

599

Die Veneris, 15^o Junii 1838.

The Lord WHARNCLIFFE in the Chair.

Mr. ABRAHAM KING is called in, and
further examined as follows:

*YOU recollect you were asked Yesterday
respecting a Letter which was sup posed to be signed
by yourself, Mr. Parker, and Mr. Poole, and which
was ad dressed to Mr. Weale; do you recollect any
thing about it now ?*

I think I did send a Letter.

*Is that your Signature to the Letter now shown to
you?*

It is.

Who wrote the Letter?

Mr. Parker.

*You stated Yesterday that you were only
concerned with Mr. Parker and Mr Poole with
respect to Bridgwater Parish, not other Parishes?*

Yes

*It is stated in this Letter, "we at present hold, and
have held these Eight or Ten Years past, the Medical Care
of Fourteen of the Parishes in this Neighbour hood,
comprising that of Bridgwater?"*

Mr. Parker held some, and Mr. Poole held
others, and I held, as I stated Yes terday, the
Bawdrip and Bridgwater; we did not divide the
Profits of that Union; Mr. Parker held some of
the Parishes himself, and Mr. Poole had others,
and I held in connexion with them the
Bridgwater Parish.

How old are you?

I am in my 28th Year.

*Did that relate to you, that you had held those
Parishes Eight or Ten Years?*

No ; that referred to Mr. Parker and Mr.
Poole.

The Letter is put in.

The Witness is directed to withdraw.
GEORGE WARRY Esquire is called in, and
further examined as follows:

*WHEN you first made your Arrangements, in the
Year 1836, did you receive any Suggestions from the
Assistant Poor Law Commissioner with respect to
the Mode of filling up the Medical Districts, and the
Manner in which they were to be paid, and so forth ?*

At the Board on the 12th of May 1836 the
Propriety of dividing the Union into Medical
Districts was referred to a Committee, but
previously to that Mr. Weale suggested the
Mode by which the Salaries were to be
ascertained, and he mentioned so much a Head
as the Mode by which the Payments should be

ascertained; that Suggestion of Mr. Weale's was
kept in view by the Committee to whom the
Division was referred, and was the Scale which
they adopted when they recommended to the
Board the Division of the Union into the Seven
Districts, which the Board afterwards adopted.

*In making the Medical Arrangements, in the first
instance, did the Board rely on their own Knowledge
of what would be a proper Remuneration for the
Medical Officers, or did they take into consideration
Mr. Weale's Suggestions on the Subject?*

I think the Suggestion from Mr. Weale as to
so much per Head upon the Evidence on the
600 Population guided the Committee
generally in the Arrangement of the Districts,
taking into consideration the Districts according
to the State of the Population; where it was
more dense the Committee abated somewhat,
and where it was more scattered there so much
per Head was rather increased, and so the
Committee reported.

Were there Tenders made ?

No.

Was there any particular Sum specified ?

I do not know that I can say positively the
Sum, but I think about 8d, a Head. I think his
Proposition was suggested by a Letter from
some Medical Man, but the Committee bore that
in mind when they arranged the Districts. Mr.
Weale can speak upon that Subject with much
more Accuracy than I can. In speaking
Yesterday of Mr. Axford's Letter, suggesting the
Division of the Union into Districts, the Board of
Guardians directed the Clerk to send a Copy of
that Scheme to each of our Medical Officers; that
was sent in a Letter dated 5th May 1837; in that
Scheme the Subject of Remuneration is taken
up.

Who was Mr. Axford ?

He was a Surgeon in the Town, and one of
the Authors of the Medical Pamphlet.

Can you produce the Letter from Mr. Axford?

I have a Copy before me.

Have the goodness to read it ?

It was sent to the Board on the 5th of May, a
Day on which I was not present; it was
produced by one of the Guardians, in the
Handwriting of Mr. Axford; he says, "Only one
District to be taken by a Surgeon unless he has a Partner.
A Consultation of any Two or more Surgeons of the Union
may be ordered by the Board of Guardians, or, in case of
Emergency, by the Guardian or Guardians of the Parish in
which the sick Pauper resides. The consulting Surgeon or
Surgeons to receive 10s. 6d. if the Case be Midwifery, if
otherwise 1.s. per Mile. Children to be vaccinated every

Year. The Surgeons to be exhorted to assemble and make annually a Report, with such Remarks as may be considered useful to the Guardians. 1. Work house. 2. Bridgwater. 3. Cannington, Wembdon, Charlinch. 4. Otterhampton, Stockland, Fiddington, Beer. 5. Stowey, Over Stowey, Aisholt. 6. Enmore, Goathurst, Durleigh, Spaxton, and Chilton. 7. North Petherton, Broomfield, Michael Church, Thurloxton. 8. Lyng, Othery, Middlezoy, Weston. 9. Chedzoy, Bawdrip, Woollavington, and Puriton. 10. Stawell, Sutton, Moorlinch, Greinton, Ashcott. 11. Shapwick, Catcott, Edington, Chilton, Cossington. 12. Pawlett, Huntspill." A Copy of this was sent by Direction of the Board to each of our Medical Officers by the Clerk. The Medical Officers, on the Receipt of that Letter, wrote the following Letter to the Board; 12th May 1837, signed Abraham King, addressed to the Board:—

"Gentlemen, In answering your Communication, dated the 6th of May, we beg to state, that the Time has been so short that no proper or useful Division of the Districts has been formed by us, and we think it very desirable that both the Convenience of the Poor and the Surgeons of the District should be consulted previous to any further Arrangement. We remain, Gentlemen, your obedient Servants, John Evered Poole, Abraham King." The next Letter is signed William Lakin Caswell, in these Words:—"Sir, In answer to the Letter I received from you the other Day, I beg to state, that there cannot be Four more convenient Parishes in the Union to go together than Huntspill, Pawlett, Puriton, and Woollavington; but if I were asked the Question, I would rather my District stood as it now does. It works quietly and well; I have heard no Complaints of any Sort; and, so far from it being too much, I can do as much again, and should be very happy with the Chance, provided I was only remunerated accordingly. The Board will, no Doubt, see the Propriety of making some Alterations with respect to the Second Poor; but we shall receive the Suggestions of the Board in proper Time. I am, Sir, your obedient Servant, William Lakin Caswell."

601 *What does he mean by the Second Poor?*

Mr. Caswell had written a Letter, stating that he had a great many Second Poor on his List; not Paupers, and not entitled to Medical Relief.

He thought you had been too profuse in giving Relief?

He did not think the Board had, but that some Persons who were not entitled to be relieved as Paupers had got upon his List. Then there is a PostScript, "I do not feel competent to give an Opinion about any other District. I will attend, as requested, on the 18th." The next Letter is one signed by Horatio Nelson Tilsley, in these Words:—"Gentlemen, In answer to the Proposition for the further Division of the Districts for Medical Relief in the Bridgwater Union, I take it for granted that the Board has Two Objects in view ; 1st. the giving prompt Attendance on the sick Poor; and 2dly, making a permanent Arrangement:

and, knowing tolerably well the different Localities, I think that the proposed Subdivision of the present Districts is, generally speaking, convenient for Patients and Attendants. Whether there be any separating Numbers 1. and 2. I leave to the Judgment of those who have better Means than I of forming one, suggesting only, that No. 1. cannot be received as an Hospital where all are sick, but only as a Refuge for the old and young, where occasionally very few will require Attendance. With respect to the North Petherton District, I think Enmore may be withdrawn with Convenience to both Parties; but it is to Broomfield that the greatest Objection lies, in consequence of the Extent of the Parish of North Petherton in the opposite Direction; but since I cannot with reason suggest to what District it should be thrown where the same Objection will not apply, it becomes of course invalid. As regards Goathurst, I think it may be retained with Convenience to both Parties, since the Communication between it and Petherton is intimate and constant, and the Distance short, and, supposing the Surgeon of the District always to reside at Petherton, he will find it convenient, through the Winter Months at least, to pass through Goathurst on his Way to Broomfield. As to the other Districts, it appears to me that they are exceedingly well arranged. In offering these Remarks I have taken advantage of the Solicitation conveyed in the Resolution of the Board, and should be sorry to find I had been obtrusive. I have the Honour to be, Gentlemen, your obedient Servant, Horatio N. Tilsley."

Is the Arrangement to which he refers, that which you have just stated, or the Arrangement stated in Page 61?

I think it referred to the Arrangement Mr. Axford suggested; we had sent them a Copy of those Suggestions; we merely enclosed it, as Mr. Axford's Suggestion, for them to deal with as they thought proper.

Are not those Answers to your Letter enclosing that Suggestion ?

Yes.

Do not those Remarks apply to the Alterations suggested by Mr. Axford?

Not being present at the Board at the Time the Letter of the Clerk was sent, I cannot say. The Clerk's Letter is this:—"By Direction of the Board I send you (on the other Side) a Copy of the proposed Districts for Medical Relief, together with a Resolution of the Board thereon, to which I beg to call your immediate Attention, and to request that you will be pleased to attend personally before the Board on Thursday the 18th Instant, at 10 o'Clock in the Forenoon, to give such Information as the Guardians may require. I am, Sir, your obedient Servant, Rob. Underdown, Clerk."

Where does that Resolution of the Board appear?

On the 5th of May.

The Entry is read, and is as follows:

Evidence to the Parliamentary Select Committee enquiry on the Operation of the
Poor Law Amendment Act.

Day 3 Friday 15 June 1838

Evidence of Abraham King, p599; George Warry, *passim*

Edited by Tony Woolrich — Corrected 04/04/2021

3

"It was resolved on the Motion of T. W. Inman, Esq., and seconded by Mr. Francis Brice, That a Copy of the same be forwarded to each of the Medical Officers belonging to the Union, with a Request that they will, on or before Thursday next, forward to the Clerk any Remarks thereon that may appear to them to be useful, in order to assist the Board in their Consideration of this Subject."

602 *You had not sent any other Scheme?*

No.

After you received that Letter, and before the 18th of May, you had arranged that other Plan which appears in Page 61?

We had arranged nothing before the 18th of May.

You received Answers to those Letters?

Yes.

When did you decide upon the Arrangements which you put into the Advertisement on the 22d of May?

On Thursday the 18th of May, the Day specially appointed for that Purpose.

Why did you upon that Occasion fix upon that Arrangement in preference to Mr. Axford's?

Mr. Axford's was impracticable.

How did it appear to be impracticable?

There was such a Multitude of Districts, it would have been hardly worth while for a Medical Man to have taken Two or Three Villages.

The Medical Men were present previous to your making the Arrangement on the 18th?

Yes.

Of what Nature were your Inquiries of them at that Time?

The Questions put to them were general Questions; it was stated to them that the Board were about to make Alterations in their several Districts, and they were requested to offer any Suggestions or any Observations that they thought useful in assisting the Board to come to a more convenient Arrangement of the Districts.

Alterations of what? Was it the Alterations of the Districts which had existed in the preceding Year?

Yes.

Not Mr. Axford's Suggestions?

No. I hardly think Mr. Axford's Suggestions were much thought of; the Arrangement for the Hill District was stated by that Memorial from the Four Parishes to be so very inconvenient, on account of the Distance of the Medical Officer, that the Board had absolutely determined that that could not be continued.

You had contrived to get over that by agreeing with him to take a Lodging at which he should attend on certain Days?

Yes.

But that had not succeeded?

No; the Parishes complained of the Inconveniences which the Poor of those Parishes had suffered.

Will you read the Remainder of the Answers of the Medical Men after they received Mr. Axford's Suggestion?

