

The story of a Medical Family in Malton, North Yorkshire in the nineteenth and early twentieth centuries.

Dr A. John Willmott

Introduction. It is necessary first to understand two significant Acts of Parliament, those of 1815 and of 1858. These are reflected in the lives of the men described here.

The first is the *Apothecaries Act 1815*. This was an Act of Parliament for “*the better regulating the Practice of Apothecaries throughout England and Wales*”. This Act granted the Worshipful Society of Apothecaries the power to licence and regulate the practitioners of medicine. It made it necessary for a prospective General Practitioner to serve an apprenticeship for a minimum of 5 years and then to satisfy the examiners of the Society of Apothecaries as to his knowledge of Anatomy, Botany, Chemistry, *Materia Medica* (medical matters) and *Physic* (the art of healing). It was often the case that once qualified as an LSA (Licentiate of the Society of Apothecaries), a doctor would go on later to seek qualification as an MRCS (Member of the Royal College of Surgeons).

The second Act was the *Medical Act 1858*. The Act came into force on 1st October 1858 and established by statute the *General Medical Council*, (GMC), still in existence today. Formally, this was styled the *General Council of Medical Education and Registration in the United Kingdom*.

The crucial requirement of this Act was to require the GMC to keep registers of all doctors, including their address and their qualifications. In practice, this meant that doctors qualified as an LSA, for example, under the terms of the 1815 Act, could be registered. Thereafter, it was expected that in practice new doctors would be qualified as a “*Doctor, or bachelor, or licentiate of medicine or master of surgery at any University of the United Kingdom*”, although technically, the LSA route was still available until a change in the Law in 1950. This excluded the LSA route and moreover, required a doctor before he qualified to undertake supervised medical practice in a hospital for 12 months after completing his/her medical degree course at a University. The registers were brought up to date and published every four years.

Nowadays, the registers are updated more frequently and doctors are subject to closer scrutiny, following the Dr Harold Shipman affair.

Origins of the data. The present author has extracted most of the information from the Censuses of 1841, 1851, 1861, 1871, 1881, 1891 and 1901 which can be inspected on-line via “ancestry.co.uk”. Also available via this site are the Registers of the General Medical Council which cover the period with which we are concerned here, including the 1859 Register (probably published in 1860 or 1861, such was the enormous task in establishing this first register). To a much lesser extent, newspaper records have been used.

Dr Joshua Hartley (1816-1902). Joshua Hartley probably came to Malton from his home in Marton-cum-Grafton in about 1835 to begin his apprenticeship under a Dr George Bartliffe (1811-1877). In the 1841 Census, he is described as a “student surgeon” living in Low Street (what is now Castlegate), next door to his mentor, Dr Bartliffe. However, Copperthwaite (see “*Malton in the early nineteenth century*”, edited by D.J. Salmon (1981), in which is published with maps, Copperthwaite’s “*Statistics of the Town and Parishes of Malton*”, dated 1843, which can be viewed in Malton Public Library.) shows Dr Hartley in practice in what is now called Forsyth House in Malton Market Place. He shared the building with a Zepulon Mennell. Dr Hartley had his surgery over the archway leading to the yard behind, where both men stabled their horses and housed their gigs. He and his family continued to occupy the same premises as sole occupants, certainly until 1907.

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Dr Hartley was aged 65 at this juncture. Sometime between 1881 and 1891, Dr Joshua Hartley retired to Norton, living at Brook Bank in 1901.

Although Dr Hartley had started to practice by 1843, having no doubt completed his apprenticeship, he did not qualify as a LSA until 1850. The problem of being examined by the Society based in London, at such a great distance from Malton must have contributed to this delay. However, in 1859, he did register with the General Medical Council and at the same time qualified as an MRCS which was registered simultaneously.

In 1848, Joshua Hartley married Maria Smithson (1827-1906) at St. Michael's Church, Malton. Dr and Mrs Hartley had nine children, including in particular *Harrison Hartley (1850-1885)*, *Alfred Hartley (1853-1907)* and *Herbert Hartley (1860-1918)*, all of whom qualified as doctors under the terms of the Medical Act 1858, all via the University of Edinburgh.

Dr Joshua Hartley died, aged 85, on 25th January 1902. His wife Maria died four years later.

Dr Harrison Hartley (1850-1885). Harrison Hartley was born in Malton, probably in Forsyth House, in 1850 and continued to live there until he died. He qualified in 1877 at the University of Edinburgh as a Licentiate of the Royal College of Physicians of Edinburgh and a Licentiate of the Royal College of Surgeons of Edinburgh and was duly registered with the GMC. In the 1881 Census, he is shown as practicing with his father, in the role of assistant surgeon. Much, no doubt, to his parents' dismay, he died on 2 December 1885 at the age of only 34. He was killed accidentally in the hunting field near Thornton-le-Clay. He was engaged to be married, at the time of his death, to a Miss Sowerby of Halifax. Perhaps they had hopes that he might join his brothers in taking over the practice.

Dr Alfred Hartley (1853-1907). Alfred Hartley was also born in Malton where he lived with his parents in Forsyth House. However, in 1881, he qualified at the University of Edinburgh as MB (Bachelor of Medicine) and as a Mast. Surg. (Master of Surgery). Two years later, he was awarded by that University his MD (Doctor of Medicine). About the time he qualified, his father retired to Norton and Alfred took over the practice. The 1891 Census shows him practicing with his brother Herbert and the GMC Register shows him still practicing with his brother in 1903. Sadly, Alfred died on 16th January 1907, following a three weeks serious illness, namely pneumonia. He was well known in Lord Middleton's Hunt as he frequently rode to hounds. The Hunt Meet in Malton, due to take place during the weekend of his funeral (on Sunday 20 January 1907), was rearranged to take place in Swinton out of respect for Dr Alfred Hartley.

