

PROCEEDINGS OF A MEETING

OF THE

FULTON COUNTY MEDICAL SOCIETY.

Embracing the Report of Dr. T. S. Powell, as a Delegate to the late Annual Meeting of the American Medical Association; together with the Report of the Committee to whom was referred the action of the Georgia Medical Association.

ATLANTA, GEORGIA, }
OFFICE FULTON COUNTY MEDICAL SOCIETY. }

At a meeting of the Society, held June 17th, 1870, after the transaction of the regular business, Dr. E. J. Roach introduced a resolution, which was unanimously agreed to, requesting Dr. T. S. Powell to read his Report upon the proceedings of the American Medical Association, to which he was a delegate from the Georgia Medical Association, and which report, he had prepared at the request of the Society.

Dr. Powell then submitted the following Report: *Mr. President, and Gentlemen of the Fulton County Medical Society:* Having attended the recent session of the American Medical Association as a delegate from the State Association of Georgia, and having been appointed to represent the interests of this Society in that body, and having been requested to submit the results of its action, as well as such observations deemed of value, which may have been suggested by such action, I beg leave to submit the following report.

The Association was called to order by the President elect, Dr. Mendenhall. The style and substance of his inaugural address are so striking and important, that I must ask the privilege of speaking of it more particularly, when I come to notice the new thoughts and facts brought out by this meeting—and it would hardly be in order or in taste, to speak at all of the opening scene without saying, that of course W. B. Atkinson, of Philadelphia, the permanent Secretary, was there with his cheerful and obliging manner, ready and prompt in the discharge of every duty.

The first business of importance was the majority and minority reports from the Committee on Credentials. The majority report excluded delegates from the National Medical Society of the District of Columbia, American Academy of Medicine of the District of Columbia, Howard University Medical College, Alumni Association of the Medical Department of Georgetown College; also the three city Hospitals. It appeared from the discussion and the facts stated by Dr. Johnson, the President of the Medical Society of the District of Columbia, and which were undisputed, that Congress had chartered that Society over which he presided, prescribing as one of its duties, that it should license any person to practice medicine in the District who should present a Diploma from a legal and regularly organized and recognized Institution, and upon examination should be found well qualified. Two colored men applied for license, and having made a satisfactory showing, were licensed in obedience to that injunction of the charter. These colored men afterwards applied for membership of that Society or Association, and they were rejected. The power to receive or reject at discretion being clearly given to the Society in its charter. Thereupon a number of the members of the Society, without withdrawing from it, organized another Society called the National Medical Society. In the papers submitted to the Committee on Ethics, it was made evident that this new Society, not only recognized, and received as members these colored men, but men who were neither licentiates or graduates, which was a direct violation of the Ethics and Charter of the old Medical Society to which many members of the new Medical Society had subscribed and had never withdrawn, and further, the Committee also stated that it was fully proved by the members of the National Medical Society themselves, who appeared voluntarily before your Committee as witnesses, that the new Society, known as the National Medical Society, of the District of Columbia, had in its capacity as a Society, and by its individual members misrepresented the action of the Medical Society, and the Medical Association of the District of Columbia, and used unfair and dishonorable means to procure the destruction of the same by inducing Congress to abrogate their Charter.

The Committee on Ethics to whom these reports from the Committee on Credentials were referred, reported that the charges lodged with the Committee of Arrangements against the eligibility of the National Medical Society of the District of Columbia, have been so far sustained by abundant proof, and recommended that no member of that Society be received as a delegate at the present meeting of this Association, which recommendation was adopted by a very large majority, which, of course, excluded all other delegates, no matter from what other organization they might have presented credentials, provided they were members of this National Medical Society that had been refused representation on Ethical and moral grounds, and not color. These facts show that though an individual may be a member of a regular society, yet when this individual becomes a member of another society or institution that is repudiated, or when he affiliates with men who are not recognized by the profession, it then becomes the duty of his Society to relieve itself from the reproach by the expulsion of the member or members who are guilty of these unprofessional affiliations. The adoption of the report by Dr. Stille on Ethics fully endorses this principle.