The next Letter is a Letter signed Richard B. Ruddock:—"Sir, In answer to the Letter from the Board of Guardians dated May 5th, I beg to state, that I consider the proposed Districts too small, and would suggest the following Arrangement for my own immediate Neighbourhood: No. 1. Stowey, Over Stowey, Aisholt, Spaxton, Charlinch, Fiddington, Otterhampton, and Stockland. No. 2. Cannington, Edstock and Beer, Chilton, Wembdon, Durleigh, Goathurst, and Enmore. No. 1. Stowey, Over Stowey, Aisholt, Fiddington, Stock land, Otterhampton, Cannington, and Edstock and Beer. No. 2. Spaxton, Charlinch, Chilton, Wembdon, Goathurst, Durleigh, and Enmore. The above Arrangement is made on the Supposition that the Parish of Bridgwater will be a District of itself, or united to the Workhouse, and that the Petherton District is too large. Of the Two, I consider the first by far the best. As the Relieving Officer for the whole of the Parishes in No. 1. resides at Stowey, which in any urgent Cases may be of great Importance to the Poor.

603 I think, may go either with Cannington or Spaxton, in the first Arrangement, although the Centre of the Parish may be nearer Bridgwater; some of the Houses are situated near Padnoller, within a Mile and a Half of Stowey. It was suggested, that, supposing the first Arrangement was made, Cumbwitch should go with Stockland and Otterhampton, although some of it may be in Cannington Parish. I would propose that Stockland go with Otterhampton, being a small Parish at the Extremity of the Union. It may be considered convenient for the Parish of Cannington to be attended by the same Medical Man as Otterhampton, on account of the Two Parishes being so intermixed at Cumbwitch, this would not be convenient for One Reason, the Relieving Officer residing at Stowey, supposing them to be attended by a Medical Man of Bridgwater." Mr. Baruch Toogood sent no Answer to the Letter, nor did Mr. Addison. I would beg to mention a Letter Mr. Abraham King sent to the Board on the 12th of July 1836, speaking of Remuneration: "Gentlemen, Hearing that you were about to consider this Day the proposed Plans for a Workhouse, I take the Liberty of suggesting that were you to include in your Contract that a Warm Bath should be erected, the extra Expense would be little in comparison to the Advantages derived from it, both for Medical Purposes

and others. Also allow me to ask what Remuneration am I to have for Attendance on the Inmates of the present Workhouse. An Answer to which would greatly oblige, Gentlemen, your obedient Servant, Abraham King."

Was any thing done in respect of Remuneration?

Nothing was done; the Letter was referred to the Visiting Committee.

Did he receive any additional Remuneration for those Patients?

He did afterwards. The next Letter in the same Year, respecting Remuneration and Increase of Salary, was one from Mr. Tilsley, dated the 17th March 1837: — "Gentlemen, I trust I shall be excused the Liberty I take in stating that there has been no Remuneration awarded to me for my Services at the Workhouse here;" that is North Petherton; "at least I am right in saying, that, at the Time I entered into the Contract in June last, it was not in contemplation to make this a Branch of the Bridgwater Establishment. If I am wrong your Justice will set me right. In thus appealing to you I am satisfied you will be convinced that I do it on account of actual Services performed; but, if it were necessary, I could exhibit to you such a Catalogue of Diseases, epidemic, common, and peculiar, as I fancy fully justifies me in the Request. At the same Time I beg to observe, that if there be any Demur at making some Addition to my Salary for this particular Service," which Words are under scored, "or any Doubt as to the Justice or Propriety of this Application, I shall feel myself deeply indebted by your forgetting that it was ever made."

Both that Application and that of Mr. King were to be remunerated for Services beyond what they considered to be within their Contract?

Yes. At the Close of the Board in 1836, in the few Observations I addressed to the Board at the End of the Year, those Letters were brought before the Board, and the Board granted those Gentlemen an Addition to their Salary, and gave all the Medical Officers a Gratuity in consequence of the Influenza.

To what Extent was that Gratuity?

They voted 15*l.* to Mr. King, 15*l.* to Mr. Tilsley, 5*l.* to Mr. Toogood, 5*l.* to Mr. Caswell, 3*l.* 10*s.* to Mr. Addison, 2*l.* 10*s.* to Mr. Ruddock, and 4*l.* to Mr. Poole, being 20 per Cent. on the Quarter's Salary, in consequence of the Influenza which had prevailed from the Christmas to the Lady Day, when the first Year's Guardians went out of Office. It was quite unsolicited by the Medical Men, except Mr. Tilsley and Mr. King; the other Medical Gentlemen had asked for no Gratuity: Mr. King's and Mr. Tilsley's were not 20 per Cent, but they were Sums voted in consequence of the additional Trouble they had had.

When you fixed upon the Divisions which were

advertised upon the 22d of May 1837, you took all those Circumstances into your Consideration, and also Mr. Axford's Suggestions?

The Papers were all read over that Day, and every thing which had been laid before the Board was stated. We were anxious for every Information we could possibly get. I beg to state, the Advantage we had in dividing the Hill District into Two, was, that they were able to have Mr. Young, a Member of the College of 604 Surgeons, and resident at Ashcott, immediately in the Neighbourhood. A Part of that District and a Part of Huntspill District was made an intermediate District, which we were in hopes Mr. Baruch Toogood would have taken, and which would have been more convenient to him as resident in Bridgwater. If we had adopted the Arrangement which was proposed, as I stated Yesterday, we could not have got any Surgeon to attend the Hill District, except from Bridgwater, because there was no resident Surgeon in the Neighbourhood who would be considered fully qualified.

The first public Notice of your Intention to elect Medical Officers was by an Advertisement on the 22d of May ?

Yes.

You did not give any private Notification to the several Medical Officers be: fore that, did you ?

I have no Doubt on earth that the Medical Men were acquainted with the Arrangements we had made immediately upon their being made.

Upon the 2d of June you received a Letter, which is already on the Minutes, from the Medical Officers?

Yes.

That caused a general Discussion at the Board ?

It did.

What was the Point of the Discussion with respect to that Letter; why was it that you considered it improper in them to write such a Letter?

Because up to that Time no Communication had been made to the Board that they were dissatisfied with their Appointment or with the proposed Salaries, and, as I stated Yesterday, I had a Communication with Mr. Toogood, the principal Medical Person of the District; we talked about this Arrangement, but he said nothing to me about the Salaries which had been fixed ; this was on the 24th, and our Advertisement bears Date the 22d. I am positive he said nothing about the Remuneration.

The Advertisement was the 22d of May, and this Letter was written on the 2d of June ?

Yes.

What was there which produced that Anger at the Board which appears to have been felt ?

On the 26th of May a specific Motion was brought forward by Mr. Ruddock; the Father of one of the Medical Officers, on the Subject, and our Medical Arrangement was then before the Board, which would have been to exclude any Person from the Appointment which we had already made unless he was a Member of the College of Surgeons and a Licentiate of the Apothecaries Company. Having Nine Appointments to make, this Resolution would have gone to the Effect that neither of them was to be given except to a Gentleman qualified according to that Resolution. That Motion failing, nothing further was said by any Gentleman at the Board, a Friend of the Medical Officers, as to the Salaries. Then the next Board Day, which was the Week after, after I had taken my Seat at the Board, (not having heard a Syllable of it till I was going up to the Board Room,) this Letter of the Medical Gentlemen was brought forward.

Did the Guardians connect this Measure with the previous Measure; did they suppose it to be a Part of the Scheme on the Part of the Medical Persons?

I do not know what the Feelings of the Guardians generally were; some stated that it was a Combination and a Conspiracy. It had been talked of in the Town before the Guardians met in the Morning, for as I went in, One of the Guardians came to me, and said, "Here is a Strike among the Doctors, you will hear of it presently."

What was there in that particular Letter which excited the Feelings of the Guardians to the Degree you have stated?

It came by Surprise on the Board, and it was signed by all the other Medical Men in the District

605 *You mean to say there was a Sort of Approval of it signed by the others?*

Yes.

How was it conveyed to the Board?

I do not know, on Inquiry, how it was conveyed; I think nobody seemed to know, but that it was given to some Pauper that brought it in.

Did it come in dirty?

Yes, and the Wafer was wet; it appeared to have been brought in in haste.

Had you had any Conversation during the preceding Year at any Time with any of those Medical Persons, and had they complained to you

that their Remuneration was insufficient?

I think in my Communication with Mr. Toogood, who is my Medical Man

Which Mr. Toogood?

They are all in Partnership, Mr. Toogood and his Two Sons. I found, speaking of them all, they were not satisfied with the Remuneration of the Board.

Had you Conversation with Mr. Abraham King?

I cannot speak to any Conversation with Mr. Abraham King, particularly ; I am not in the habit of Communication with him.

Mr. Evered Poole?

No, certainly not.

Was there any thing said to any of them as to the Advantage they might have from Medical Clubs?

Yes, certainly ; because I had drawn up Rules for Medical Clubs, and the Board had had them printed, and sent them round, We have had Conversation with our Medical Men upon the Subject.

Was it not represented that they might derive Advantage from Medical Clubs?

Yes; it was always my Feeling that they might derive Advantage from Medical Clubs, if we could establish them.

Were not you personally aware that the Medical Persons were dissatisfied with the Salaries they had received?

I should say, yes; but I should say that that Dissatisfaction was expressed shortly after that Appointment; but I think I heard of no Dissatisfaction with their Appointment for a long Time before the Time referred to.

If they had contracted to serve the Year out, and if they had made Complaint to you, it was of no use repeating it till the Year was out?

No ; but Mr. Abraham King and Mr. Toogood had both expressed their Wish to continue their Appointments.

Do you mean to continue their Appointment on the Terms they then had ?

They expressed it in a Letter; I have seen the Letter Mr. Abraham King wrote to Mr. Young, and which Mr. Young showed me; he stated that he had no Intention of giving up his Appointment; and Mr. Toogood, on being applied to to know whether he intended to give up his Appointment, said he had no Intention of giving up his Appointment.

What was the Date of those Letters ?

In February 1837.

Those Letters expressed nothing one way or

another with respect to Salary ?

No; only that they wished to retain their Appointments.

Why, under those Circumstances, were the Board so angry with those Persons for expressing their Dissatisfaction with the Salaries the Board had fixed?

The Board of Guardians had not been led to suppose that those Salaries were unsatisfactory.

Whether they had been led to suppose so or not, why were they to be so dissatisfied because those Gentlemen said the Salaries you had fixed were too low ?

That Letter appeared to the Board of Guardians to be something more than the **606** Statement of their Dissatisfaction; there appeared also to be a Kind of Threat held out, a compulsory Address to the Board.

What Part of it was supposed to be?

Inasmuch as it was signed by all the Medical Men in the District, and from the Fact of the Medical Men joining together.

It was natural for the Guardians to resent the Idea of Combination?

Yes.

Supposing, instead of that Anger operating to prevent an Answer being given, an Answer had been given, requesting those Gentlemen to attend the Board, and some personal Communication had been had with them, do not you think it might have been settled without coming to a downright Quarrel ?

I do not think it could.

Why not?

I think there was a Spirit of Opposition in the Proceedings, which would have prevented that. I was particularly anxious that that which had passed at the Board should not go beyond it, to prevent a Collision or unpleasant Differences between the Board and the Medical Officers.

Did any Person at the Board request that an Answer might be sent to those Gentlemen, requesting them to have Communication with the Board, or any Committee of the Board ?

No.

Why was not that Course adopted by the Board ?

