

Craig, Crawford, Dana, Dryden, Evanturel, Fallis, Farwell, Ferguson, Field, Garrow, German, Gibson (Hamilton), Gibson (Huron), Harcourt, Hardy, Harty, Hiscott, Hobbs, Howland, Kerns, Langford, Little, Loughrin, McKay (Oxford), McKay (Victoria), McKee, McNish, Magwood, Marter, Matheson, Meacham, Middleton, Miscampbell, Moore, Mowat, Mutrie, O'Keefe, Paton, Preston, Reid (Addington), Richardson, Robertson, Robillard, Ross, Ryerson, St. John, Stratton, Truax, Whitney, Willoughby, Wood—55.

THE MEDICAL ACT.

Public bills came next, and after Mr. Platt's bill amending the general road companies act had been withdrawn and Mr. Robillard's bill to amend the ditches and watercourses act had been given its second reading, Mr. Haycock moved the second reading of his bill to amend the medical act, supporting the bill in a speech of some length. The object of the bill, he said at the outset, was to allow free trade in medicine, to allow men to practise their profession without let or hindrance. They desired, he said, to give the public as much protection as is enjoyed by them at present. Under the present system a medical examination is imposed by the council upon the students graduated from the medical colleges of the Province, the argument being that as there are five competing medical colleges they may seek to attract students by lowering the standard. But, Mr. Haycock urged, it was the duty of the Government to protect the public itself, and not to devolve this responsibility upon an irresponsible body of men. There is at present, he went on, a uniform matriculation examination imposed upon the colleges by the Government, and the Patrons claimed that if a matriculation examination could be imposed, a uniform final examination could be imposed, instead of, as it is now, when the graduates of the colleges have to pass a third examination, which latter he thought unjust. Mr. Haycock went on to state that under the system now followed from \$10,000 to \$12,000 is paid by the students each year to the Council, that the examination costs some \$2,000 of this, and that sufficient return was not made by the council to the medical profession for this. The Law Society takes fees from the law students in a somewhat similar manner, but supplies the legal profession with reports, and performs other services, while all that the medical man receives back is one two-thousandth share in an unprofitable real estate venture in Toronto on Bay street. The \$100 paid was as much a system of protection as a 25 per cent. duty on cloth, and it was inter-Provincial, and not Dominion, as is the case with the cloth duty.

It was a poor compliment to the educational system which was said to be the best on earth to say that the public must be protected from the men turned out from the medical colleges.

Mr. Haycock then outlined the main features of the bill. One feature was the abolition of the medical court, which has power to bring medical men before it for breaches of professional etiquette. In that court the same man could be plaintiff, witness, and could almost sit on the committee, and be the executioner also. That was an amount of power which should not be given to any such body of men, and with regard to the power possessed by the council of depriving medical men of their license for unprofessional conduct, Mr. Haycock remarked that the council could not define what unprofessional conduct really is, except with regard to the cases before them, so that the decision was not made until the offence for which a man is tried has been committed. He was opposed to any man having a right to be tried in a star chamber court. Other features of the bill were the definition of unprofessional conduct, details of which were given by the Patron leader, the giving to medical men the right to appeal from their court, the extending of the liability of medical men to actions from one to two years, and the placing of the collection of the annual fee in the Division Court instead of as at present.

THE SIX MONTHS' HOIST.

Mr. Stratton moved with a general criticism of the bill, which was embodied in his amendment that the bill be given the six months' hoist. He held that Mr. Haycock had not made out a strong case, and that the medical act as settled three or four years before was, except, perhaps, in one or two minor points, a satisfactory settlement of the medical profession. The

present bill, he contended, most sweeping and injurious and he insisted that the medical in the Province should be consulted before passing such a bill. Interference with the tariff of fees, he thought, would be parallel with interference by the Government with the fees set by the Patrons in their lodges. He concluded with a detailed review of the points attacked by the bill and the amendment already given.

Mr. Haycock immediately availed himself of the fact that the amendment put him in order, and spoke briefly in reply to Mr. Stratton. As for leaving the matter to the medical men, he said, they might as well wait till the manufacturers asked for a reduction of the protection given to them, or for the Senate to move for its own abolition. As for the statement that the legal profession has a similar control over its members, he replied that two wrongs do not make a right. Mr. Stratton's analogy between the medical tariff and the Patrons did not hold good; there would be some analogy if a law were proposed not allowing any man to practise farming unless he joined the Patrons. Mr. Haycock argued strongly on behalf of his bill, and concluded by seeking to move an amendment to the amendment to commit the bill to a special committee, but the Speaker ruled this out of order.

THE PREMIER'S SPEECH.

Sir Oliver Mowat said the bill appeared to him to be a bill which was not in the public interest, and which should not receive the approbation of the House. The medical profession was one of the most important of all the professions with which people had to do. It was a learned profession, and there was, he believed, no country in the world where it stood higher than in this Province. It was an honorable profession, and in that respect it was, he thought, unsurpassed in any country in the world. The bill was revolutionary, and a strong case should be made out as to its necessity before the House should be induced to pass it. There were one or two features of it which he considered might be worthy of consideration, and perhaps the House might conclude to pass them. But it was the main principles of the bill which the House should look at. He agreed with the promoter of the bill that special legislation and special powers were given to the medical profession only for the better service of the public. He agreed, too, that the profession should be allowed to use them only so long as they were used for that purpose. Criticizing the bill, Sir Oliver replied to the statement that the fees paid by medical students upon entering their studies were too high. Without going into the details of whether they were or were not, he pointed out that at any rate they went to benefit the profession, and so eventually to the benefit of those who paid them. They did not go into some general fund belonging to the country, nor into some foreign fund, and they were appropriated by medical practitioners. The promoter of the bill had been especially severe in his criticism of the powers which the medical profession has of dealing with its own members. What were those powers. The fault or crime (to use the hon. member's words) which must be proved before a member can be stricken off the roll was something that amounts to a felony, something that amounts to a misdemeanor or something that amounts to infamous or disgraceful conduct. Did the people of the Province want felons practising among the medical profession, or men guilty of an offence which amounts to a misdemeanor, or of conduct which is infamous or disgraceful? Yet that must be shown before a name can be struck off the roll. The medical men were interested in purging their profession of that kind of persons. But since 1857 only nine cases out of the two or three thousand medical men had been tried under the authority which the profession have to try cases. Of these nine only four were convicted, and these only after repeated trials. And in these cases the evidence was so conclusive that only one ventured to avail himself of the power of appeal to a Judge of the High Court. In this case the Judge said that the offence was clearly proved and he complimented the Medical Council upon the manner in which the case had been conducted.

Sir Oliver submitted that the whole case for the present bill broke down. There was no ground at all for a revolutionary proposal, no pretence that the power given to the medical profession had been abused or that anyone had been unfairly dealt with. There was,