Delegates from one or more local Societies in Massachusetts, charged other Societies of that State, whose delegates were there present with affiliating with individuals who were in the habit of consulting, and otherwise recognizing as regular Physicians, persons or Practitioners, who were not recognized as regular by the American Medical Association, and by well organized State and local Societies—Societies recognizing the Ethics of the Profession. They charged that some members of these Societies, recognized by the American Association as good and legal representatives, were accustomed to consult with Homeopaths, and other irregular practitioners, and still maintain their connection with their local or Home Societies. These charges were referred to a special Committee on Ethics, which reported back these cases to the Association with recommendation that all local Societies and State organizations must relieve themselves of all connection, or affiliation with persons or organizations against which any charges of irregularity or unprofessional conduct may have been proven. Thus adopting the regulation that no question involving the moral character or professional standing of a delegate shall be considered or discussed by this Association, except upon appeal from the decision of some State or Local Society. All such questions must be investigated and decided in the first instance by the authority, or organization having primary jurisdiction. And the opinion was clearly expressed in this report, that where Societies or Associations, after notice of charges of irregularity fail to correct the error or evil in question, that they themselves would be dealt with and denied representation.

These adjudications in their ultimate results are eminently wise and just, and require our consideration and endorsement. The wisdom of their decisions is shown in placing all questions which involve the regularity of an individual on organization before tribunals at home, where all the facts can be readily ascertained and acted upon.

Again these adjudications are wise and just because they emphatically and finally declare that the very highest medical authority, and the very highest code in Medical Ethics will not tolerate irregularity or insubordination to legitimate authority.

These adjudications declare that there is but one

avenue by which access to social and professional intercourse with the first men of the nation in the profession can be obtained, and that is by a careful observance of the highest order of courtesy, both by individuals and by organizations and by a strict observance and a stern defense when assailed; of the long established usages, and of all the peculiar and sacred rights and privileges of the profession.

The address of the President was very strong, original and practical. This address is striking in its heartfelt annunciations of the harmony and brotherly love prevailing and increasing in the profession at large, and especially among the members of the American Medical Association. It gratifies our hearts, when it tells of the noble part borne by members of the profession during the late civil war.

It gratifies our pride in the intellect and the scientific attainments, now numbered in the profession, when it gives the catalogue of the writings of its professional men. This address announced the accomplishment of the great and most valuable truth that this American Association had the moral power to enforce its enactments upon the important questions claiming its attention from time to time. It discloses with great force and truth all the difficulties in the way of the elevation of the standard of Professional Education, and Professional Progress.

The Committee on Ethics, to whom was referred the charges made at a former session, against the Atlanta Medical College reported that the charges made were true and fully sustained by the facts—but as the Legislature had taken the matter in hand, and repealed that feature of the charter which made the ground work of these charges, they asked to be discharged from the further consideration of the subject, and they further expressly approved the action of those gentlemen who brought this case of irregularity to the attention of the American Association.

It will however be born in mind that this action of the American Medical Association does not go any further than to relieve the College, or the Board of Trustees, from the condemnation under which it was placed, in consequence of the procurement by the Faculty, of the adoption of a certain amendment of its Charter, and the charges of irregularity practiced by the Faculty during the time said faculty conducted the College under said amendment, commencing in 1866. It affords no relief to those who received their diplomas since 1866, by authority of the amendment. But leave, all that was done under the amendment just as was declared by a resolution by the old Board of Trustees and endorsed by the present Board, and the Georgia Medical Association irregular and unprofessional. It does not touch the existing relations or the existing issues between the Faculty of this College and the Medical Association of Georgia. And under the rulings of the late session of the American Medical Association, can never touch those issues, for under these rulings neither the College, its students, or graduates, can be recognized by any regular institution or member of the profession in this State or in the United States, until the College and its Faculty are recognized as regular and in good standing by the Georgia Medical Association.

And now as bearing upon this subject of the relations which should be preserved between the American Association and all other State and Local organizations, I call attention to the resolution adopted at the late session, that the American Medical Association shall and ought to control the subject of Medical Education, and determine what shall be the preliminary literary attainments prerequisite upon entering upon the first day of pupillage of a medical student; what shall be the length of pupillage prior to entering a medical college; what the number of teachers required; what the rates of tuition; what the length of time in college shall be, and all else pertaining to medical education, &c.

These details the Association contemplates shall first be acted on and recommended by a convention of medical colleges that are in good standing. But the Association claims the right and the power finally to pass upon all the details mentioned, and to hold and rule, and rightly too, that the peculiar character of its organization, its nationality, its comprehensiveness, and of course its liberality, ought and of right, does make it the tribunal which should settle all subordinate issues, that such an acknowledgment of its influence, and authority is the measure alone by which a standard in education, a standard in ethics, a standard in anything can be established.