Two or Three Courses were proposed at the Board, and I at last suggested that I thought, as we had had a Meeting on the 18th of May for the very Purpose of taking all these Arrangements into consideration, and as we had fixed on the 16th of June as the Day on which we were to elect our Medical Officers, this Letter of the Medical Officers should be taken into consideration when we came to the Election. No Acknowledgment was sent to that

Letter, certainly, but it was not through any Want of Courtesy to the Medical Gentlemen; it was an Accident more than any thing else.

Was not, it likely that a personal Interview would lead to Collision and to angry Feelings on both Sides?

I think it would.

And thereby materially operate to prevent any amicable Arrangement between the Guardians and the Medical Men?

I do not think that any Advantage would have resulted from any Conference with them. Having taken a great deal of Trouble, and having met on a specific Day for that Purpose, and invited the Medical Men to state every thing they had to say respecting the Appointments of the previous Year, the Board was vexed, that, having decided on the 18th of May on the Arrangement for the ensuing Year, they should, after Two Board Days had elapsed, turn round and say we do not approve of it.

You had not stated to them their Salaries on the 18th of May ?

No ; but they were communicated to them on the 22d. I had put the Question as a general one; I was in hopes they would have stated any Complaint they had to make in regard to the Arrangements.

Was not it possible that, there being no Conversation respecting the Salaries, they might have misunderstood that Matter, and that they might have thought that it was not submitted to them?

They might have thought that. The Wish of the Board was to ascertain from them every Objection they had.

Having put it thus, on the 2d of June they write this Letter to you, stating that they could not undertake it on those Salaries?

Yes, on the 2d of June.

The Feeling excited in the Board was in consequence of the whole of them signing it?

Yes

607 *Why should they not all sign it?*

We were in communication with our Medical Officers, and if they had any Communication or Complaint to make, if it had come to the Board signed by them only, there would not have been any Objection to it; but it was signed also by all the other Medical Men in the Union, which gave the Board to understand that as our Medical Officers were dissatisfied we could not get any other Medical Men in the District to take the Divisions at the Salaries we had fixed.

Then it was not only their signing the Letter, but

Day 3 Friday 15 June 1838

Evidence of Abraham King, p599; George Warry, *passim*

Edited by Tony Woolrich — Corrected 04/04/2021

7

there being an Approval of it from the other Medical Men residing in the District?

Yes

Which was it? Was it the Fact of all the Medical Officers who had been employed signing the Letter, or there being an Approval of it by the other Medical Men ?

The Fact of their signing, and all the other Medical Men joining together.

Was not it thus; that the Circumstance of complaining, the Mode in which it was brought forward, and the other Medical Men signing it; the Combination of all those Circumstances irritated the Board ?

Yes.

During the previous Year had your Medical Officers attended the Board ?

Frequently.

You had friendly and amicable Communication with them ?

Yes; we were always on friendly Terms with them.

If any of those Gentlemen had offered any Objections or made any Statement on the Subject of their Salaries on the 18th of May should you have stopped them ?

Certainly not.

Were you in expectation that they would say any thing upon the Subject?

Fully; we should have been very glad for them to state it; but I could not put a leading Question, "Are you satisfied with your Salaries?"

Would it not have been better if you had fixed the Salaries to have stated them, and asked them whether they considered them sufficient?

I do not recollect that that was done.

Were the Salaries fixed when they were attending the Board ?

No ; not till afterwards.

If you were satisfied with the Conduct of your Medical Officers, would it not have been better to have stated the Terms to them before they were put into the public Advertisement?

We supposed that the Advertisement amounted to that.

Would it not have been more likely to have succeeded if you had done it privately in the first instance?

Probably it might.

Was it very unnatural that those Persons should, when they found those Salaries were fixed and they thought them inadequate, you not having

communicated with them, have written such a Letter as that which they did write ?

It was never alleged to the Board that that was the Ground of their Objection.

Does not the Letter itself state that "they cannot, with Justice to the Poor, the Guardians, and themselves, continue the Charge at the Salaries proposed"?

I understood the Question to be, whether it was not natural that they should write that Letter in consequence of the Terms not being previously communicated to them; we were not aware that they had taken Offence in consequence of their not being acquainted with the Terms before they were printed in the Advertisement.

608 *The Board, it appears, took Offence at the Medical Men writing this Letter?*

The Board, as a Body, did nothing in it.

But there was a strong Feeling in the Board ?

On the Part of some of the Board.

Was not it natural under those Circumstances, and what was there extraordinary, you not having communicated to them any thing with respect to the Salaries but by public Advertisement, in their taking the Mode of a signed Letter to you ?

Nothing but the Circumstances of their all uniting together and getting all the other Medical Men of the District to sanction them, and their not having communicated in any Way their Disapproval of the Sums we had fixed on in any Communication previously.

They state in this Letter to you that the Ground on which they do not think the Salary sufficient is "from their Experience during the past Year of the Extent of the Duties to be performed, the necessary Expenses of Medicines, &c., they cannot, with Justice to the Poor, the Guardians, and themselves, continue their Charge at the Salaries proposed; at the same time they are willing to resume their Duties on Terms consonant to the Feelings of Men of a liberal Education." What is there improper in that Language, that should have induced you to break off that friendly Communication of which you have spoken?

Nothing more than I have stated.

Would it not have been as well to have inquired into their Experience, and into the actual Expense of Medicines, and so on?

The Board of Guardians came to no Resolution on the 2d of June; the Matter was quite open.

Was there a full Board ?

Yes, and a great deal of Conversation; a great deal of Time was taken up on this Matter. As soon as it dropped we proceeded to the

Business of the Day. Our Meetings had been prolonged to a very late Hour. It was an Omission, certainly, not intimating to the Medical Men the Receipt of the Letter: that is all we could have done.

Why did not the Board inquire into the Experience they had had, and how far it was true that they had not been sufficiently remunerated the Year before ?

The Board were in hopes the previous Communication with them would have had that Effect.

As it had not had that Effect, why did they not consent to enter into the Subject, and inquire into the Truth of what they stated to the Board — that they could not continue, that the necessary Expenses were such that they could not continue it?

If my Recommendation to the Board had been adopted we should have had an Opportunity on the 16th of June to hear all which the Medical Men had to allege, and that was my Object in requesting the Matter might stand over till the 16th of June.

Supposing you had answered their Letter, and said so, would not that have prevented angry Feeling?

That was an Omission, certainly, but it was an accidental Circumstance.

If you really intended to have this Communication on the 16th of June, can you be surprised that those Medical Men should be irritated as well as the Board ?

After what has occurred I regret their not having received an Answer to their Letter, but even the Omission of the Acknowledgment of the Receipt of their Letter was not such a Breach of Decorum as to have called for the second Letter.

Whether their Letter of the 6th of June was right or wrong, is there not Reason to suppose that the Omission of the Board to take notice of their first Letter produced it? .

I think Men could hardly be so susceptible of a slight Omission of an Act of Courtesy as to write in that Way.

609 *You do not reckon upon having every thing done exactly as you wish as Chairman?*

Oh no.

Occasionally you may be in a Minority ?

Yes.

There was a great deal of Excitement among the different Parties in the Board ?

Yes.

Which you attempted to allay?

Yes, I attempted it by every Means I could ;

in my Opinion, the Board as a Body offered no Offence whatever to those Medical Men.

Was it not a Matter of Notoriety at Bridgwater and the Neighbourhood, that there was a Combination among the Medical Men?

It was known before I got into the Town; it was stated to me as I went into the Board Room, and I believe it was talked of on the Market Day before; but I was not in the Town.

Your Market Day being the Thursday, the Day preceding the Board Day ?

Yes, on the 1st of June. I beg to state that the Year for our Union ended at Midsummer; all the other surrounding Unions had concluded their Arrangements for the succeeding Year — their Year ending at Lady Day; we adopted the same Scale as they were doing; we had had the Experience of almost all the surrounding Unions, and had heard no Dissatisfaction of the other Medical Men with their Salaries, and there appeared no Reason why the Bridgwater Men should be dissatisfied, while all the Medical Men of the Country round were satisfied and renewed their Contract.

Supposing it should appear that the Salaries were at the Rate of 3½d, a Head upon the gross Population, are you surprised that the Medici Men of Bridgwater should consider that as inadequate to remunerate them for their Attendance upon the Poor?

3½d. I believe was what had been acquiesced in in the previous Year, and it was the Sum acquiesced in by the Medical Officers of all the Unions in the County.

The Letter of the Medical Men on the 2d of June merely states, that they consider those Salaries inadequate, and that they cannot resume their Duties on those Terms. Do you consider that there was any thing disrespectful or uncivil to the Board in the Medical Men making that Statement?

There was nothing disrespectful in that Statement certainly, but the Board thought that as the other Medical Gentlemen in the other Unions had been satisfied with the same Terms, and they had heard of no Objection of the Medical Gentlemen in the other Unions, that the Terms we had given our Medical Men ought to satisfy them.

How do you know that they made no Objections in the other Unions?

We had heard of no Objections.

How do you know that there were no Objections?

Our Clerk has ascertained it from the Clerks of all the Unions. I have the Letters before me where they have made new Contracts, and

where they have made no Gratuity, as we did. I find the Bridgwater Board is almost the only Board which gave Gratuities in addition to their Salaries.

All you know of those other Unions is, that they have taken their Districts again on the same Terms as the former Year?

Yes.

You have heard of no Complaints?

No.

Do you consider the second Letter a Combination?

I consider the first as a Combination.

You and the Board understood that if there had been any Alteration in the Salaries, the 16th of June was the Day when that would have been to be discussed ?

Exactly.

610 *Was not it as well to have informed the Medical Men that you so considered?*

Yes; and the Board would have been happy to have let them know it, if they had foreseen such a Circumstance.

On the 18th of May the Board came to a Resolution, that they would divide the entire Union in a particular Way, and they published an Advertisement, stating that on the 16th of June they would receive Tenders and make Contracts upon that Subject?

Yes; that they would proceed to the Election of Medical Officers for the Districts agreed on the 18th of May, put forward on the 22d of May.

On the 2d of June you received a Letter from a Number of Medical Men, stating that they did not think the Salaries sufficient, and did not mean to ?

Yes.

Did you receive, or had you previous to the Election, any Letters from any other Medical Men relative to the Appointments?

Yes; I think Mr. Young had forwarded his Testimonials to the Board.

Did you answer Mr. Young's Letter?

I cannot undertake to state that; I do not remember; on the 18th of May Mr. Young sent some Testimonials; I think they were read, but I do not know whether any Answer was sent to him acknowledging the Receipt ; it was a Correspondence, I think, with the Poor Law Commissioners.

If you had had no Suspicion of Combination among those Medical Gentlemen, and had received the Letter which you did on the 2d of June declining

the Competition for the Appointment, should you have thought it necessary to have given any Answer upon the Subject?

I do not think we should have given an Answer to it.

Do you think that the Addition of the Names of all the Medical Men resident in the District gave them an Authority to demand that Attention which any other individual Medical Man would not have obtained from you ?

I think not.

If you had received Letters declining the Competition from any other Medical Man should you have answered it?

No. On the first Commencement of the Union Mr. John Toogood was a Candidate; he wrote a Letter to the Board on the Day of Election declining to become a Candidate for the Appointment; certainly no Letter was sent to him acknowledging it.

Had he been an Officer of the Union before ?

No ; that was on the Commencement of the Union.

He did not feel himself insulted by that Omission?

I never heard that he did ; he declined being put into Nomination for the Appointment.

That was a Letter which did not appear to require an Answer?

No, it required no Answer.

Did it require any Answer less than the Letter sent on the 2d of June?

I cannot undertake to speak to the Contents, but he declined becoming a Candidate for the Appointment.

Did he state any particular Reasons for declining?

I think he did not; but the Letter is in the Letter Book.

