

## I.

NOTES ON THE CORPORATION OF SURGEONS AND BARBERS OF  
THE CITY OF EDINBURGH. BY R. SCOTT-MONCRIEFF, *Secretary*.

On 11th January 1909 Dr Fothergill read to this Society an amusing article on "A Barber's Shaving Dish" (*Proceedings*, vol. xliii. p. 135), and in that article he incorporated a note by me on the Corporation of Surgeons and Barbers of the City of Edinburgh. That note was rather hurriedly compiled from papers in my possession, and, although in the main correct, is misleading in one particular and capable of considerable extension in others. From my note it would be inferred that the Court of Session in 1722 had decided that barbers had never been full members of the Corporation under the Seal of Cause, as they had not been required to pass the examinations laid down in that document, but had merely been dependent on the surgeons. This was the not unnatural inference which I drew from the terms of the Court's interlocutor. A careful examination, however, of the pleadings before the Court has convinced me that, while the decision declared that the *then* barbers who had raised the action were not entitled to the full privileges of the Corporation, the Court had signified their opinion that the barbers admitted to the Society prior to 1648 were entitled to the same privileges as the surgeons. The matter is not one of much importance, but, as the proceedings are in themselves rather interesting, I may perhaps be allowed to go into the matter in greater detail.

For the purpose of making myself clear I must here repeat these clauses of the Seal of Cause which were particularly founded on in the action between the barbers and surgeons and afterwards in the action between the barbers and hairdressers. The second regulation

runs as follows :—“ ITEM that no manner of person occupy or use any points of our saids Crafts of Surgerie or Barber Craft within this Burgh but gif he be first freeman and Burgess of the samen and that he be worthie and expert in all the points belongand to the saids Crafts diligently and avisitly examined and admitted by the Masters of the said Craft for the honourable serving of our Sovereign Lord his Leiges and neighbours of this Burgh, and also that every man that is to be made freeman and Master among us be examined and provite in thei points following, That is to say That he know Anatomia, Nature and Complexion of every Member human's Body, & in like-ways that he know all the veins of the samen that he may make Flewbothomia in due time, and als that he know in whilk member the Sign has Domination for the time, for every man ought to know the Nature and Substance of every thing he wirks, or els he is negligent and that we may have ains in the year an condemnet man after he be dead to make anatomia of wherethrow we may have experience ilk an to instruct others and we shall do suffrage for the Saul and that nae barber nor Master nor Servant within this Burgh haunt use nor exerce the Craft of Surgerie without he be expert & know perfectly the things above written.” And the next Clause runs: “ ITEM that nae Master of the saids Crafts sall take prentice or fietman in time coming till use the Surgeon Craft without he can baith wryte and read.”

The Seal of Cause, which was dated 1st July 1505, was ratified by James IV. on 13th October 1506 and by James VI. on 6th June 1630, and the further privilege of exemption from serving in the army or as juryman was conferred on the surgeons by Queen Mary in 1567. Under these various deeds the surgeons and barbers seem to have lived together in comparative amity until the beginning of the seventeenth century, when the surgeons, aspiring to higher social rank, found their progress rather retarded by their connection with the barbers. Not that the surgeon-barber had by that time ceased to

exist, for by the 20th chapter of the statutes of George Heriot's Hospital which were adopted in 1627, it is provided that there shall be "one Surgeon Barber who shall cut and pole the hair of all the scholars in the Hospital and look to the care of those within the Hospital who any way stand in need of his art." Still, there is no doubt that the two bodies were drifting further and further apart, and the first definite step towards separation was taken in 1648. In this year, according to the barbers, the surgeons took advantage of the fact that there were in town ten surgeons and only six barbers, and passed an act and statute excluding the admission of simple barbers into the Corporation except they should be tried and found qualified in surgery. This resolution, they maintained, was merely carrying out the terms of the Seal of Cause, which had been allowed to fall into desuetude.

About the same time, 20th April 1649, the Incorporation got the Town Council to order all surgeons and barbers practising in the suburbs under the jurisdiction of Edinburgh—namely, the Canongate, Leith, Broughton, Portsburgh, and other pendicles—to take down their signs or basins until they had obtained liberty to practise from the Corporation of Surgeons and Barbers of Edinburgh. To this ordinance the bailies of the Canongate at first paid no attention, whereupon the City of Edinburgh appointed John Denham, one of their own bailies, together with James Borthwick, Deacon of the Surgeons, to go down to the Canongate and "see course and order taken with the non friemen barbers." Four of these contumacious gentlemen were thereupon summoned before the Town Council and admonished, and the bailies of the Canongate were informed if they did not carry out the ordinance the "deacon of the said craft with concurrence of the officers of this Burgh are hereby authorised to pass to the said Burgh of the Canongait" to compel observance.

