges equal or greater than those possessed by the Faculty. Registration would be attended with the consequences pointed out, whether done voluntarily or by enforcement. That such a manner the Faculty never felt any disposition is rendered probable by looking the manner the law is framed, (thereby ed) evincing their desire to provide, far as possible, for all practitioners in the Province: admitting all who had nominally been in practice seven years. This would include many with very different qualifications and of all Homoeopathy or other, but not one registered as of any sect to confer status. The profession have not done in any part of the world; they would it wrong, as falsifying their convictions and betraying a trust due even to those who may now, not knowing what to do, clamour for it.

I am yours, &c., W. S. HARDING. EXHUMATION OF HUMAN BONES.—Sunday last crowds of people collected in the East end of King street, directly in front of the old grave yard, where, recently, had been discovered, and the bones were busy opening the lids of coffins and turning up the bones, with the carelessness possible. Indeed, we were pitching skulls at one another. A portion of the weather and the rain, falling down the street, from time to time had to this exhumation. It is unknown when it was used as a burying ground. The first place of burial in this City, at the place, known as now as the Burial Yard, South end of it; and afterwards, in Germain street, near the corner Duke street, was selected for the purpose where the first English Church was built and the grave yard was used in connection. The coffins (or remains of coffins) discovered on Sunday had not, it appears, been interred according to the rule which prevails in this Province, if not in all places, viz: with the heads in all cases to the East. There were two coffins parallel and not far apart, one with the head to the East and the other to the West. It puzzles the old folks to know what place was used as a burying ground. Monday the authorities set men to work and the remains were taken up, and buried away.

P. S. Since writing the above, we were informed by a person who was present at the interment of those remains, that they were those of persons who died of cholera in 1834; although we heard that statement on Sunday we did not credit it, but now believe it to be true.—Woodstock News.

IMMIGRATION.—Rapidly and steadily the tide of immigration continues to flow in the valley of the Aroostook, and we presume that other portions of our coast are equally well favored with new comers. This influx of immigrants into this region will undoubtedly be greater the present season than it was last.—This augurs well for the future of Maine. It shows that the glittering allurements held out to the sons of New England by the great West have lost their power to deceive and seduce; and that our people are now bent on bending their steps westward to new homes, turning their backs on the fertile and unoccupied lands of their State.—Aroostook Pioneer.

Two young men in New York attempted to fire off a can of powder near the head of a drunken man. They did not but their intended victim escaped. So with the perpetrators of the deed, one of them had his hand nearly blown off, the other was severely burned in the face.

A Scotch parson praying after a dose of brother had preached, said: "Oh Lord! bless thy young servants and with thy great wisdom prick him with thy Spirit, and let the wind out of his

so long as they do not interfere with our fellows,—and we wish to see the same liberty allowed to others.

Dr. H.'s third letter, the only one we republish, as it contains nearly all that the Dr. urges on the real question at issue, says that "The 11th section was inadvertently so worded as to allow two interpretations,—one so broad as to include every sect,—another which gives certain words a limited signification;—but the section itself does not to other than medical men clearly show which the Act intends." He then goes on to show that the meaning of this important and double meaning section must be judged by the intention of the whole Act.—This he says, is the elevation of the profession by provisions that its members shall possess a certain minimum of knowledge, "the scale to be brought up progressively to as high a standard as the Council under concurrence of the Executive should deem advisable." He says also that "the principle upon which the law is based, is that of making the Council the final judiciary," that is to say its decision to be without appeal.

We believe as Dr. H. does, that the intention of the Act is to elevate the standard of the profession, and we believe also that this intention is one that should be carried out. But in doing this it is necessary to keep clearly in view the fact, that medicine is an inexact science; that in that department of it usually denominated Therapeutics or the art of curing diseases, it is extremely difficult to demonstrate conclusively the absolute correctness of any positive set of fundamental laws, that on this subject, to use the words of an eminent physician, "Writers, teachers, sects and individuals, and even the same individual, in the course of an ordinary life time may without dishonesty entertain great diversities of opinion." But while there exist then these great differences on this one department, in the opinion of men equally well educated, there are other departments of the science in which it is more easy to lay down fundamental rules, and in which the knowledge to be obtained by study is more exact, and more generally agreed on by men wise in these matters. For instance, the anatomy of the human body, the functions of its different parts, their relations to one another, the benefits to be obtained by the operation of mechanical surgery, morbid changes in the body and the signs diagnostic of these changes,—these, and others we might mention, are subjects more generally agreed on, and all of them absolutely essential to a certain extent to the education of one who is fitted to take the care of his fellow men when affected by disease.