Dr Herbert Hartley (1860-1918) Herbert Hartley was born in Malton some seven years after his brother. In 1884, he qualified as a Licentiate of the Royal College of Physicians of Edinburgh and a Licentiate of the Royal College of Surgeons of England. In the 1891 Census, he is shown as a doctor, practicing with his brother, Alfred, in the same premises where he was born and where his father, Joshua, had practiced before. The GMC Register for 1903 shows him still in practice with his brother in Malton.

The death of his brother, Alfred, in early 1907 brought significant changes. A Scotsman, Dr Noel Forsyth, had come to Malton in about 1906. He had qualified with an MBChB from the University of Edinburgh in 1905, his qualification being registered with the GMC the same year. It is possible that as a young doctor, he had come to work initially with Dr Alfred Hartley and his brother, Herbert. Dr Forsyth is shown as practicing in Malton in the 1907 GMC Register. Whatever was the case, the same GMC Register for 1907 shows Dr Herbert Hartley still working in Malton but without his brother, needless to say. Between 1907 and 1911, a change occurred. It seems likely that Dr Hartley sold the practice to Dr Forsyth for in 1911 and in 1915, the GMC Registers show Dr Herbert Hartley, having left Malton, now

working in London, initially in Charlesville Road, West Kensington and then in Redcliffe Square. The approximately 64 year old connection of the building (which was to be named *Forsyth House*) and the Hartley Family had come to a close. Dr Hartley died in Kensington in 1918.

Dr Forsyth continued the practice for 42 years until his death in January 1948. It seems a pity in retrospect that the building in which he and the Hartleys had practiced was not called the *Hartley-Forsyth House*.

How this story came to be told. The present author came across a couple of beautiful brass plaques on the west wall of St Michael's Church, Malton. One was dedicated to Dr Joshua Hartley, born in 1816, and the other to his wife, Maria. It just so happens that Joshua Hartley was born in the same year as the author's great-great grandfather, Dr Thomas Willmott. I was curious to know what correspondence might have existed between their careers. At that juncture, I had no idea that the Hartley family had such a long connection with the Forsyth House in Malton Market Place.

Thomas Willmott was born in 1816 in Lewisham, in Kent (in what is now part of Greater London). His father was the owner of one of the largest nurseries in England, supplying trees, bushes, plants and seeds for the gardens of the rapidly expanding London and its surrounds. Thomas began his 5 year apprenticeship in about 1832 and qualified as an LSA in 1837 and as an MRCS in 1839. He practiced in London, working at St Georges Hospital on Hyde Park Corner (the building is now a hotel!) and at the Lock Hospital which specialised in the treatment of venereal diseases which were the scourge of Victorian society, certainly in the 1830's and 1840's. (The Lock Hospital exists no longer.) He also had a private practice of his own. I have Thomas Willmott's LSA Certificate of 1837, now framed, hanging on the wall of our dining room.

In other words, the periods of apprenticeship of Dr Willmott and Dr Hartley certainly overlapped but Dr Willmott, living and working in London, qualified much earlier as an LSA and as an MRCS, although both men began to practice within a couple of years of one another.

But a major difference in their careers happened in 1852 when Dr Willmott sailed for Australia in a sailing ship, the "Irene". He was the Surgeon Superintendent, in other words, the ship's doctor. In due course, he became GP and surgeon in Penrith, New South Wales and was closely involved with the building and establishment of the first hospital in Penrith and was appointed as its first surgeon. He later established a private mental hospital in a neighbouring town to Penrith. Perhaps in order to do this, Dr Willmott undertook three voyages, in 1857, 58 and 59, from England and also Scotland to Australia, travelling as the Surgeon Superintendent aboard ships carrying emigrants: for this he was paid "ten shillings" (50p) for each passenger who landed safely in Australia (and had thus avoided death by disease or illness), meaning that he earned £150-200 per voyage, no mean sum in the mid-1850's.

Whereas Dr Hartley registered his qualifications with the GMC in 1859-60, Dr Willmott did not. The Medical Act of 1858 related only to the registration of doctors in the United Kingdom and it did not apply to the British colonies, including Australia, certainly until after Dr. Willmott's death.

Moreover, Dr Hartley lived until the age of 85, 30 years longer than Dr Willmott who died aged 55 on his birthday, in 1871. (Dr Willmott's son, Greville, lived until about 1914. He was not a doctor; he married and had a couple of children, all born in Australia. One of these was my paternal grandfather whose eldest son was my father. My father and his brothers and his sister were all born in the suburbs of Sydney, New South Wales.)

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Having completed the work described above, I then found that another plaque which had been installed in St Michael's Church in memory of Dr Alfred Hartley. His plaque and those for his parents are of very similar design. There may be a plaque somewhere in memory of Dr Thomas Willmott but I have not seen it or heard about it. However, I have seen the headstone of his grave in Penrith Church Cemetery, which indicates that he was held in equally high regard in Penrith, New South Wales as were Dr Joshua Hartley and Dr Alfred Hartley held in Malton, North Yorkshire.

Dr A. John Willmott
Malton, North Yorkshire,
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Footnote: Subsequent to the writing of this paper, I was shown inside Forsyth House, now offices for a firm of solicitors. Upon my mention of Copperthwaite's description of the use of the building in the 1840's, I was shown immediately an archway leading from the offices into an extensive yard behind. This was clearly very old and now simply incorporated into the larger building but I hazard a guess that it was in a room above this archway that Dr Joshua Hartley had his first surgery, as described by Copperthwaite. The yard behind is more than large enough to house his horse and gig!