It will be noted that there was no question of barbers in the suburbs becoming members of the Corporation. All that they were required

to do was to obtain a licence from the Incorporation to exercise their craft.

The result of the measure excluding barbers unless they could pass in surgery was soon felt, as the inhabitants of Edinburgh began to experience a difficulty in getting shaved and "poled." To what state of hairiness they had been reduced by the year 1682 it is impossible to say, but on 26th July of that year an Act of Council was passed which shows that considerable discomfort existed. This Act runs on the narrative that the Lord Provost, Magistrates, and Council, etc., "taking to their consideration that there is great scarcity of good qualified persons within the city who have skill to trim and barberise so that a considerable number of the inhabitants are forced to go to the suburbs to be trimmed as likewise it has occasioned many complaints to be made by noblemen and others resorting to the town that they cannot be conveniently served by persons of that employment within the town and to the effect the lieges may bot have sufficient ground to clamour upon that account, therefore they recommend to the Deacon and Incorporation of Chirurgeons to take some effectual course that the city be furnished with a competent and suitable number of persons skilled in the art of cutting hair and taking off of beards and that upon payment of such compensation as the said Incorporation and these persons can best agree; Declaring that if they did not speedily fall on some course to answer the expectation of the lieges in that point that they will not espouse or own their interest in case any attempt should be made by application to superior judicatories for causing the Incorporation of Chirurgeons to receive into their freedoms such a number of barbers as they shall think fit: Declaring likewise that in case they should voluntarily admit a competent number at present or any time hereafter of persons skilled in these points that they shall be holden as depending upon the said Incorporation and liable to the laws and acts of their calling." It will be noted that while in 1649 the Corporation is mentioned as that

of Surgeons and Barbers, by this time it has become the Corporation of Surgeons only; and it will also be noted that in the event of the surgeons voluntarily admitting barbers "they shall be holden as depending upon the said Incorporation."

Following upon this, a number of barbers were admitted as free barbers of the Corporation, the terms of their admission varying greatly in each case. In some cases they were admitted with the privilege of their after entering as surgeons should they pass the necessary examinations; in some, with extension of privileges to sons and sons-in-law; and in one case, that of Reuben M'Rabbie, only during the lifetime of his wife, Rebecca Pringle, daughter of Surgeon David Pringle.

The surgeons next strengthened their position by getting a new gift under the Great Seal, dated 28th February 1694, ratifying the rights of the surgeons but entirely ignoring the barbers, and, instead of conjoining with themselves their former associates, conjoining the apothecaries, thereby creating that mongrel body of "surgeon-apothecaries," as the barbers afterwards termed it. This new gift, which gave the new Incorporation full power over all persons exercising surgery, pharmacy, or barbery within the bounds of the city of Edinburgh, was duly confirmed by Parliament on 17th July 1695.

The surgeons now considered that they, and they alone, were the Corporation, the barbers, although nominally admitted as freemen, being allowed no say in the administration and getting no advantage of the fees which they had to contribute. They were regarded as merely licensed to shave. Matters culminated in 1718 by the barbers raising an action for restitution of their rights under the Seal of Cause. In the summons they complained of the arbitrary way in which they were admitted, of the fees levied, which are in one place stated to have amounted to no less than 140,000 merks, or £7694, and which money had been applied by the surgeons "for their own ends without applying for the poor of the barbers any part of it by quarterly pensions or