The meeting at Washington adopted, almost unanimously, a resolution declaring that no Medical College, or other Medical Institution should be represented in that body, which was not recognized or which had been repudiated by the Medical Association of the State in which it was located. This resolution was then ordered to be made a part of the business of the next session, so that it might be adopted by two meetings, and thus become a part of the Constitution. It is already a clause of the Constitution, that no individual shall be a member of this Association who has been expelled from any State or local Society. With such safeguards, the character of the profession is well guarded against depreciation on account of the delinquencies, and irregularities of individuals and local Institutions. These clauses of the Constitution preserve the right to control the whole question of legitimacy and regularity in subordinate Societies and Colleges. And I do not hesitate to say that some such power ought to exist, and that it cannot better be placed than in the American Medical Association—from the character, the nature of its organization, it will always have in it a large number of men, who by their talents, and by their attainments, will be the best expounders of Medical Ethics—the best law givers on any new question or policy which can arise.

The volume of transactions of the Association, embracing the proceedings of the last meeting, will be issued in some two months. It will, perhaps, be the most valuable which the Association has ever published. It should be in the hands of every physician who intends to keep even pace in the ranks of the army of Medical Progress.

And now in conclusion, Gentlemen, I must be allowed to congratulate you and the profession at the general results of the deliberations of the meeting at Washington.

It will be seen that upon the question of Ethics, upon the policy of raising higher the standard of professional integrity, of professional education, the meeting at Washington was for a higher schedule, and the high character and talent which made up that body, make it safe for us to second and endorse their efforts.

Let us then renew our efforts for the accomplishment of the purposes of our organizations. Let us do all in our power to make the organizations, now in existence, that have been formed for the good of the profession, a perfect system, the local and subordinate organizations first creating and then sustaining the higher organization.

Let us make the system so perfect and of such high character and authority, that irregularity and insubordination will finally and completely disappear; that charlatanism and quackery will cease to impose upon popular credulity and to invade the

rights or sully the character of the medical profession.

Let us march forward and abreast with the foremost and best of our brethren, until high scientific attainments united with practical skill—until a love of knowledge and progress shall generate a sound and fraternal bond, and all blended into one mighty, grand and beautiful spectacle, which shall be magnificent to behold.

At the conclusion of the Report Dr. Goldsmith offered the following resolution, to wit:

Resolved, That Dr. T. S. Powell having put the Fulton County Medical Society in possession of important facts by his report of the late proceedings of the American Medical Association—to which body he was an accredited delegate from the Georgia Medical Association, and believing that these facts demand immediate action by the Fulton County Medical Society, in order to distinctly define and clearly establish its code of Ethics, in accord with that of the American Medical Association and the Georgia Medical Association; and to plainly set forth our Ethical principles before the profession and people of our community and State; that a committee of three (3) be appointed by the President, to whom shall be referred the report of Dr. Powell, and all matters appertaining to questions arising from that report in connection with the late action of the Georgia Medical Association, for the action of this Society; and that said committee are hereby instructed to report at once what action it becomes this Society to take in the premises and under the circumstances.

The report and the resolution were referred to the following Committee: Dr. W. T. Goldsmith, Dr. E. J. Roach, and Dr. W. C. Asher, who having retired for deliberation, submitted the following preamble and resolutions:

The Fulton County Medical Society, venerating the Ethical principles which have for many decades guided and characterized the true exponents of our profession; and feeling that an honest and candid utterance of these principles, based upon, and enforced by the organic law of its own creation, as well as that of the Georgia Medical Association and the American Medical Association, is not only just and proper, but obligatory. Therefore, disclaiming all motives other than those inciting honorable gentlemen to correct action—recognizing within the realm of Medicine no subverter of its Constitution and Code of Ethics, destructive alike to its integrity and life—the Fulton County Medical Society, appealing to the truth of its statements and the honor of our profession, do hereby solemnly declare, that,

WHEREAS, A portion of the Faculty of the Atlanta Medical College, in the year 1858, procured an amendment to the original charter of that institution, without the consent or knowledge of its Board of Trustees, giving to the faculty the power to graduate students at any time, and under any circumstances, to vacate the chairs of the College at pleasure, without the knowledge or approval of the Trustees, and

WHEREAS, The Board of Trustees at their first meeting, after the passage of the above mentioned amendment, passed a resolution declaring that the amendment was illegally procured, and thereby, null and void—repudiating everything the Faculty had done under the amendment, and notifying the Faculty of their action, and