It is then, we conceive, the intention of the Act to elevate the profession by the provision, that in those portions of the science which are generally agreed upon, or are not so open to diversity of opinion, all those who are licensed to practise medicine in the Province should be educated, not by determining that all those who do not subscribe to a certain theory of the cure of disease, shall be prevented from striving to benefit their fellow men, by what they believe to be the most rational and proper means. As a certificate of the possession of this knowledge, the Act contemplates taking the diplomas of Colleges where it is taught, and we understand the principle of the Act to mean that the Council shall be the final judge, but that its decision shall be founded upon the fact whether the possession of such fundamental knowledge is made the test upon which a diploma is granted by any particular College, and they shall admit or refuse its graduates, as they may believe such College to bestow its commission only on being certified of a proper amount of attainments or otherwise leaving out of view altogether, the theory which such College professes to teach.

We think with Dr. Harding that the wording of that section, the 11th, admits of an interpretation so broad as to include every sect, and we do not think with Dr. H. that it either does or should admit of a limitation of the signification of its words. We think that the Legislature, and we are sure that public opinion, wished to throw the door open wide to all those who were learned in the science of medicine, irrespective of the theories they adopted, or the means they might use, for the cure of the sick. They meant to enact, and we think they did enact, that without a proper

certificate of certain fundamental knowledge, no man should or could be considered worthy of the warrant of the State; that he was a medical man; but possessing such certificate he should be protected in the practice of his profession by the State, whether he be a Homoeopathist, or a possessor of the time-honored "regular" diploma.

Nor can we see that it is subversive of the "principle" of the Act, that a diploma of a Homoeopathic College should entitle to registration, if such Homoeopathic College makes the gift of its diploma dependent on the possession of the fundamental knowledge of which we have spoken, and not on the mere reception of its theories of the cure of disease. The diploma of a Homoeopathic College or any other College which merely "does business in the sale of diplomas," without respect to the attainments of their recipients, or which sets too low a standard of qualifications, of course the Council should refuse to admit; but it would be, and is unjust in principle, encroaching upon private liberty of opinion and subversive of the inherent rights of every man, to call a College "a sham," "a mock College," simply because its theories differ from those received by the members of the Council, and to take advantage of the wording of the Act, to exclude its graduates, when they really had obtained by study the knowledge which fitted them to judge of the correctness or otherwise of the theories they might adopt.

This we believe to have been the intention of the Legislature in the "explanatory" which Dr. H. says they gave, but about the meaning of which different opinions are held.

Dr. H. says this is in reality a Medical Titles Act, and to sanction the use of the title "Doctor of Medicine" on a Homoeopathic diploma would be improper, because not distinctive without the addition Homoeopathic, which Dr. H. seems to construe into meaning a non-medical Doctor of Medicine. To this we can only answer, as we have done to the other objections, that the possession of the fundamental knowledge, not the theory adopted, is the qualification for the degree, and that it is but just that all men who possess diplomas from regularly chartered and respectable Colleges which teach the "healing art," should have a right to use the title which that diploma confers.

Dr. H. then points out to the Legislature that they have the power to confer on J. C. Peterson or any other man, "privileges equal or greater than any possessed by the Faculty," without enforcing Registration. This, no doubt, they have; but such a course would virtually amount to making it into law, that the so-called "regular" system is the Medical System, and all others are not,—a conclusion improper for the Legislature to arrive at, without some more positive proof than any system of Therapeutics of which we have yet heard is susceptible.

In conclusion, then, the Medical Council is not a mere body of physicians elected by their brethren for the government of the private affairs of the general body, but a part of the machinery of the government for the protection of the people as well as the profession. There are two parties who have an interest in their decisions,—the one the people, who are to be protected from quacks, or persons pretending to knowledge which they do not possess, and who yet wish and have the right to employ whatsoever person professing whatsoever theory they may for good or poor reasons prefer; the other, the profession, who also have a right to be protected from the competition of pretenders, but have no right to take advantage of the wording of a law to exclude any of their number, because of their professing theories which they, the great body, consider absurd and ridiculous. To these latter their decision is of much importance, as upon it depends, to a considerable extent, the certainty of their being able to obtain their livelihood by the knowledge which they have spent a portion of their lives in acquiring, and consequently the decision should not be adverse to them, without good reasons.