You knew that it was competent for those Gentlemen to state those Objections on the 16th of June, and to enter into any Arrangement with you at the proper Period?

Certainly.

Other Professional Men then resident in the Town had declined before, and had received no Answer ?

Yes, One.

611 *Your abstaining from sending him any Answer did not raise any unpleasant Feeling on his Part?*

None whatever.

His Letter was signed by him alone ?

Yes.

Was it your Opinion when you received the joint Letter of all the Medical Men in the District, and

under a certain Impression that there was Combination, that they had a greater Claim to Courtesy than the Individual to whom you have referred ?

I did not entertain an Opinion one way or another; the Subject did not come before me for my Opinion; I did not give it a Thought as to any Answer.

Should you, as Chairman of the Board of Guardians, think it respectful and necessary to answer any Medical Man who should write to you declining or refusing to offer himself at any future Election as a Medical Attendant?

No ; I could not undertake to answer all the Letters addressed to the Board; it is not the Province of the Chairman.

With respect to this Letter of the 2d of June, which was considered by the Board as a Combination on the Part of the Medical Officers, supposing the Medical Men wished to throw the Board into Difficulty, would they not have driven them into a greater Difficulty by keeping Silence up to the 16th of June, than by giving the Board Fourteen Days Notice of their Intention not to make any Offer ?

I do not know that they would have driven them into a greater Difficulty.

Did they not by writing that Letter give the Board Fourteen Days to look out for other Persons?

The Board took no advantage of those Fourteen Days, for they had determined to take no steps till the 16th of June, when the Day was fixed for the Elections. The Board were then in hopes the Matter might have come before them, and that it would have been amicably discussed then.

Those Gentlemen having decided that the Terms were inadequate, and that they would not tender on them, by that Letter they gave the Board of Guardians Fourteen Days to look out?

If the Board of Guardians had so determined, they might have done that, but One Reason stated at the Board was, that having met on the 18th of May, and formally determined on those Arrangements, it was more consistent with Business that our Arrangements should not be adjusted on the spur of the moment, and that we should let the Matter stand till the 16th, when we could reconsider the whole Subject.

Did they not, in the concluding Sentence of that Letter of the 6th, state, "To prevent the Poor from suffering by the Delay consequent on the Course taken by the Board of Guardians, the Medical Officers are ready to continue their Professional Attendance on the Poor gratuitously until some other Arrange ment can be made, provided such

Arrangement be effected within a reasonable Period ?

They did.

Do you consider that a Letter of Persons desirous of throwing the Board of Guardians into a Difficulty?

If that Sentence had stood alone it would not have had the Effect.

Did not those Gentlemen give the Board of Guardians Reason to expect that they would prevent their feeling Inconvenience, that Letter containing an Offer to continue their Services gratuitously until the Board of Guardians could make some other Arrangement ?

Their Letter of the 6th of June was the only Letter which states that they would not tender, if it amounted to that.

You state that you consider it was Combination ?

It was so considered by the Members of the Board.

612 *Not a Combination to throw the Board into Trouble, but a Combination to raise their Salaries?*

Yes.

Had they not determined not to raise their Salaries ?

No ; the Question was open.

Had you not on the 22d of May issued an Advertisement that the Districts were to be taken at certain Salaries ?

Yes, we had proposed those Salaries; we should have agreed to the Salaries when we elected them.

Does the Circumstance of the Medical Men writing to you on the 2d of June prove more than the Fact that at that early Period they had determined to combine?

That is all, I think.

It shows a great Concern, not for the Board of Guardians, but for their own Interest ?

Certainly.

Supposing they felt that they had not been sufficiently remunerated the last Year, why should not they combine and require the Guardians to give them an adequate Salary, they tendering to the Guardians an Inquiry into the Fact whether their Salaries were sufficient?

It did not appear in their Mode of communicating their Views to the Guardians that it was satisfactory or conciliatory to the Board; any individual Guardian could have brought forward the Subject, and proposed an Increase to their Salaries.

The Board did not object to the Medical Men

combining, but to their being driven to accept the Terms of that Combination ?

Yes; the Effect of the Combination was what we resisted.

How did you know what Terms they proposed ?

We were not aware what Terms they proposed; all they combined to do was to resist our Terms.

They state that, from the Experience of the last Year and other Circumstances, they are satisfied that the Salary was not sufficient; was not it worth while to inquire into those Circumstances to ascertain for yourselves how far that was justified ?

We should have done that on the 16th of June.

Did you suppose that after that Letter was written, and they had declined, they would attend on the 16th of June ?

Yes, for they wrote again on the 16th of June.

The Question refers to the Meeting on the 2d of June, when you received that Letter; could you expect them to attend on the 16th of June, when they renounced their Intention of contracting again unless you made some Advance to them ?

That is their Statement.

How would you then have had an Opportunity of inquiring into those Circumstances and that Experience ?

That was the Time, between the 2d of June and the 16th, to have communicated.

Then why did you not avail yourselves of the Time for the Communication ?

The Advertisement invited them to the Election on the 16th of June.

In point of fact, though those Gentlemen might have refused those Terms, were you without Hope that some others might have come forward who would have accepted them ?

Just so.

You had formed those Terms on Grounds which will be hereafter stated, and you had Reason to suppose they were sufficient, and ought to be satisfactory

Yes

613 *If those Gentlemen had declined, was not it open to you to treat with other Gentlemen ?*

Yes,

The Board was annoyed at perceiving a general Combination of the Medical Men in the District to resist those Terms ?

Yes.

When did you first hear of any Resolution not to notice any Gentleman who should accept those Terms ?

On the 16th, the Day of Election; it was from Mr. Young.

Did you feel yourself competent to treat with them before the 16th of June ?

I think not.

Would it not have been an Injustice to other Candidates who might have put themselves to great Inconvenience in preparing themselves to come forward ?

I think so; we were pledged to the Public, having put forward the Advertisement to call them.

They might have come from a Distance ?

Yes. The Salaries were fixed, and the Day of Election fixed; it was open to all Medical Men to offer.

You had been satisfied with the Performance of the Duties before ?

Yes.

Then would it not have been advisable to have got the same Persons as much as possible ?

We should have been glad to do so.

You would have been glad to have given them an Opportunity of coming forward ?

They had an Opportunity on the 16th.

You have stated that you were not aware of any Dissatisfaction of the Medical Men, on account of those Salaries, previous to the Receipt of the Letter ?

On the first Formation of the Union there was a general Disposition to find fault with the Pay of the Medical Officers.

Was not there some Understanding that the Question of the Salaries should be reconsidered at the End of the Year, and that the Appointment was in the first Year only on an Understanding that there should be an Increase of Salaries ?

I think it had been mentioned that the first Year we were not able to say exactly what was the Course of Practice in this new Appointment, and that it was a Sort of Year of Trial.

It was thought at the Time that there would be probably some Increase at the End of the Year ?

I forget whether that was stated; we had no Workhouse for the first Year; the Workhouse at Bridgwater being built, that would take away a great many sick Persons from the Districts, and thereby relieve the Surgeons and Medical Officers from a great deal of Labour.

That being the Case, might not those Gentlemen

*reasonably suppose they would have something like a
Priority the succeeding Year?*

They had the Option of Election; they might have been elected, and I think that Mr. King would have been elected to the Workhouse, had it not been for what we supposed to be a Combination, which was proved by the Resolutions they had formed, not to hold Intercourse with certain Medical Men.

*The Circulars were sent out without previous
Communication with those Gentlemen?*

Yes.

So that they had not that Priority?

No, certainly not; when we could not agree with the other Medical Officers, on the 16th, Handbills were circulated around the Neighbourhood, inviting the Medical Men of **614** the Neighbourhood to the Election on the 23d. Then all out Medical Officers attended at the Board on the 23d, and we had Conversation with them on that Day; the Board were anxious to treat with them then.

*You say you could not agree with them on the
16th ; did not they state their Willingness to take
different Districts at certain Prices, as appears at
Page 63 of the printed Paper?*

Their only Offer on the 16th of June was this: "Sir, The undersigned Medical Gentlemen beg respectfully to inform the Board of Guardians, that they are willing to undertake the Care of the Poor on fair and equitable Terms, although they cannot accept the Offer contained in the Circular Letter addressed to them, beg to direct the Attention of the Board to the Fact, that the Average Payment on the Population of the Bridgwater Union is considerably lower than in others." That was the only Offer on the 16th of June.

*Did those Officers, or some of them, propose that
they would undertake Charge of the Districts, Nos. 2,
6, 7, and 8, at Four-pence a Head?*

On the 23d of June they did.

*There was no such Communication made on the
16th ?*

No.

Did the Election take place on the 23d of June?

No, on the 14th of July; we could not agree on the 23d of June.

*When were you first in communication with the
Gentleman who has now taken the Bridgwater
District?*

On the 13th of July, when he appeared at the Board.

Was that the first Time you had any

Communication with him ?

Yes; I believe he had had Communication with the Clerk; that he wrote a Letter of Inquiry, and the Clerk had answered his Letter, previously to his appearing in the Town.

Was Mr. Bowen present upon the 2d of June?

He was.

Did he take any part in your Debates?

Yes; some violent Altercation took place between him and another Guardian.

*Was he one of the Persons that was indignant at
this Letter of the Medical Officers, or not?*

No.

He rather supported that Letter ?

Yes.

*He was a Gentleman who refused to allow the
Thing to be unknown?*

Yes; he claimed a Right to make known every Proceeding.

*Do you refer the Expression in the Letter of the
6th of June in which they talk of "having heard vague
Reports of their being charged with uncandid and improper
Conduct," in consequence of which they "feel that they
are called, upon in defence of their personal Characters to
deny directly and unequivocally the Truth of such a
Charge," to him?*

I do not know that I attribute it to him; I think that many Guardians had mentioned Things besides him.

*With respect to the Declaration made by the
additional Nine Medical Men to the Letter of the 2d
of June, did you understand that to be a Declaration
direct to the Board, or to the Seven Medical Men
which you added to them?*

A Declaration direct to the Board; it was in the same Letter; the Medical Gentlemen's Communication was on the one Side of this Sheet of Letter Papeh and that of the Nine Gentlemen was on the other.

*Was it on the Back of the same Page, or on the
other Leaf?*

think one was on the one Leaf, the other on the other.

It was Part of the same Document?

Yes.

615 *Was it necessarily Part of the same
Document; was it written on the same Leaf?*

It was the same Sheet of Paper, only not on the same Page, I think.

There was no Postage to be evaded?

No.

Day 3 Friday 15 June 1838

Evidence of Abraham King, p599; George Warry, *passim*

Edited by Tony Woolrich — Corrected 04/04/2021

13

Was the Address on the Outside; or was it in an Envelope?

I think it was in an Envelope.

Were the Nine Gentlemen who signed the Addition, and the Seven Gentlemen who wrote the Letter, the whole of the Medical Men in the District?

All, except Mr. Young and Mr. Phillips, who were Candidates for Appointments.

It could not be addressed to any other Parties but the Board of Guardians?

No.

Was it not intended as a Testimonial which those Seven Medical Men got for your Satisfaction, that if those Medical Men were applied to they would not give an Opinion contrary to that which they there expressed?

It would be difficult to hold that to be a Testimonial, I think.

Was the Gentleman who had the North Petherton District one of the old Practitioners employed, or a new one?

He was one of the old Medical Men.

Did you consider it unnatural on the Part of those Gentlemen, or was it not a very natural Step for those Gentlemen, most of whom were young Men, to obtain a Confirmation of their Opinion from their elder Friends in the Profession ?

I do not think it was the natural or usual Way of communicating their Views.