so much as the value of two upsets any way since the pretended dependence in 1682." The barbers in their pleadings maintained that the Act and Statute of 1648, insisting on the barbers having a knowledge of anatomy, was *ultra vires* and contrary to the terms of the Seal of Cause, and that all subsequent Acts of the Town Council and of Parliament were of no effect so far as they, the barbers, were concerned, they not having been parties to them. The surgeons maintained that nothing had been done in 1648 but what had already been done by the Seal of Cause, wherein anatomy was laid down as a necessary subject of examination; that the barbers had never been members of the Corporation, but had merely been dependent on and licensed by the Surgeons in the same way as cobblers were by the Corporation of Shoemakers and wheelwrights by the Corporation of Wrights. The barbers said, "No; the subjects of examination laid down by the Seal of Cause were clearly applicable to the surgeons alone, and that they could prove that they had been full members of the Corporation up to 1648 by the books of the Corporation itself, and they accordingly called on the surgeons to produce them." This the surgeons, while protesting they had nothing to conceal, refused to do, whereupon the Court ordered them to exhibit them upon a certain day and at a certain place to the barbers. When the day came the representatives of the barbers attended at the hour and place, but the clerk of the surgeons was found to have "stepped out of the way and the books were not forthcoming." Then followed another and more peremptory order from the Court, who stigmatised "the stepping out of the way" as a mere shifting and pretence. The surgeons' clerk, however, was wise in his day and generation, for the books, on being produced, conclusively proved (first) that surgeons alone had been asked to pass the examination in anatomy, etc., and (second) that up to 1648 barbers had been admitted to all the privileges of the Corporation—had not only attended and voted at the meetings, but on some occasions had held office. This demolished the surgeons' first

line of defence, obliging them to fall back on their second line, namely, that the Act and Statute of 1648 and the subsequent Acts of the Town Council and Parliament had altered the position of the barbers and had reduced them to the position of mere licence-holders. This view, for reasons not given, the Court, to a certain extent sustained, declaring that although the barbers were members of the Corporation, they were not entitled to all the privileges. The Court then laid down what privileges they were to enjoy, which are practically those mentioned in my former note. This decision, it will be seen, although it practically separated the surgeons from the barbers, did not entirely do so, for they still remained on as members of the same Incorporation. It was not a divorce, but merely a separation, *a mensa et thoro*, so to speak—a point which the barbers had to maintain, and did maintain successfully, in their after proceedings against the wigmakers, hairdressers, etc., who tried to infringe their monopoly.

There are two other points in the Seal of Cause to which I would like to draw attention. The first is the necessity for surgeons being acquainted with astrology in order to be able to bleed and operate satisfactorily. In the hope that I might be able to give you some information which might be valuable to you on the next occasion on which you require the services of a surgeon, I examined several books on astrology. I found them deeply interesting, but not of such a nature as could be condensed into a few words. This fact, however, which I found in the *Encyclopædia Britannica*, is short and interesting, namely, that to this day, when the astrologers declare the heavens to be favourable for bleeding, the streets of Bagdad run with blood from the barbers' shops. It is evident, therefore, that the belief in astrology has not yet entirely died out.

The second point to which I would like to refer is in connection with the following clause in the Seal of Cause: "That nae man nor woman within this Burgh make nor sell any aqua vitæ within the samen except the said masters, brither and freeman of the said crafts

under the pain of escheat of the samem but (without) favours." This clause, I think, is rather a remarkable one, and, although it has been quoted by several writers, does not seem to have attracted the attention it deserves. Time, however, does not permit of me doing more at present than merely referring to it.

In the foregoing remarks I have touched on one or two matters which are of interest in the relationship between the surgeons and barbers. The most curious fact, however, to me is that there should have been any relationship at all between these two bodies. This relationship was not confined to Edinburgh or even Scotland, but was common to the whole of Europe. In the pleadings before the Court of Session the two following reasons for the connection were given: (1) that both callings made use of sharp implements, and (2) that shaving was a necessary and preliminary operation to either bleeding or dressing of head wounds, and that in consequence a surgeon had either to be able to shave or had to call in a barber. This may be sufficient to explain why barbers for centuries prior to the Christian era had been in a way associated with surgeons, and had been allowed to bleed, draw teeth, pierce ears, and to cut corns and nails.<sup>1</sup> It does not, however, explain how it came about that surgeons, who, prior to the dark ages of the Christian era, were apparently closely associated with physicians, and, ranking as their social equals, were as far removed as the physicians were from the barbers, yet by the beginning of the fourteenth century had become so degraded as to be regarded as merely of a trade, and to be separated from their confrères, the physicians, by papal bulls.<sup>2</sup>

<sup>1</sup> As the following old lines poetically express it :

“ His pole with pewter basons hung,  
Black, rotten teeth in order strung,  
Rang'd cups that in the windows stood,  
Lined with red rags to look like blood,  
Did well his threefold trade explain,  
Who shaved, drew teeth, and breathed a vein.”