INFANTICIDE.—Within a week, no less than five dead bodies of infants have been found stowed away in ash barrels, under stoops, behind fences, &c., in the city of Brooklyn.

ARRIVAL OF THE "ARABIA."

New York, March 30. The Arabia, with dates to the 17th, arrived.

The vote in Italy was overwhelming in favour of annexation to Sardinia. No action has yet been taken on the subject. The address to the Crown approving of the French Commercial Treaty, passed the House of Lords by a majority of 30. Lord John Russell stated that the views of England on the annexation of Savoy to France would shortly be laid before Parliament.

Switzerland protested against the annexation of Savoy. An insurrection in Naples is considered imminent. Liverpool 17th.—Flour steady; wheat 1d. dearer; corn dull. Provisions downward. Saltpetre advanced 3s to 4s. Sugar advanced; Tea quiet. Consols 94.

FREDERICTON, March 28. House in Committee of whole adopted Report of Fishery Committee and resolved on an Address to the Governor to carry out its recommendations.

St. John Hospital Bill agreed to, with amendment. First Section placing appointment of two Directors in Common Council and two in Sessions. Fisher's Bill relating to certain lands of War Department agreed to.

Progress reported on a Bill for the better security of liberty of subject. Railway Contractors Arbitration Bill postponed three months without discussion.

Tibbitts moved address to pay Quarter-Master-General for past services pounds from money received for the sale of old militia clothing, but withdrawn at instance of Tilley.

The Bill to incorporate St. Martin's Mining and Manufacturing Company, agreed to.

On Motion of Tibbitts the House went into Committee of the whole on Rev. Mr. McGuirk's petition for the Madawaska Academy, lengthy discussion. Tibbitts moved sums in addition to grant in the Budget, lost 8 to 22.

Tibbitts, Hannington, Desbrisay, End, Read, Williston, M'Phelim, Scovill. House in Committee on petition of Roman Catholic School in Gloucester; motion for grant lost 6 to 12.

Bill to abolish Judge's fees committed.—Supported by End, M'Phelim, Chandler, Smith; opposed by M'Pherson and Tilley. Wednesday next reported for prorogation. Business hurrying through fast.

FREDERICTON, March 29. Bill to continue the Act relating to the sale of spirituous liquors agreed to. Agricultural Bill having been amended by the Legislative Council in material provisions, was rejected.

Brown introduced a Bill to extend the time for the completion of the Railroad from Saint Andrews to Woodstock. Bill to incorporate St. John Work Company, agreed to.

Bill to incorporate the Baltimore Mining and Manufacturing Company agreed to. Bill to alter the time of holding the Circuit Courts of the County of Charlotte, postponed 3 months.

Gilmor moved his resolution for Government to make a survey of the route of Railroad from St. John to the junction at Calais as early as June next. Cudlip moved previous question, and by a vote of 8 to 12 the resolution was excluded.

Bill to empower the Sessions of King's County to sell certain School Lands in Springfield, agreed to. Committee to which was referred the Grand Falls Bridge matters, reported.

Bill to amend the Law relating to Deeds and other instruments, agreed to. Bill relating to Marriage and Divorce agreed to with amendments.

Tibbitts moved a resolution for address asking the Governor to cause to be paid to the Quarter Master General, Colonel Allen, out of the amount granted in supply for miscellaneous expenses, £100—agreed to 21 to 5. Bill to incorporate Pirate Brook Company agreed to. Adjourned at 5.30.

FREDERICTON, March 30. Wilnot presented a petition from 45 colored inhabitants of Carleton County, praying an investigation into the alleged abduction and sale into slavery of Hoyt, the colored boy, by Raymond.

M'Clellan moved an address to the Queen respecting the obtaining of a decrease in the rates of pilotage into ports in the United States. End moved an amendment that a select Committee be appointed to consider the question; both negatived.