[On reference to the Letter of the 2d of June it appears that the Address to the Board of Guardians of the Union is on the Back of the Certificate of the Nine Medical Gentlemen.]

With reference to the Salaries fixed by the Advertisement of the 22d of May 1837; are those the Salaries now given in the several Districts ?

No ; Two of them are, I think.

In the Bridgwater District is the Salary the same?

No.

What is the Salary there ?

When we found we could only fill up Two of the Vacancies on the 16th of June, Advertisements were then issued inviting Medical Officers to come to the Board on the 23d of June.

Was any Alteration made between the 22d of May and the 16th of June in the proposed Salaries?

No.

Were the Two Districts then taken at the Prices you fixed on the 22d of May ?

Yes.

What were those Two?

The Polden and the Hill, Mr. Young's and

Mr. Phillips's Districts.

Do those stand now at 30l. and 35l., or has there been any Increase since that?

Those are the Salaries that are now paid.

As to the Bridgwater District, what is that now let for ?

When we found that we were not able to come to any Terms on the 23d of June, we then thought it advisable to re-construct the Districts, and to alter the Salaries. The Board then passed this Minute: "Moved by Thomas Poole, Esquire, and seconded by Mr. James Somers, That the Clerk be directed to advertise in the *Lancet*, *Medical Gazette*, *Morning Chronicle*, *Standard*, *Bristol Mirror*, and *Bath and Cheltenham Gazette* Newspapers, for Medical Gentlemen to take charge of the Poor of the under-mentione

616 Districts at the Salaries affixed to each ; viz., Bridgwater District, comprising the Borough and Parish of Bridgwater, with a Population of 7,807, together with the Union Workhouse, which is of a Size to contain 800 Paupers of all Classes, at a Salary of 130l. per Annum; North Petherton District, comprising the Parishes of North Petherton, Thurloxtan, Michael Church, Broomfield, and Goathurst, with a Population of 4,679, at a Salary of 75l. per Annum; Cannington and Stowey Districts to form One District, comprising the Parishes of Cannington, Chilton Trinity, Wembdon, Durleigh, Charlinch, Enmore, Nether Stowey, Over . Stowey, Aisholt, Fiddington, Edstock and Beer, Stockland.Bristol, Otterhampton, and Spaxton, with a Population of 5,620, at a Salary of 80l. per Annum ; Huntspill District, comprising the Parishes of Huntspill, Pawlett, Puriton with Woollavington, and Woollavington, with a Population of 8,001, at a Salary of 50l. per Annum."

What was done with respect to Middlezoy ?

That was taken by Mr. Young, at 35l., on the 30th of June.

You put out a fresh Advertisement on the 23d of June?

On the 16th of June we put out an Advertisement inviting Medical Men for the 23d of June.

In consequence of that Advertisement had you Applications from any of the Persons who had signed the Letters of the 2d of June to take any of those Districts ?

Yes; we had Offers on the 23d of June; they were Offers sent in in consequence of the Advertisement issued on the 16th of June; this Advertisement on the 23d was in consequence of the Offers made not being accepted.

Did that contain the same Terms as that of the 16th, or were the Terms increased ?

After the Appointment of Mr. Young and Mr. Phillips it was, "Moved by Andrew Crosse, Esquire, and seconded by R. K. M. King, Esquire, That the Appointment

of the remaining Medical Officers be postponed until this Day Week; and that the Clerk be directed to advertise by Handbills for Medical Officers to fill the remaining Districts; and that Tenders will be received from Medical Gentlemen duly qualified until Ten o'Clock in the Morning of the 23d Instant. Moved, as an Amendment, by Mr. John Dalley, and seconded by Mr. W. P. King, That the Sum of 4d. per Head on the whole Population of the Union be fixed as a Remuneration for the several Medical Officers of the Union, with the Exception of Districts Nos. 3 and 4, already filled; and that a Committee be appointed to apportion the Amount to the several Districts, according to the Number of the Population and the Number of Acres of each District. Upon a Division the Amendment was negatived, and the original Motion carried."

The Advertisement on the 16th of June contained the same Terms with respect to the Districts which had not been let on that Day as the Advertisement of the 22d of May ?

The Advertisement of the 16th of June was issued, inviting Medical Gentle. men to tender for Districts 1, 2, 5, 6, 7, 8, 9, as formed on the 18th of May; it contained no Mention of Salaries.

Had Mr. King, Mr. Poole, Mr. Caswell, Mr. Addison, Mr. Tilsley, Mr. Toogood, and Mr. Ruddock, made a Tender on the 16th of June?

Yes, they had ; a joint Tender.

What was that Tender?

It is in these Terms: — "Sir, The undersigned Medical Gentlemen beg respectfully to inform the Board of Guardians that they are willing to under: take the Care of the Poor on fair and equitable Terms, although they cannot accept the Offer contained in the Circular Letter addressed to them. They beg to direct the Attention of the Board to the Fact, that the Average Payment on the Population of the Bridgwater Union is considerably lower than in others." That is signed by all the Medical Officers. That is the only Communication we received from them.

617 *On the 23d did you receive a Communication from those Medical Gentlemen?*

Yes. "The Clerk produced the under-mentioned Tenders he had received from Medical Gentlemen, agreeable to Advertisement, which were read; the Terms of which are as follows: Mr. James Coles Parker, for the Workhouse, 50/. a Year, and 10s. per Case for Midwifery, if taken indiscriminately; if other wise, 20s. , Mr. Abraham King, for the Bridgwater District, 8d. per Head on the gross Amount of Population, and 10s. per Case for Midwifery, if taken in discriminately; if otherwise, 20s. Mr. William Lakin Caswell, for the Hunts pill District, 4½d. per Head on the gross Amount of Population. Mr. Joseph Addison, for the Middlezoy District, 3¾d. per Head on the gross Amount of Population, and 10s. per Case for Midwifery, if taken indiscriminately; if other wise, 20s. , Mr. Robert Young, for the Middlezoy District, 40/. per Annum. Mr. Horatio Nelson

Tilsley, for the North Petherton District, 4½d. per Head on the gross Amount of Population, and 10s. per Case for Midwifery, if taken indiscriminately; if otherwise, 20s. Mr. John Evered Poole, for Cannington District, 4½d. per Head on the gross Amount of Population, and 10s. per Case for Midwifery, if taken indiscriminately; if otherwise, 20s. Mr. Richard Beadon Ruddock, for the Stowey District, 4d. per Head on the gross Amount of Population, and 20s. each for difficult Cases of Midwifery. Considerable Discussion took place relative to the foregoing Tenders and the Appointment of Medical Officers. Robert Weale, Esq., addressed the Board at some Length on the Subject, as did several of the Guardians. Moved by Mr. Thomas Ward, and seconded by Mr. William Pitman King, That Mr. Richard Beadon Ruddock be appointed Medical Officer for the Stowey District, at a Salary of Sixty Pounds per Annum. Moved, as an Amendment, by T. W. Inman, Esq., and seconded by Thomas Poole, Esq., That in the Opinion of this Board the Tenders of the several Medical Gentlemen are more than an adequate Remuneration for their Services, and that they be not accepted. Upon a Division, the original Motion was negatived, and the Amendment carried." Then there was a Resolution, "Moved by Thomas Poole, Esquire, and seconded by T. W. Inman, Esquire, That the Sum of 450/. for the whole Medical Care of the Union, including the Workhouse, be given to the Medical Men for their Services, and for each Case of Midwifery 10s. as before; which, on a Division, was negatived." "It being understood that several of the Medical Gentlemen were in attendance, they were called before the Board; viz. Mr. James Coles Parker, Mr. Abraham King, Mr. John Evered Poole, Mr. Richard Beadon Ruddock, Mr. William Lakin Caswell, and Mr. Joseph Addison, and informed that the Terms contained in their Tenders could not be complied with, they being so far beyond what were paid in other neighbouring Unions, which the Board regretted, but they were desirous of meeting them fairly and liberally, and re requested they would retire and see if they could not offer some other Terms that the Board might accept. After having retired for a few Minutes, they re turned, and stated that they should adhere to their Tenders, and would not take the Appointments on any other Terms. Being asked what would be their Charges if called in in Cases of Sickness amongst the Poor, they stated that they would be the same as in the Case of any other private Patient. . Moved by Thomas Poole, Esquire, and seconded by Mr. James Somers, that the Clerk be directed to advertise in the *Lancet*, *Medical Gazette*, *Morning Chronicle*, *Standard*, *Bristol Mirror*, and *Bath and Cheltenham Gazette* Newspapers

Not being able to agree with those Gentlemen, did the Board adjourn the Election of the Medical Officers ?

Yes; they directed the Clerk to advertise, and in the meantime requested the Medical Officers to take charge of the Districts. Then on the 30th

Day 3 Friday 15 June 1838

Evidence of Abraham King, p599; George Warry, *passim*

Edited by Tony Woolrich — Corrected 04/04/2021

15

of June a Letter from Mr. Robert Young, Surgeon, was read, offering to take charge of the Poor of the Middlezoy District on the Terms before offered, viz. 35*l*. It was thereupon moved by Mr. James Somers, and seconded by Mr. Simon Morle, That Mr. Robert Young be appointed Medical Officer to the Middlezoy District, from this Day to the 24th of June next, with a Salary at the Rate of 35*l*. per Annum, which, upon a Division, was carried.

*You were understood to have stated that the Salary of that is now 40*l*.?*

That was the Advertisement put out on the 23d of June, but I think that it was filled up, **618** previously to the Advertisement, by Mr. Robert Young. There are only Four Districts advertised on the 29th of June.

*Was it the Fact that Mr. Robert Young tendered on the 23d of June at 40*l*., and was not elected, but that he was elected on a subsequent Day at 35*l*?*

Yes.

After the Advertisement of the 23d of June you had some Offers from Persons not resident within the Township?

We had Offers of Medical Men not resident within the Union.

When did Mr. Ward offer ?

He offered on the 14th of July.

Had you an Offer from any Persons but those resident within the Union till the 14th of July ?

No ; there were Letters on the 7th of July, written by Gentlemen, making Inquiries respecting the Duties of the Office, and enclosing Testimonials. Letters were severally read by the Clerk from Mr. John Rodney Ward, Mr. Francis R. Moseley, Mr. Walters, Mr. William Rowland, Mr. W. S. Gill, and Mr. C. Smith; together with the Clerk's Reply to each Letter.

Where did Mr. Ward date his Letter from ? He wrote from Newcastle-on-Tyne. Mr. Moseley from No. 21, Lincoln's Inn Fields.

You proceeded to the Election, and elected Mr. Ward ?

Yes; one other Medical Officer also tendered on that Day.

Had you any other Tender for the Bridgwater District and the Work house ?

Mr. King tendered. "The Clerk produced Letters from the under-mentioned Gentlemen, offering themselves Candidates as Medical Officers for the following Districts, which were read ; viz. Mr. Abraham King, for the Bridgwater District and Union Workhouse; Mr. Horatio Nelson Tilsley, for the North Petherton District; Mr. William Lakin Caswell, for the Huntspill District; Mr. Richard

Beadon Ruddock, for the Cannington District. Moved by the Rev. Samuel Starky, and seconded by Mr. Richard King, That Mr. Horatio Nelson Tilsley be appointed the Medical Officer for the North Petherton District, on the Terms of the Advertisement set forth by the Board of Guardians in the *Lancet* of the 1st Instant. Which, upon a Division, was carried, and Mr. Tilsley was declared duly elected."

Have you Mr. Abraham King's Tender?