WHEREAS, The Faculty, in violation of the declared action of the Trustees, proceeded to conduct the College under the amendment; procured an injunction against any further action of the Trustees; filled vacant chairs, opened the doors of the Institution, and conferred diplomas upon their students. And,

WHEREAS, These unprofessional acts, affecting the integrity and dignity of the profession, being brought to the knowledge of the Fulton County Medical Society, and the said Society believing them to be in open and direct violation of the Constitution, Ethics, and decisions, both of the Georgia Medical Association, and the American Medical Association. And,

WHEREAS, The Fulton County Medical Society in obedience to the requirements of its Constitution and Ethics, and those of the Georgia Medical Association and of the American Medical Association (of which the Faculty were members), felt itself required (by its Ethics), to report the facts above mentioned to the Georgia Medical Association for its decision and adjudgment. And,

WHEREAS, The Fulton County Medical Society did report by its committee, the above recited unprofessional acts of the Faculty of the Atlanta Medical College; and,

WHEREAS, The Georgia Medical Association, after an impartial investigation of the charges submitted, passed the following preamble and resolutions, to wit:

“WHEREAS, The above amended charter confers unusual and extraordinary powers upon the Faculty of the Atlanta Medical College, whereby they are authorized to confer the degree of M.D. on persons regardless of time or condition, save as to said Faculty may seem fit and proper; and

WHEREAS, The Trustees reject this amendment, and decline to recognize the gentlemen appointed as Professors under its provisions; and

WHEREAS, The Trustees decline allowing their names to appear in connection with the announcement of the next course of lectures, be it, therefore,

Resolved, That this Association having adopted the Code of Ethics of the American Medical Association, cannot recognize the Atlanta Medical College as a regular Institution, nor such persons as may hereafter graduate under the present provisions of that College, as Doctors of Medicine.” And

WHEREAS, The above preamble and resolution were passed April 1868, one month prior to the opening of the Atlanta Medical College, and the Faculty of said College did proceed to open the Institution, deliver lectures, and graduate a class of students under the provisions of the amendment in violation of the action of the Board of Trustees of said College; and

WHEREAS, In October, 1868, the Trustees of the College applied to the Legislature, then in session, to repeal the amendment, which had been procured without their consent or knowledge; and

WHEREAS, The Faculty published and caused to be circulated before the Legislature a memorial, praying to sustain the amendment, and in said memorial preferred charges against the Georgia Medical Association, which the said Association, in April 1869, regarded as of such character as to call forth, in vindication of its action, the following preamble and resolutions, to wit:

“WHEREAS, On the 3d of October, 1868, a pamphlet was published by order of the Faculty of the Atlanta Medical College, and spread before the Legislature and the country, in which it was charged that the action of this Association which repudiated the Atlanta Medical College as a regular institution, had it in “an utter absence of all the elements of truth,” and that the annual session of this Association in 1868, was a meeting of physicians assuming to represent the medical profession of the State, and that such annual meeting was made up almost entirely of the Dr. Powell clique of the city of Atlanta, and of members of rival Schools, and that the whole affair (Association or Meeting) was gotten up and consummated for the purpose of injuring the Atlanta Medical College; that the voice of the State Medical Socie-

ty and of the profession was not heard; that the meetings of this Association are seldom attended by any but resident physicians and a few others, who have some interest to advance; that the annual session in Augusta, as evinced by the names and votes, was a meeting of persons and interests to advance; and

WHEREAS, Every part and insinuation contained in the above recital of charges against this Association are false, and were uttered with a full knowledge at the time of all the facts and circumstances in the case, as they existed then and now—modified by the fact that the course which this faculty were endeavoring to bolster up by such falsehood has been condemned by the Legislature and the country—a modification extremely damaging and condemnatory to them. This Association, with but one dissenting voice at its last session, placed the sentence of condemnation on the conduct of the faculty in procuring the improper amendment to the charter, giving themselves unusual and unwarranted powers. Yet, in the face of the declared opinion of the medical profession, in the face of protest and objection by the Board of Trustees, they went on in disregard of the expressed will of the Trustees and the profession, and held a session and conferred the degree of Doctor of Medicine upon 26 young men, whom they knew would not be recognized as regular physicians by the Georgia Medical Association; all of which conduct is, in the opinion of this Association, derogatory to the character of the profession, and could not have been perpetrated only by men more bent on selfish purposes than with the view to elevate the standard of the profession; and therefore,