End presented a petition from Earl Regent and 111 others of St. John, praying Legislative interposition to prevent the importation of highly detrimental liquors into the Province.

A Bill relating to the fisheries of Reservoirs was agreed to. Also a Bill to incorporate the Richibucto and Shediac Telegraph Company.

House went into Committee of the whole on petitions in favor of the Petricodiac Bridge. Stedman moved an address that the Governor might direct steps to be taken for the erection of the bridge. It would not cost more than £10,000. Stedman stated that the people were prepared to furnish whatever additional sum it might cost. Not more than £3,000 would be required this year. Long discussion. Resolution negatived—12 to 18.

A Bill relating to the Militia giving the commander-in-chief power to call into operations any section or sections of it, without the rest, was agreed to. A Bill relating to co-partnerships, agreed to.

THE DRILL MOVEMENT IN SCHOOLS.—Public attention seems to have been effectually roused in England to the importance of cultivating the powers of the human frame, while in the early process of development, A Gymnasium, for instance, has been established at Oxford University, and in many other seminaries of learning in England. The most recent indication we have observed, is a great meeting attended by noblemen and others, for the purpose of encouraging Military training in the public schools of the Mother country.—This movement we trust will serve as an incentive to those who advocate a similar system here. As regards the drill movement in public schools, we are happy to be able to say that Nova Scotia has anticipated the Mother country by about three years, and we can assure our Trans-Atlantic friends that wherever it has been adopted, the Masters speak in the highest terms of its beneficial influence over the mind, as well as on the outward bearing of the pupils.—Halifax Journal.

LOSS OF LIFE BY THE HUNGARIAN.—The list of passengers on board the steamship Hungarian at the time she was lost, was published in our columns yesterday.—There were only 22 cabin and 24 steerage passengers on board, total 46—and not 125 as we had it in by telegraph yesterday.—The officers and crew on board were, in the sailing department 40, in engineer's department 29, and in the victualing department 103—total 172—total of passengers and crew 149. This comprises all the souls.

Mr. Robertson, the Purser of the Hungarian, was on board the Indian when she was lost.—Portland Argus.

In Cleveland, Ohio, an aged negro died, as was supposed, and his friends proceeded to bury him the next day. On the way to the graveyard the horse took fright, threw the coffin down an embankment and smashed it up. What was the horror of the followers to behold the gray headed negro rise from the ruins enveloped in his shroud and staring as though he did not know what it all meant! They fled in dismay, but the lusty voice of the negro recalled them. He had been in a swoon, and the jar of the smash up aroused him to consciousness, but for which "old Jakey" as he was called, would have gone to his narrow resting place before his time. He is now over 70, but thinks he will stand it a long time yet.

Another tenement House in New York was burned this week, and it is known that at least ten persons perished in the fire.—Six families lived in the house. They were asleep when the fire broke out on the lower stairway, and egress was rendered impossible for those who slept in the back rooms of the upper stories. One woman when badly burned jumped from a four story window and broke her thigh.

Mr. Gladstone, in replying to a clergyman in Wales, complaining of the pressure of the income tax, says the cause of this tax is not in the will of a Minister, but in the will of the nation which now thinks fit to spend £36,000,000 a year on supply service, instead of £21,000,000, and tells his correspondent that he has not observed on the part of the clergy any desire to check expenditures.

An announcement has been made in the Canadian Parliament, by a member of the Government, lately a delegate to England, that the British Ministry would give no pecuniary encouragement at present to any route of Railroad passing through New Brunswick from Canada.

In Cleveland last week a young woman to all appearance died. An attendant went to "lay out" the supposed corpse, but was nearly frightened to death herself when she entered the room at seeing the deceased sitting up in bed. The "defunct" is in a fair way to recover.

The New Orleans editors are in ecstasies over the fine spring weather they are having there. Vegetation has taken a fresh start, and the Pigeons talk temptingly of roses, orange blossoms, daffodils, daisies and violets. The fruit trees, too, are blooming luxuriantly.

Lord Brougham has introduced a bill in the English Parliament to exempt prisoners from the necessity of pleading guilty or not guilty to indictments.

The Prince of Wales will come to America in a war steamer which will take him from port to port.

Two Nova Scotians have lately been elected members of the Legislature of New Zealand.