The Tender is this: "To the Board of Guardians. Gentlemen, I take leave to send you my Bill for Midsummer last; and at the same Time to offer myself as a Medical Attendant for the District marked No. 1., and the Workhouse, in your Advertisement of the 17th of June, on the Terms contained in my Letter to you of the 23d of June; and also for the Workhouse, on the Terms then offered by Mr. Parker. Should this Offer of my Services be accepted I will engage to give up the Amount of the accompanying Bill for Attendance on the Poor from the 24th of June, and to commence with the Salary from that Day. In case the above Offer should not be accepted I hereby offer to contract for District No. 1. on the Terms of your Advertisement in the Standard; and I trust, Gentlemen, that your Experience of the Manner in which the Medical Duties of the District entrusted to me have been performed is such as to justify my again soliciting the Confidence of the Board. I remain, Gentlemen, your obedient Servant, Abraham King."

The Tender he had made on the previous Day was at so much a Head for the District ?

Yes; and Mr. Parker had offered for the Workhouse for 50*l*.

Did you take the Trouble to see how far that Offer per Head, made by Mr. King on the preceding Day, was greater or less than the Sum that was proposed to be given for it?

Mr. King's Offer at 3d. per Head, together with the 50*l*. for the Workhouse would have **619** amounted to more than 130*l*. a Year; the Amount for the District at 8d. per Head would have been 97*l*. Mr. Parker offered for 50*l*.

He offered also subject to the Payment of his Bill?

Yes; provided the Board would pay him his Bill, for 60*l*.

*The Offer to take it at 50*l*. contemplated the Payment of 62*l*. for his Bill, did it not ?*

Yes.

*Why did you not accept his Offer of 130*l*. ?*

If we had accepted his Offer we should have paid that Bill of 62*l*.

Was that the Reason you did not accept his Offer?

No, that was not exactly the Reason we did not accept his Offer.

That shows, however, that in a Money point of view it would have been disadvantageous ?

Yes; Mr. King had in the Minds of the Guardians excluded himself from Eligibility by the Statement he made. Mr. Abraham King was called before the Board, and asked if he was under any Obligation that prevented his acting professionally with any Gentleman now acting as Medical Officer in the Union : he stated that he was.

Who was that Medical Officer ?

Mr. Young had been elected Medical Officer of the Hill District; Mr. Phillips had been elected Medical Officer of the Polden District; and Mr. Young was also Medical Officer of the Middlezoy District; and Mr. Young was excluded from all Communication with the Medical Officers, as he stated to the Board, merely because he had accepted the Appointment under the Board.

It was not that they thought him an incompetent Person, for they had asked him to join their Medical Association ?

Certainly, he had been invited to that Association.

You were obliged to increase the Offer for the Bridgwater District and the Workhouse to the Amount of 30l. from your first Proposal of the 22d of May ?

Yes.

In that Case does it not appear to you that those Persons were justified in saying that you fixed the Salaries too low on the 22d of May ?

When we advertised on the 23d of June, we advertised for our Advertisements to go more widely.

But you increased the Salaries you had proposed ?

We did.

Are you to be understood that between the 22d of May and the 23d of June you had discovered that you had fixed too low a Sum for the Attendance upon this District ?

We found that we could not induce Medical Men resident in the Neighbour hood to take those Salaries, and we thought it better to increase the Salaries and to invite Strangers to the Neighbourhood.

If the Sum had been sufficient in the first place on the 22d of May why was not it sufficient on the 23d of June?

We were anxious to secure the Appointment, and therefore we made the Place more eligible.

Is it not clear that a Person who is situate in the District and has private Practice can undertake such an Office at a cheaper Rate than a Person who comes from a Distance without any Connexion in the

Country?

Yes, certainly.

Therefore that Sum which might induce a distant Practitioner to come into the Union ought to have been sufficient for the Medical Residents there ?

I should think so.

620 *Would it not have been some Advantage to have taken Medical Men who had been accustomed to the Districts and the Poor, if you could get them at the same Rate ?*

That would have been desirable if they would have taken it on fair Terms.

Their Complaint was, that you had not fixed a sufficiently high Salary, and you were obliged to fix a higher; does not it appear that they were right in that ?

Probably the Board would have been disposed to increase the Salaries if they had acted otherwise.

If that was not the Effect, you were not right in the Salaries you fixed?

The Board took a great deal of pains to fix the Salaries. We had heard no Complaints in the other Unions of the Scale being disapproved of,

But between the 22d of May and the 23d of June you found that you had fixed too low Salaries ?

Our Notice was circulated out of the Neighbourhood; we wished to secure the Attendance of Medical Gentlemen, in order not to be beaten by the Medical Men.

In order not to be beaten by the Medical Men you made that Increase in the Salaries ?

Yes.

Therefore the Expense to the Parishes was as great as if you had attended to their Letter of the 2d of June?

No; the Salaries we fixed were not so high as those Medical Gentlemen demanded.

Did they demand any thing before the 2d of June?

No.

That Letter of the 2d of June is a mere general Letter, stating that they had not been sufficiently paid for their Labour, and that the Scale of Salaries was not sufficient ?

Yes.

Subsequently you altered it, and made a Tender upon that Alteration of yours ?

Yes.

Would it not have been as well, as you found that since the 22d of May you had been actually obliged to increase the Salaries, to have tried whether you could

not have come to Terms with those Gentlemen on the 2d of June, and given them some Increase on the Salaries you advertised?

On the 16th of June they made no Offer. On the 23d of June they made an Offer amounting a higher Salary than we now pay to our Medical Officers

What Guarantee have the Guardians that if they assented to their Terms this Year they would not raise them again next Year?

None.

What Guarantee have they that on the 25th of June next Mr. Ward will not require a larger Salary?

We have none.

Is not he content with it?

Yes.

Was not the Door open to Discussion up to the 16th of June?

Yes.

You fixed certain Salaries on the 22d of May, to which those Medical Gentle, men objected; would it not have been as well to have tried to have negotiated with them on the 2d of June, and to have made them the same Increase of Salary which you have been obliged to make since ?

We omitted to negotiate with them on the 2d of June; we should have been very glad to negotiate with them on the 16th of June; we attempted to negotiate with them on the 24th of June as would appear from the Minutes; and **621** when the Medical Men were requested to withdraw and consider other Terms; they refused to give other Terms than 4d. ; and we have obtained less Terms since.

Those less Terms are entered into by a Person who comes from a Distance, and be at considerable Expense?

Yes

All of which the former Medical Men would have saved by making a fair Offer?

Yes.

Do not you think the Offer made to the Medical Men resident must be more profitable to them than the increased 30l. could be to Mr. Ward ?

I should think so.

Are you satisfied that your Advertisement of the 22d of May contained a sufficient Salary for this District?

Yes, I should think it was a sufficient Salary compared with the Payment of the other Medical Officers in the County of Somerset.

And compared with what Mr. Ward now has ?

Mr. Ward's present Salary is rather higher, but taking their relative Position it is more nearly equal.

What you offered to give the Medical Men would have been of more worth to them than the Payment you made to him, considering he came from a Distance?

Yes

The Question was equally to the Medical Men there as to Mr. Ward; if it had not been for the other Circumstance Mr. King would have had it?

Yes.

Was not he called in and asked how far he would consult with certain other Individuals ?

Yes, he was.

That was previous to the Question whether he should be elected ?

Yes; then by his stating that he was in that Position that prevented his communicating with the Surgeons of the District, it prevented his being elected. If he was sent to the Workhouse he must have been in communication with the other Surgeons of the District, and when the Guardians saw there was that Combination he was rejected.

The Salary being increased?

Yes; and Mr. King had previously refused to accept any other Terms from the Board than 97l. and 50l.

Some of the old Officers were appointed; for instance, Mr. Tilsley was appointed, and Mr. Caswell?

Mr. Tilsley was appointed, I think, first to the North Petherton District.

Was he asked that Question ?

I think he was not, before he was elected.

In your Advertisement of the 22d of May that District stands at 55l. ; it is now let at 75l., the Population being reduced ?

The Population in the first Year was Six Parishes containing, a Population of 4,973; the first Year's Salary, 68l. ; then, according to the Advertisement of the 22d of May, it is 4,679, and the Salary fixed for it was 55l.

That is now fixed at 75l. ; does not that Fact prove that they were justified in stating in their Letter of the 2d of June that the Remuneration was not sufficient?

I should hardly say that that was the Case; when we are obliged to pay a high Price it is not always Evidence that the Thing is worth it: we were compelled to increase those Salaries because we could not get Men to take them.

Day 3 Friday 15 June 1838

Evidence of Abraham King, p 599; George Warry, *passim*

Edited by Tony Woolrich — Corrected 04/04/202

622 Labour is worth what it can obtain If there were Medical Men in the District who had not the Expense of coming into the District, I think it would not have been worth so much.

Circumstances do sometimes happen to interfere with the Freedom of the Market?

Yes.

First of all you go to another Market, and you obtain another Person at an increased Salary, in one instance; in the other, you obtain a Person resident, and are obliged to give him an increased Salary. Do you think those Facts taken together are no Justification of those Medical Persons saying the Salaries were not sufficient ?

When we increased the Salary it was to invite Strangers to come into the District, and as the Matter was then open to Strangers or the Medical Men resident there, I apprehend Mr. Tilsley was elected because no Stranger appeared.

Though you invited Strangers, you could get none to accept any but the Bridgwater District ?

The Practice in the Workhouse was the great Temptation to come, no Doubt.

A Workhouse contains a certain Degree of Hospital Practice, and adds very materially to the Experience?

Certainly.

The Cannington and Stowey Districts were also taken by Mr. Ruddock and Mr. Poole ?

Yes.

The Salary there was also increased, was it not?

Yes.

Not sufficiently to induce any Person to come from a Distance?

We thought it a sufficient Salary.

The Increase is 5l. ?

Yes.

Was that 5l. put on as an Inducement to a Person to come from a Distance?

There was a slight Increase; an Advertisement was issued with a view to bring Persons from a Distance.

Was that Sum of 5l. supposed to be sufficient, or was the Salary not though sufficient?

We thought that the Salary of 80l. was sufficient.

It had been stated before at 75l. ?

Yes.

Was that Increase put on to induce a Person to come from a Distance? .

I do not know; every Addition to the Salary would make it more eligible, of course.

You having been obliged to make an Alteration in Five of those Districts, would it not have been as well, before you had brought Matters into a State of Dispute between you and the Medical Persons, to have endeavoured to have made some Arrangement with them, you being quite satisfied with their Conduct the previous Year?

Unfortunately, the Feelings of the Bridgwater People are not very conciliatory. I knew nothing of this till I came to the Board on the 2d of June, but a great deal of Conversation had passed in the Town and Neighbourhood before the 2d of June. There is not a very conciliatory Spirit between the Parties, and I cannot answer for the Consequences of it. I am very sorry that that Letter of the 2d of June was written, and, still more, that of the 6th, because it completely prevented our coming to any Arrangement on the 16th; but it was only an accidental Circumstance, an Omission to acknowledge the letter. One of the Medical Officers, attending 623 on my Family on the Sunday subsequently, never mentioned the Subject, and he was received in my House just as courteously as ever. They published that Letter Two Days before they sent it to me.

Do you remember a Conversation with Mr. Baruch Toogood, in which you stated to him, he being a Medical Officer, "It is only the first Year; I dare say another Year the Thing will work better and be paid better;" and that you had some Intention of forming Medical Clubs, and adding the Salaries of the Medical Clubs to those of the Union ?

That has been my Impression, and I believe I did state that to him.

