



# Medical Act 1860

## 1860 CHAPTER 66

An Act to amend the Medical Act (1858)

[6th August 1860]

WHEREAS by "The Medical Act, 1858," it is provided that it shall be lawful for Her Majesty to grant to the Corporation of the Royal College of Physicians of *London* a new Charter, and thereby to give to such Corporation the Name of " The Royal College of Physicians of *England*," and to grant to the Corporation of the Royal College of Physicians of *Edinburgh* a new Charter, and thereby to give to the said College of Physicians the Name of " The Royal College of Physicians of *Scotland*," and to grant to the Corporation of the King and Queen s College of Physicians in *Ireland* a new Charter, and thereby to give' to such Corporation the Name of " The Royal College of Physicians of *Ireland*;" but Provision is not made by the said Act for reserving to the said Colleges, and the Presidents and Censors, Fellows, Members, Licentiates, and Extra Licentiates thereof respectively, by their said new Names, the Powers, Privileges, Liberties, and Immunities to which they are respectively entitled by their existing Names, and Doubts have arisen whether, in case of the Acceptance by these Colleges respectively of new Charters under such altered Names respectively, the said Powers, Privileges, Liberties, and Immunities would legally attach and be preserved to them, and it is expedient that such Doubts should be removed : And whereas by an Act passed in the Fourteenth and Fifteenth Years of the Reign of King *Henry* the Eighth, intituled *The Privileges and Authorities of Physicians in London*, certain Letters Patent,' dated. the Twentythird Day of September, in the Tenth Year of the Reign of His said Majesty, whereby certain Physicians in *London* therein named were incorporated by the Name of " The President and College or Commonalty of the Faculty of Physic in *London*," were ratified and confirmed ; and by the said Act it was enacted, that the Six Persons named in the said Letters Patent, and Two more of the said Commonalty to be chosen by them, should be called Elects, and that the said Elects should yearly choose One of them to be President of the said Commonalty, and that as oft as any of the . Places of the said Elects should become void the Survivors should choose and admit One or more, as Need should require, of the said Faculty to supply the Number of Eight Persons, and that no Person should from thenceforth be suffered to practise in Physic through *England* until he be examined by the said President and Three of the said Elects, and have from them Letters Testimonial, except he be a Graduate of *Oxford* or ' *Cambridge* : And whereas the main Function of the said Elects, viz., that of examining and granting Letters Testimonial, has been virtually superseded by the said Medical Act, and they have ceased to grant Letters Testimonial in accordance with the Provisions contained in the last-recited Act ; and it is therefore expedient that the before-recited Provisions should be repealed :

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

## **I Interpretation of Terms.**

The Expression in the Medical Act and this Act " The Corporation of the Royal College of Physicians of *London*" or " The Royal College of Physicians of *London*" shall be taken to denote the Corporation of " The President and College or Commonalty of the Faculty of Physic in *London*"

## **II New Charters may be granted to the Colleges.**

Any new Charter which, under the Provisions of the Medical Act, shall be granted to the Corporation of the Royal College of Physicians of *London*, may be granted to them either by and in the Name of the Royal College of Physicians of *London*, or, as provided by that Act, by and in the Name of the Royal College of Physicians of *England* ; and any such new Charter granted to the Corporation of the Royal College of Physicians of *Edinburgh* may be granted to that College either by and in its present Name, or, as provided by the Medical Act, by and in the Name of the Royal College of Physicians of *Scotland*; and any such new Charter granted to the Corporation of the King and Queen's College of Physicians in *Ireland* may be granted to that College either by and in its present Name, or, as provided by the Medical Act, by and in the Name of the Royal College of Physicians of *Ireland*.

## **III Colleges to retain all existing Rights, notwithstanding Change of Name.**

The granting of new Charters to the said Corporations respectively by and in the altered Names and Styles respectively, as provided in the Medical Act, shall not, in respect of such Alteration of Name or Style merely, alter or affect in any way the Rights, Powers, Authorities, Qualifications, Liberties, Exemptions, Immunities, Duties, and Obligations granted, conferred, or imposed to or upon, or continued and preserved to the said Corporations respectively, and the respective Presidents, Censors, Fellows, Members, and Licentiates thereof, by the respective Charters and Acts of Parliament relating to the said Corporations respectively, or by the Medical Act, the Act to amend the Medical Act, the Medical Acts Amendment Act, 1860, and this Act respectively; but the said Corporations respectively, and the respective Presidents, Censors, Fellows, Members, and Licentiates thereof, shall, notwithstanding any such Change of Name and Style, have and retain all such and the same Rights, Powers, Authorities, Qualifications, Liberties, Exemptions, and Immunities, and be subject to all such and the same Duties and Obligations, as if such new Charters respectively had been granted to them by and in their respective Names and Styles as then existing.

## **IV Colleges to hold Property notwithstanding Change of Name.**

Each of the said Corporations shall also, notwithstanding any such Alteration of Name or Style, have, hold, and enjoy, and continue to have, hold, and enjoy, all Lands and other Real and Personal, Heritable and Moveable Property belonging to such Corporation, either beneficially or in trust, at the Date of the granting of such new

Charter, and may execute and perform any Use or Trust for the Time being vested or reposed in such Corporation.

**V Provisions in 14 & 15 Hen.8 c.5 as to the Elects repealed.**

So much of the Act of the Fourteen and Fifteen *Henry* the Eighth, Chapter Five, as relates to the Elects of the said Royal College of Physicians of *London*, and their Powers and Functions, shall be and the same is hereby repealed, but this Repeal shall not prejudice or affect the Rights and Privileges of any Persons to whom the said President and Elects may have granted Letters Testimonial; and all Trusts which by any Deed, Gift, Devise, or Bequest are vested in, or to be executed or performed by the Elects, or some defined Number of them, shall vest in and accrue to, and be executed and performed by the Censors of the said College for the Time being as if the Name of the Censors had, in such Instruments respectively been used instead of that of the Elects, and the Office and Name of Elects of the said College shall henceforth wholly cease and determine.

**VI Election of the President of the Royal College of Physicians of London.**

The Office of President of " The Royal College of Physicians of *London*" shall be an annual Office; and *Thomas Mayo*, Doctor of Physic, the now President of the said Corporation, shall remain such President until the Day next after *Palm Sunday* in the Year One thousand eight hundred and sixty-one, when he shall go out of . Office ; and the Fellows of the said Corporation shall, at a Meeting to be holden by them for that Purpose, on the same Day, and on the same Day in every subsequent Year, elect some One of the Fellows of the said Corporation in such Manner as shall be provided by any Byelaw or Byelaws made in that Behalf by the said Corporation, and for the Time being in force, to be President of the said Corporation, but the retiring President shall always be capable of being re-elected, and every President shall remain in Office until the actual Election of a new President; or in case of the Death, Resignation, or other Avoidance of any such President before the Expiration of his Year of Office, the said Fellows shall, at a Meeting to be holden by them for that Purpose, as soon as conveniently may be (of which due Notice shall be given), elect One other of the Fellows of the said Corporation in such Manner as aforesaid to be President for the Remainder of the Year in which such Death, Resignation, or other Avoidance shall happen, and until such Election the Duties of President shall be performed by the senior Censor for the Time being.