Resolved, That a proper self-respect on the part of this Association, requires of the former Faculty of the Atlanta Medical College, a distinct and unequivocal withdrawal of the objectionable language used in their recent memorial, and such withdrawal must be through the public journals of the State.” And,

WHEREAS, It will appear from the above preamble that the charges made against the Georgia Medical Association, were without the shadow of foundation, and the Association declared its unwillingness to re-instate the Faculty of the Atlanta Medical College until they complied with the requirements of the resolution; and

WHEREAS, At the last annual meeting of the Georgia Medical Association, in April 1870, the Trustees of the Atlanta Medical College forwarded to the Association a communication addressed to them by the Faculty, which purported to meet the requirements of the annual session of the Association held in 1869; but which was entirely unsatisfactory. The Association, in obedience to its code of ethics, passed the following resolution, to-wit:

“WHEREAS, The late Faculty of the Atlanta Medical College (composed of Professors Willis F. Westmoreland, John G. Westmoreland, H. V. M. Miller, Wm. S. Armstrong, D. C. O'Keefe, Jesse Boring and John M. Johnson), having failed to comply with the requirements of the Georgia Medical Association, held at Savannah, in 1869, therefore, be it

Resolved, That their names be stricken from the roll of membership of this Association, with the exception of Dr. A. Means, he having complied with their requirements” and

WHEREAS, The Fulton County Medical Society originating in the necessity of its founders to preserve and cherish the principles of Medical Ethics, which have been so signally illustrated and set forth in the above action of the late annual session of the Georgia Medical Association; therefore be it

Resolved, That the members of the Fulton County Medical Society, in vindication of that professional candor, that should characterize those who maintain the principles of our Ethics; whose motives and actions have been either misapprehended or misrepresented by designing parties, hereby declare that their sole object has been, and still is, to advance the interests and uphold the honor and dignity of our noble profession.

Resolved, That the Fulton County Medical Society fully endorses the action of the Georgia Medical Association, recognizing such action as based, without partiality or prejudice, solely upon the Constitution and Ethics of the American Medical Association, which governs its decisions our action as a Society, and as professional gentlemen.

Resolved, That according to the Ethics and late rulings of the American Medical Association, and the action of the Georgia Medical Association, we cannot recognize the Atlanta Medical College or its graduates since 1866, and cannot in the future, as regular; until its Faculty is admitted to representation in the Georgia Medical Association.

Resolved, That we can have no professional affiliation with any one who has been expelled from the Georgia Medical Association, or those who, disregarding the action of the Association, affiliate with them.

Resolved, That we have heard with much gratification the report of Dr. Thos. S. Powell, of the actions of the late annual session of the American Medical Association; and we hereby fully endorse that report and the actions of the Association.

Resolved, That Dr. Powell's report and the proceedings of this meeting, connected with or relating to the same matters of general interest to the profession, be published.

The report of the Committee was unanimously adopted, and on motion, it was

Resolved, That Drs. Goldsmith, Roach and Asher be appointed a Committee to superintend the publication, &c.

W. T. GOLDSMITH, M. D.
E. J. ROACH, M. D.,
W. C. ASHER, M. D.,
Committee.

NOTE.
Enquiry has been made whether the effect of the repeal of the Amendment and the action of the Georgia and American Medical Association would render irregular and deprive of recognition by the Profession the students who graduated after the passage of the Amendment. We reply that it does not make irregular those who graduated previous to the time at which the aforesaid Amendment was put into execution, because the Amendment was procured without the consent or knowledge of the Trustees, and was never accepted by them, a condition necessary to its validity, but on the contrary was rejected by the Trustees at their first meeting after its passage, and because the College was conducted under the old rule and government of the Board of Trustees, as if there had been no Amendment. Up to the time in September 1866, when the Faculty of the College rejected the authority of the Trustees, by an injunction and set up for the first time for themselves under the Amendment. Therefore the graduates of the College from the passage of the Amendment in 1858, up to that time in 1866 are legal and regular, and will be recognized by the profession unless they choose to disfranchise themselves by endorsing the manner which the Amendment was procured. The powers it gave to the Faculty and the action of the Faculty under the Amendment or by affiliating with those who are disfranchised by the said action, and thereby ignoring the decisions of the Georgia Medical Association and the rulings of the American Medical Association.