Mr. Toogood states in his Evidence: "I recollect One Instance, where I was requested to go to visit a Midwifery Case at some Miles distant; the Clergyman of the Parish came to me and represented the Person to be in a dangerous State. On the Road I met the Relieving Officer; he told me I should certainly have an Order. I told him I had none. I went to see the Person ; she was not in a State to be delivered; I prescribed for her; she was not delivered then, and because she was not delivered I was never paid by the Board, which made us careful not to go unless we got actual Orders from the Officer; I rode Sixteen Miles, and got nothing for it." Then he is asked: "Did you call it a Midwifery Case because the Woman was suffering Pain with her Pregnancy ? Yes.—How soon was she delivered? The Day afterwards, I think.—You were not present then? No.—The Pangs of Labour had taken place? Yes; the Labour was protracted.—Because you were not present at the Time she was actually brought to bed you received nothing? No.— Did you go the Six teen Miles again to attend her? I was not sent for to attend her afterwards. —

Should you have expected to be paid for Two Labours if you had gone a Second Time and attended her? Certainly not.—You did expect to be paid something for going, though she was not brought to bed? Yes, because the Clergyman of the Parish came to tell me, and I met the Relieving Officer." *Do you recollect a Refusal on the Part of the Board ?*

I cannot call it to my Mind; if the Circumstances were stated, and the Place, perhaps I could call it to mind.

Do you think the Board could, with Justice to the Rate-payers, have made an Order for the Surgeon to receive Half a Guinea for an Attendance on a Case where he did not deliver the Woman ?

I should have said so ; my Opinion is that the Board would give him his Half-Guinea, having ordered him to attend the Woman.

Is not the Circumstance of his going away presumptive Evidence that he did not consider her in immediate Want of his Attendance ?

I should say so; I do not know how it was that he was not afterwards in attendance; the Case being committed to him, I think he was responsible for it; it is a Resolution of the Board, over and over again, that where a Pauper is once committed to a Medical Officer, he is not to give her up unless the Order be recalled.

Suppose a Medical Man were to leave her to attend another Patient, and that she is delivered in the meantime ?

I should say that he would be entitled to his Fee; if a Medical Man does not see an immediate Prospect of Delivery, he goes away, and returns when he is sent for again. There was an Occasion on which Mr. Baruch Toogood applied to the Board, conceiving that he ought to have been called in on an Inquest on a Person who died in his District, so as to entitle him to the Fee for attending before the Coroner. They gave their Opinion that he ought to have been called in. I mention that only to show the Feeling of the Board as it respected their Medical Officers.

You received Testimonials with Mr. Ward ?

Yes.

Have you those Testimonials with you?

No; they are in his own Possession; I apprehend they are his own Testimonials, and I suppose were returned to him.

624 *Was he a Member of the College of Surgeons?*

I cannot speak to say positively; he produced a great many Testimonials.

Of what Nature were they ?

Of various Kinds; he had some Foreign Degree, they were very high Testimonials; he had Testimonials from some Hospital in London, where he had been, I think, Twelve Years.

They did not appear to be inferior to those of any of the Gentlemen in Bridgwater ?

By no means; they were very superior Testimonials.

Were any of the Board acquainted with Mr. Ward?

Not in the slightest Degree.

Their Choice was in consequence of the Opinion they formed of his Fitness?

Yes, entirely.

Mr. King was a Candidate also?

Yes.

You were understood to say, that, but for the Circumstance you have referred to, he would have had a very good Chance?

Yes; his Testimonials were very good also.

He had served you for a Year, and you were satisfied with his Services?

Yes.

Did you make any Inquiry how far Mr. Ward had passed his Examination as a Surgeon after his Education ?

We made no Inquiry; we had no Time to make an Inquiry; the Testimonials were presented to the Board on the Day of Election, and they were sufficient Documents.

You do not know whether there was a Document stating how he had passed his Examination ?

I do not recollect the precise Documents; the Documents were produced before the Board; I am not certain that he had one; I am certain the Documents were very satisfactory.

Do you remember where he had practised ?

I think at Leyden.

You have stated that he had Testimonials from an English Hospital?

Yes, he had ; the Female Lying-in Hospital near St. Paul's, I think.

What aged Man is he?

I suppose he is Forty.

Had he been long settled in Newcastle or London?

I think not; I think I understood that in consequence of Ill-health he had gone down to the North; in consequence of breaking a Blood Vessel I was informed.

Where had he practised as a Surgeon or Apothecary?

In London; I think he had practised Ten or Twelve Years in London.

Mr. Ward's Testimonials were considered ample?
Quite satisfactory.

As far as you could observe it was not from any Favouritism towards Mr. Ward that he was appointed ?

Not the slightest.

It was from the Excellence of his Testimonials he was elected ?

Yes, and from a Determination to resist the Combination.

After the Experience of a Year have you been satisfied with Mr. Ward's Competence for the Situation ?

Quite satisfied.

625 *Has he not appeared rather superior in the Management of the Poor to what you had before*

The Poor, as I hear, come to him in great Numbers from all Parts of the Neighbourhood.

Has he not, in consequence of that Degree of Reputation he has gained, acquired considerable private Practice ?

I am told that is very great.

Has not the Animosity of the other Doctors against him been increased by that Circumstance?

I think that very likely.

That Animosity has not ceased, has it?

It continues now as much as ever.

Do they not refuse to associate with him?

I understand they do.

On One Occasion when he wanted a Consultation, was not he obliged to send a great Distance to a Surgeon to consult with ?

I believe the Surgeons have refused to meet him in Consultation, and that a Physician who has met him in Consultation has been sent to Coventry by the Medical Association at Bridgwater.

Do you remember the Case of Charlotte Allen, which is referred to in the Pamphlet which has been published?

I did not recollect the Case till the Medical Officers Pamphlet appeared.

It has been brought to your Knowledge?

Yes.

Do you know, from Inquiry, that she was delivered on Friday the 30th of June 1837, after a difficult and violent Labour ?

I do not know that it was a difficult and violent Labour; I believe it was her first Child, and that is generally perhaps the most violent.

Was any Complaint made to the Board of the Relieving Officer not having given an Order for the Medical Person in charge of the District to attend her?

I have no Recollection of the Facts of the Case, except so far as I was subsequently informed; all I know about it I believe has transpired since; I have no Recollection of it, and it was not likely I should, for the late Mr. Poole, who lived in the Parish, would have taken the whole Management of it upon himself; if I had been in the Chair I should have taken very little part in it, in consequence of his great Attention and Experience.

Do you know what has become of the Woman ?

She is in the Workhouse at this Time.

After she had been reported unable to move for some Time, did not she receive an Order for the Workhouse?

Yes; the Guardians determined to have her into the Workhouse; we told Mr. Ward specially to investigate the Truth of the Charges contained in the Pamphlet; and he made a Report that she had neither a Prolapsus Uteri nor a Laceration of the Womb.

Was she not in consequence of that ordered into the Workhouse ?

We determined then to have her into the Workhouse.

Did she come into the Workhouse?

Not then.

What became of her?

I think the Relieving Officer told me that after having been kept in Bed without moving out she got into a Cart, and went in that Cart over the Quantock Hills, to get out of the Union; it was suggested that the Change of Air might do her good, and the Board allowed her 1s. 6d. a Week for a few Weeks, and the Relieving Officer was directed to go out and see her.

626 *Where was she sent to ?*

Across the Quantock Hills. I fancy she got better, but I was absent from the Board immediately after that. When I went to the Board one Day, I was surprised to hear she was in the Workhouse.

How is she now?

She is better. I went to see her, and I asked her whether the Thing was so bad as it had been represented. She stated, no, she was better.

Has she a Prolapsus Uteri" ?

Mr. Ward says she has not, and that he shall restore her.

Do you believe "that the Remainder of her Existence will be miserable to herself, and intolerably offensive to those around her"?

No, by no means. When I saw her standing in the Sick Room in the Work. house, she did not appear so much of an Invalid as I expected to see, and she never has been offensive; that was stated before the Board; the Question was asked, and the Nature of her Disease was inquired into.

Do you recollect any Orders being given to the Relieving Officers during the Time the Medical Persons were to be paid as usual for Patients, not to be free in giving Orders for Medical Relief?

After their Contracts had expired it was intimated to me that the Medical Officers were very active in attending Patients, and running up Bills. This was communicated to me respecting the late Mr. Caswell, that he was going out in all Directions, picking up Patients.

They were not so active previously ?

They were not.

They were rather displeased at being directed to attend Persons who they thought were not in a Condition to require it, were they not?

Yes. Mr. Caswell had complained of that, and that is what he refers to in his Letter of the Second Poor. After that he went to the Parish Officers, and obtained Orders from them, and compelled them to give him Orders by wholesale, for Mr. Caswell showed me a List of Paupers who had been assigned over in a List to him, authorizing him to attend.

You cautioned the Relieving Officers upon this Subject ?

Yes. They were told to be discreet in giving their Orders, but, above all things, to take particular Care that during the Difference with our Medical Officers no poor Person was suffered to want Relief; that Direction was given, over and over again, from the Chair.

Do you remember a Letter being written to the Board, by Mr. Parker, about the Case of a Man of the Name of John Cook?

As that Letter has been made the Subject of Conversation since at the Board, I remember it, but I did not remember it before.

Do you remember an Order having been given to Mr. King to attend that Case ?

I do not remember the Circumstance; at the Time of the Matter being investigated it was stated to have been given to him, I remember.

Do you know Cook, or any Part of his Family?

No it was stated that he was not a Pauper, that he was not entitled to Relief.

Is not he a Shoemaker?

Yes, and earning great Wages.

With respect to Mr. Caswell, you say that he had been very active since he was to be paid by the Case like an independent Patient, but that previously to that he had not been so active ?

He had not been so active in getting Patients, certainly.

Was not he elected to some other District afterwards?

Yes, we had no Choice; we could not find any one else to take it.

627 *Though this was the Case, you thought it right to elect him ?*

Yes, or the Poor must be neglected.

With respect to Mr. Tilsley, when he was appointed to the North Petherton District, and he was to receive a Salary of 75l., what was said about his Bill at that Time?

It was not objected to ; it was paid.

What was the Amount of it?

15l.

That was thought a moderate Account?

Yes, it was thought so in comparison with others; and Mr. Tilsley's Conduct all through has been courteous; it has been said that Mr. Tilsley signed the Letter of the 2d of June with great Reluctance, but I cannot speak to that.

When Mr. Ruddock's Appointment came into question, were there any further Proceedings upon that Occasion ?

There was a Candidate for that District, one of the Strangers who had come.

What District was that ?

The Stowey District; there were Two or Three Strangers. Mr. Moseley had also been desirous of obtaining the Bridgwater District and the Workhouse, but Mr. Ward was elected to it; the Feeling of the Board was against Mr. Ruddock generally; they would have been glad to have elected a Stranger to that District.

Who was elected to that ?

Mr. Ruddock was elected afterwards; Mr. Moseley was elected first, and, on being told that he must take charge immediately of the Patients (I think before he left the Room), he turned round and said he declined accepting the Appointment. Then it was proposed that Mr. Ruddock should be selected, and he was.

Was there considerable Feeling in favour of Mr. Moseley on that Occasion ?

Day 3 Friday 15 June 1838

Evidence of Abraham King, p 599; George Warry, *passim*

Edited by Tony Woolrich — Corrected 04/04/202

22

There was ; the Feeling of a great many of the Guardians was in favour of Mr. Moseley, and Two of them left the Room asking if they might propose him to the Appointment; they came back after some Delay and said they were authorized to propose him, and they did propose him.

Mr. Moseley had not tendered for that particular District ?

No, he had not.

Is it true that Two of the Guardians went out, that the Proceeding was delayed till their Return, and that he was then elected ?

