

MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA.

AN APPEAL TO CONGRESS.

The Medical Society of the District of Columbia, at their meeting held 12th January, 1870, appointed Drs. Lovejoy, Toner and Lieberman a committee to draft a statement of facts explaining the status of the Medical Society of the District of Columbia, with reference to the proposed action of Congress for the repeal of its charter. That committee made the following report, which was adopted and ordered to be published:

AN APPEAL.

The Medical Society of the District of Columbia, which has existed in this community for more than half a century, having been lately assailed, and a resolution, founded upon statements evidently derived from sources at once malicious and false, having been introduced into the Senate of the United States to repeal its charter, in the following terms:—"Resolved, That the Committee on the District of Columbia be directed to consider the expediency of repealing the charter of the Medical Society of the District of Columbia, and of such other legislation as may be necessary in order to secure for medical practitioners in the District of Columbia equal rights and opportunities without distinction of color;"—this society deems it respectful and due to its own dignity to give a public explanation of its actions in order that it may be exonerated, in the opinion of all just men, from the charges which have been brought against it by designing and interested enemies.

It has been charged that this society has, with prejudice and a tyrannical exercise of the powers conferred on it by its charter, refused to certain individuals chartered rights which they could equitably demand.

The falsity of this charge will be apparent upon an examination of the provisions of the charter.

1. The charter requires that the society shall elect a board of examiners "whose duty

it shall be to grant licenses to such medical and chirurgical gentlemen as they may, upon a full examination, judge qualified to practice the medical and chirurgical arts, or as may produce a diploma from some respectable medical college or society."

2 It imposes a penalty upon any one venturing to practice without such a license.

3. It forbids the society "in anywise to regulate the practice of medical or chirurgical attendance on such persons as may need those services, or to establish or fix a tariff of charges for medical attendance or advice, or to interfere, in any way, with charges or fees for medical attendance or advice."

4. The privilege is given by the same instrument to the society that its members "MAY elect into their body such medical and chirurgical practitioners, within the District of Columbia, as they may deem qualified to become members of the society.

With respect to the first of these—that is, license after examination—nearly every respectable practitioner of medicine who has settled in this District desirous of fulfilling the requirements of the law, has applied for and received the license from the board of examiners, and in no case has this license been refused to a person passing the required examination. Even the colored physicians who now complain have received their license immediately after examination and payment of the fee invariably paid by all applicants for license. The board has granted the license in every instance, without any distinction or restriction when the proper qualifications have been ascertained to exist.

2. The Society has on very rare occasions deemed it expedient to have the legal penalty inflicted upon persons for practising without the aforesaid license, and then only for the protection of the public against notorious and swindling quacks.

3. The Society has never, in a single instance, by forbidding consultations or restrict-

ing them in any way, infringed any provision of the charter forbidding interference with "the regulation of the practice of medical attendance." But, debarred from the exercise of these powers in the Society, the medical practitioners of this District many years ago organized a voluntary society, known as the Medical Association of the District of Columbia, and in that association have made regulations with respect to medical ethics, including the regulation of consultations, fees, &c. The regulations of this voluntary association have been confounded with the acts of the Society, and the latter body is thus made to bear the credit or the odium of regulations not properly chargeable to it. The existence of this second body, the Medical Association, is not fully known by the public or some of the profession as it should be, and in the charges made against the Society in Congress there was a marked evidence of this confusion.

4. By reference to the fourth provision of the charter, as stated above, it will be seen that membership is not a right compulsory on the society to grant when applied for, and that the society has, in fact, in the exercise of its legitimate right on more than one occasion, rejected candidates for membership; and it has thus refused those individuals, not as a right which they could demand, but a benefit which it was optional with the society to bestow.

Every man, be he Chinaman, Choctaw or African, whether he may think proper to practice hydropathy, sorcery, homœopathy, clairvoyance, or any form of quackery, has a right under the law to demand of the board of examiners a license or certificate on presenting a diploma from a respectable medical college or passing the required examination. It would therefore be absurd to insist that every licentiate should necessarily be entitled to the privileges of membership, which, briefly stated, consist of social reunion for medical discussion, and the election of officers annually.

The medical society for a series of years has held weekly meetings for the discussion of medical subjects, and these meetings have been of the nature of social reunions, and of course each member has exercised his right in the selection of his associates. To question his right to vote in the election of mem-

bers as he may deem proper would be an unwarrantable infringement of his franchise.

Shall the existence of the society be threatened because a majority of its members have held and acted upon the belief that the admission of certain persons as members would render the attendance upon these meetings so distasteful as to insure their cessation, and thus, far from benefiting the complainants, destroy the usefulness of the society?

In fine, the license from the board of examiners conveys all the rights which this society can confer. The privilege of membership is merely a privilege of association and social reunion, and it is for entrance into this social reunion that the friends of the colored physician are clamorous, and not only threaten to destroy the society unless admitted, but have boldly demanded, in public meeting, that the charter be taken away from the society; and among the prime movers in this attempt to effect the destruction of the society are certain individuals who have settled amongst us of late, have received the courtesy of its members; yet, while retaining their membership, they are plotting its destruction.

It will thus be seen that the charter secures to all medical practitioners, without distinction, rights dependent only upon certain moral and intellectual qualifications, and that the society has never desired nor attempted to interfere with or deny those rights. It will also be seen that it leaves the question of membership as one of optional and social association.

This society does therefore most solemnly, in the presence of the public, protest against a tyrannical attempt to punish it for the exercise of an undoubted and legitimate right, and in the absence of any express legislation to meet the emergency, the opposition to which might then be justly chargeable to the society as a misdemeanor.

J. W. H. LOVEJOY, M. D.,
C. H. LIEBERMANN, M. D.,
J. M. TONER, M. D.
Committee.

—
W. P. JOHNSTON, M. D.,
Pres't Med. Society, D. C.

WM. LEE, M. D.,
Secretary Med. Society, D. C.