

suggest that advantage should be taken of the circumstance of a Bill now being before the Imperial Parliament relating to the medical profession, by inserting a clause in it repealing those provisions of the said Acts which affect Canada."

The petition of the Ontario College, which was incorporated in 1869, stated nearly the same points, and urged that a grave injustice would be done to the Canadian institutions if the qualification of the various licensing bodies of Great Britain and Ireland should, through the medium of the British Medical Registrar, entitle persons holding these licences to practise medicine in the Province. These claims were submitted to legal opinion by the Imperial Government and also by the General Medical Council. The reply of the Parliamentary counsel was as follows:

"The petition of the College of Physicians and Surgeons of Ontario is based on an entire misapprehension of the law. They assume that the Act 31 and 32 Vic., cap. 29 (which authorized Colonial Legislatures to enforce the registration, within their jurisdiction, of persons registered under the Act of 1858) gave to persons registered in the Medical Register of the United Kingdom a right to practise in the colonies. This is not so. The Act of 1858 (21 and 22 Vic., cap. 90), which was in force at the time when the College of Physicians and Surgeons of Ontario was established, when the Canadian Federation Act was passed, gave to practitioners registered in the Medical Register of the United Kingdom a right to practise throughout the Queen's dominions. The Act 31 and 32 Vic., cap. 29, relaxed the law in favor of the colonies by allowing a Colonial Legislature to require registered United Kingdom practitioners to be registered in the Colonial Register, but it preserved the right of those practitioners by allowing them to claim registration as of right. Under this Act, if the Ontario Legislature requires medical practitioners registered in the United Kingdom to be registered in Ontario, the Ontario Registrar is bound to register them; but otherwise the Ontario Registrar is not bound to register them, although unable to prevent their practising without being registered. It is true that a person may be registered in the Medical Register of the United Kingdom for a medical qualification or a surgical qualification alone—a defect which the pending Bill proposes to remedy by requiring a double qualification for registration; but at present registration will not entitle the possessor of a surgical qualification to practise medicine, or the holder of a medical qualification to practise surgery, inasmuch as under section 31 of the Medical Act, 1858, he is only entitled to practise according to his qualification. The Privy Council of Canada have not

committed the mistake as to the law which the Ontario College have done; but they omit to notice that at the time the Act of 1858 passed, the Ontario College did not exist; and, indeed, for all that appears there may have been at that date no licensing body whatever in the British North American Provinces. Nor are the Privy Council correct in stating that the Act of 1868 is a greater interference with their self-government than the Act of 1858, because the Act of 1868 does not compel a colony to register United Kingdom practitioners, but authorizes a Colonial Legislature to do what it could not do under the Act of 1858—namely, to require a registered United Kingdom practitioner to be re-registered in the colony. To preserve the rights conferred by the Act of 1858, it was necessary to provide that if the Colonial Legislature itself requires such registration it shall not take away those rights, and shall be bound to register such a practitioner without further examination. The interests of Canada would appear to be to maintain the privileges given by the Act of 1858, as, if the pending Bill passes, a holder of an Ontario diploma will be able to be registered in the United Kingdom Register, and thus be able to practise under his Canadian diploma throughout her Majesty's dominions."

The opinion of Mr. Ouvry, for the Council, was to the like effect, and the president, in reply to the Privy Council Department, said the Medical Council had aimed to procure equal privileges for all who were equally deserving, and would greatly deplore any action by the Home Government or by the Colonial Legislatures which should check, or tend to check, this result.

The correspondence was entered on the minutes.

QUEBEC MEDICAL BILL.

There is at present a Bill before the Legislature of Quebec, to amend and consolidate the Act relating to the medical profession in that Province. It was introduced by the Hon. Dr. Church and has passed the second reading. According to the provisions of the Bill, the profession of Quebec is to be incorporated under the name of the "College of Physicians and Surgeons of Quebec." The affairs of the college are to be conducted by a board of governors, forty in number, elected for three years, thirty to be chosen from among the members of the college, and ten to be nominated by the universities, colleges and incorporated medical schools, viz., the University of Laval at Quebec two, Uni-