There was a Room outside, where he was in attendance; they went out and asked him whether he was willing to take the District, and they came back and stated that he was ; and in the meantime there was some Delay in the Election.

After that, you took into consideration the Bills which had been brought in for the Three Weeks Service of the Medical Officers ?

Yes.

Those Bills amounted to 248l.?

Yes.

What Offers did you make to them?

We offered to refer the Bills to Two mutual Friends, and to give those Friends the Power of choosing an Umpire.

Was the Offer refused by them?

It was refused by all but Mr. King.

Was there an Offer of any Sum ?

Yes, previous to that.

What was that Offer ?

I think it was double the Amount of the Proportion of their Year's Salary.

Yes; there is this Minute of the 27th of October: — "Moved by the Honourable P. P. Bouverie, and seconded by Mr. James Somers, That to those of the Medical Officers who are now under Contract to the Board a Tender be made for their Services for the Three Weeks that intervened between their First and Second Contract at double the Rate for which they have contracted for the remaining Forty-nine Weeks of the current Year." That was carried.

Was the Offer made to them 38l. 13s. ?

No further Offer was made than the Resolution which has been read; I do not think that was communicated.

That was refused by them ?

Yes.

Was there a Division upon it?

I suppose there was ; I cannot state; that does not appear upon the Book.

They state that it was carried by a Majority of One?

The Medical Men have reported the Numbers who voted upon Questions; we never took the Numbers.

If you had engaged those Persons to serve on the common Terms of other Patients how could you expect they would make so great a Deduction upon their Bills ?

We considered them to be pauper Patients; they never could expect to be paid as if they were attending rich Patients; and if we gave them double the Amount of what they had contracted for we thought that a fair Remuneration, and particularly as they were all then Officers of the Union, except Mr. King, and he agreed to a Reference; and I think he got about Half, which the Board offered to increase after the Verdict. On the 11th of November there was a Letter from Mr. King, offering to submit his Bill to Arbitration ; it was thereupon "moved by Mr. James Somers, and seconded by Mr. W. P. King, that a Committee be appointed for the Purpose of examining the said Bill and report to the Board thereon; and that they consist of the following Gentlemen, namely, Mr. James Somers, Mr. William Pitman King, and Mr. Francis Price. Carried unanimously." . The Board sometime in the Month of October requested me with Two other Guardians to meet Mr. Caswell in order to negotiate an Arrangement with him ; we appointed to meet him on the Saturday Morning at Ten o'Clock, Three miles from Bridgwater; previously to meeting us he went to Bridgwater, which is quite out of his Way, and then he refused to take any Sum short of the 92l., and stated that he was not able to take less.

Did he state from what his Inability arose ?

628

Was Mr. King's Bill settled by Reference, or not?

Yes.

What did he demand?

62l. I think.

What did he get?

I forget exactly what we paid him then; subsequently that was increased after the Verdict of the Jury; they struck off only 25 per Cent. of Mr. Poole's Bill; then the Board said they would strike off only 25 per Cent. of Mr. King's Bill, and put him into the same Situation.

He was paid Three Fourths?

No, he did not.

Was there at any Time any Complaint made to the Board of their having neglected to answer written Communications from the Medical Officers ?

I do not recollect any Circumstance of the Kind.

Is it true, as has been stated, that, from the first Day of the Formation of the Bridgwater Union to the 9th of June 1837, the Civility of a Letter in reply was never deigned to any Communication from any Medical Officer of the Union ?

I am not aware of that.

629

You do not recollect any Complaint on that Subject?

No ; there have been Suggestions from Time to Time sent to the Board by the Medical Officers, but they were merely Information, which required no Answer, except the Acknowledgment of its having been received; our Proceedings have run to such a Length, I have sat there till Candle-light, and many things have been omitted, which perhaps strictly in Courtesy ought to have been done, but they were omitted at the Time; and when the Board separated and we have gone home, I have had to ride Nine Miles in the Dark.

You think that reasonable Men would make Allowances?

Yes.

You have had considerable Difference of Opinion in your Board?

Yes; we went on very well the first Year.

Is there a Hope of Things getting better?

I fear not.

You are not Chairman now ?

No.

You are an ex officio Member ?

Yes.

Do you continue to attend the Board ?

Yes, I have been down since I have been in attendance here to the Election of the Surgeons.

Do you know whether other Unions are in the habit of contracting at a certain Sum per Head ?

Yes ; I believe it is the Practice. I have Accounts here of several of the Unions where the Medical Men stated that to be the Fact, and we ascertained what the Payments in several Unions were.

Are the same Medical Men all re-elected ?

Yes; I went down and attended on the Friday Morning; the Election came On at Once.

When they were elected did any of them say that they accepted it, not because they thought that sufficient was done, but because they hoped that something would come out of the Inquiries into the State of the Bridgwater Union either here or elsewhere ?

No, nothing was stated that I am aware of; I saw none of them; I wished particularly that the Election should stand over, and suggested to the Board that it should stand over for a Quarter of a Year, in order that, supposing any Suggestions with regard to the Medical Appointments should come from your Lord ships, or the Committee of the other House, we might then put Things on a permanent Basis.

Had you offered Mr. Tilsley for North Petherton 75l. a Year?

There has been an Alteration of the Districts.

Is the gross Amount of Salaries the same, or different?

The Salary of Mr. Tilsley is the same, but he has an outlying Parish added to his District, which was found very inconvenient in the District in which it was, and it could not be annexed to any other District than Mr. Tilsley's, and a Sum has been given to Mr. Tilsley for the Care of that Parish.

Was the Amount of Salary for the whole in the Year 1838 the same as in 1837?

No. Mr. Ward's Salary is the same. I think 10l. has been added to Mr. Tilsley, for taking the Lyng District. It was not at all with his Consent that it should be added to his District; it was inconvenient to him, and it was necessary to add that, to induce him to take it.

Have you re-appointed the Medical Men with that Addition at the same Rates ?

I believe so.

If there had been any Attempt to reduce the Salary of North Petherton, do you not think you would have known it?

There has been no Attempt to reduce the Salary.

630

To what District did the Parish of Lyng belong?

To the Middlezoy District.

Have you not deducted from the Middlezoy District, in consequence of taking off that?

Yes, we have deducted from the Middlezoy District, but not to the same Amount; but I

Day 3 Friday 15 June 1838

Evidence of Abraham King, p 599; George Warry, *passim*

Edited by Tony Woolrich — Corrected 04/04/202

24

doubt whether Middlezoy District is filled up; I have an Idea that Mr. Young was chosen and has declined taking it.

You stated the Salaries of the Medical Men for the Bridgwater Union at 370l. for the first Year ?

Yes.

What is the Amount of Salaries of the Medical Men for the Bridgwater Union at present ?

445l

Have you ever heard of a Woman of the Name of Winslade, who, from a flooding, became insane, in consequence of not being properly attended to, in consequence of the Relieving Officer delaying the Order?

I think there was a Pauper of that Name in the Bridgwater Workhouse, who was some time ago sent to a Lunatic Asylum at Bath; but I never heard that she was insane from any Want of Treatment of the Medical Man. My Attention has never been called to any improper Treatment respecting her; I never heard the Case before.

Do you remember the Period of her Admission into the Union Workhouse?

No; I should have said she had been an Inmate of the Bridgwater Work. house for some Time. I have seen her at the old Workhouse.

Mr. King attended the Workhouse at that Time?

Yes, he did, the first Year.

[The Evidence of Mr. Abraham King upon the Case of Mary Winslade is read to the Witness, and he states: "I never heard of the Case before."]

Are you aware of Mr. Caswell having attended the Case referred to by Mr. Abraham King, and being refused Payment?

No; there are certain Rules by which we are regulated, of course.

Shall you be able to give any Evidence in respect to the Prevalence of Diarrhoea in the Workhouse, in the Time comprehended by Mr. Bowen's Pamphlet?

Not from my own Knowledge of the State of the Workhouse.

Are you aware that the Diarrhoea existed in the Workhouse?

I was not aware, until after Christmas 1836, of a Disease called the Diarrhoea existing in the Workhouse. It is now stated to have commenced in October 1836. It so happened, that on the first Mention of Diarrhoea I was not at the Board.

You never received a Communication from Mr. King upon the Subject?

I have not much Recollection of Mr. King's Letter, though I was at the Board that Day. I find from my private Memoranda the Bishop was at Bridgwater respecting the Church Building Society, and I was called upon by Mr. Bouverie and others to go and attend that Meeting, and I left the Room; and I think, from my Recollection of that Letter, it must have been received while I was absent.

Did you receive from the Medical Officers or the Visiting Committee repeated Complaints of the Existence of Diarrhoea and the Diet Table?

No, I do not remember any.

If any such had been presented, would they not have been entered upon the Minutes?

I should think so.

Did you constantly attend the Board as Chairman during that Period?

Yes, unless when I was attending at the Quarter Sessions during the Week, or was prevented by some Accident.

Except from such Circumstances as those, you were usually present?

Yes, I was.

631

If frequent Complaints had been made upon the Subject of the Diarrhoea, you would have heard of them ?

Yes; the Visiting Committee's Book does not contain any such Statement.

Nor any Complaint of the Diarrhoea?

No.

Did Mr. Bowen never mention that at the Board ?

He was not a Member of the Board at the Time; but he has never brought forward any Statement.

You never heard any Complaint of the Gruel?

No. A Gentleman of the Name of Baker has mentioned once or twice that the House was in an unhealthy State, and he wished the Board to bear that in mind, and not to order so many in ; but that is the only Circumstance I can remember affecting the Health of the Workhouse.

That it was not capacious enough ?

That the Paupers were not in a very healthy State, and therefore it was desirable they should not be so crowded. There was a Letter Mr. King wrote to the Board, in which he says, he recommends to them not to send in old People above such an Age with sore Legs. I have his

Letter here; it is dated the 18th of December 1836. "The Visiting Committee presented a Note from Mr. King, Medical Officer for District No. 1, which was read, stating that he considered it very desirable not to admit Persons above the Age of Sixty having ulcerated Legs into the Workhouse. The Board was of opinion that the Medical Officer should be consulted before Admission."

There is no Complaint about the Diet or the Diarrhoea?

On the 27th of September the Diarrhoea appears to have been mentioned; I was not in the Chair; there is no Mention of Diarrhoea in the Visiting Book for some considerable Time afterwards, so that the Disease of Diarrhoea was never before the Board.

During the Time you were Chairman were you in the habit occasionally of entering the Workhouse yourself?

I went there occasionally, but not so often as I wished, having so far to go home and being kept so late; but I have been in the habit of going once a Week of late.

During that Time did you hear of any extensive Illness in the Workhouse ?

No; I visited the House towards the End of May 1837, when the Diarrhoea was raging, and then the Disease made certainly great Impression upon my Mind, from the very thin emaciated Appearance of some who had been affected by it, but then an Alteration had taken place in the Dietary, and the Governor stated that the Persons were recovering, but I had no Idea till then of the Existence of the Diarrhoea to such a Degree.

Does the Board sit at the Workhouse ?

It did not then ; it met at the Town Hall; it does now.

Were you in the habit of attending at the House as one of the Visiting Committee ?

No.

Your Residence is at a Distance ?

Yes, Nine Miles. With my Attendance there, and my Attendance as a Magistrate, I felt that my Time was too much interfered with.

Who is the Chairman of the Board of Guardians now ?

The Hon. Mr. Bouverie, the Brother of the Earl of Radnor.

The Witness is directed to withdraw.

Ordered, That this Committee be adjourned to Monday next, Twelve o'Clock.