<sup>2</sup> Bulls of Boniface VI. and Clement V. (1305).

Prior to the Christian era the art of surgery was wonderfully advanced, and in Egypt there were specialists for almost every form of operation. The art was probably on a sounder foundation than the art of medicine, and this change that it underwent seems most extraordinary. Dr Mellingen, an army surgeon, writing in 1837, attributes the change to the following causes,<sup>1</sup> and I give them here as they are at least suggestive and interesting and may lead to someone else inquiring more fully into the matter.

After the fall of the Roman Empire and up to the middle of the twelfth century the practice of both medicine and surgery was almost entirely confined to churchmen. In 1163, however, the Council of Tours, held by Pope Alexander III., came to the conclusion that the humane interest excited in the breasts of churchmen in the illnesses and accidents of poor struggling mankind was but a wile of the devil to withdraw their attention from heavenly to earthly matters. The study and practice of medicine and law was accordingly forbidden to all who had taken religious vows, under pain of excommunication. This was followed in 1215 by a further anathema on transgressors, with an additional canon decreeing that, as the Church abhorred sanguinary practices, not only should no priest be allowed to practise surgery, but benediction should be refused to all who did so. This was carrying out with a vengeance the maxim, "Ecclesia abhorret a sanguine," and of course placed a bad mark against the practice of surgery.

It was one thing, however, to forbid churchmen to practise medicine and surgery, and quite another matter to get them to desist from what had no doubt been a lucrative business. With medicine it was comparatively easy to circumvent the edicts without detection; for as the diagnosing of disease was at this time done chiefly by an examination of the patient's excretions, it was an easy matter to carry these privately to the monastery and get a prescription. This plan was of

<sup>1</sup> Mellingen's *Curiosities of Medical Experience*, vol. ii. p. 8 *et seq.*

course impossible as regards surgical cases, for the patient had to be seen, and to see him without detection was more or less impracticable. The priests therefore turned to the barbers, who, for tonsorial purposes, were much employed by the Church, who were accustomed to the skilful use of sharp instruments, and who from time immemorial had been entrusted with the minor operations. In this way the barbers became the recipients of any surgical knowledge still surviving in the Church, and were probably used as *tulchan calves*. Hence the surgeon-barber of mediæval times. When the arts of medicine and surgery began to shake themselves free from the Church, this association of surgeon and barber proved most unfortunate for surgery, the practitioners into whose hands the art had fallen being as a rule uneducated men of a different social class from those practising medicine. The result was the deterioration of surgery, its exclusion from the universities, and its degradation to the position of a trade. It had taken surgery some centuries to sink to a trade, and it took it some centuries to rise again to a profession. Even as late as the beginning of the nineteenth century, Dr Mellingén states that surgeon-barbers were common all over Europe, and in support of his statement he relates the two following incidents. He writes: "So late as the year 1809 one of my assistants in the Portuguese army felt much hurt at my declining his offer to shave me; and in 1801 some British assistant-surgeons who had entered the Swedish navy were ordered to shave the ship's company, and were dismissed the service in consequence of their refusal."

If, on the one hand, the surgeon-barber lingered on the Continent long after he had disappeared from Great Britain, on the other hand it can be said that surgeons were officially recognised as a separate body in France at least long before they were so recognised in either England or Scotland; for St Louis, filled with admiration of the surgeon's art, which he had witnessed during the Crusades, formed a College of Surgeons in 1268.

In England it was not until 1540 that surgeons apart from surgeon-barbers were officially recognised, and then, curiously enough, their recognition is only for the purpose of conjoining them with the older Incorporation of Surgeon-Barbers, created in 1461 by letters-patent of Edward IV. One gathers from the Act of Parliament conjoining the two bodies that the older Incorporation of Surgeon-Barbers, although admittedly created for the advancement of surgery, had also practised barbering. For the future, however (*i.e.* after 1540), no member of the corporation was to be admitted to practise the two callings at one and the same time, "forasmuch as such persons using the mystery or Faculty of Surgery oftentimes meddle and take into their Cures and houses such sick and diseased persons as have been infected with the Pestilence, great Pox and such other contagious Infirmities, do use or exercise Barbering, as washing or shaving or other feats thereunto belong, which is very perilous for infecting the King's liege people resorting to their shops and houses, there being washed or shaven." The only exception was that barbers were to be allowed to draw teeth. The final separation between the two bodies in England did not take place until 1745.