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DEFENCE

OF

HIRAM L. CHASE, M.D.,

OF CAMBRIDGE,



BEFORE THE BOARD OF TRIAL OF THE MASSACHUSETTS
MEDICAL SOCIETY,

DECEMBER 22, 1874.

CAMBRIDGE:

PRESS OF JOHN WILSON AND SON.

1875.

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The Board of Trial of the Massachusetts Medical Society, consisting of Drs. R. L. Hodgdon, W. H. Kimball, Charles L. Swazey, H. W. Dudley, and Robert Amory, having decided that it is "conduct unbecoming an honorable physician" to be a member of a society incorporated by the laws of the Commonwealth, and for this reason having *expelled* me from the Massachusetts Medical Society, I now publish to the world my defence before that Board of Trial.

H. L. CHASE, M.D.

CAMBRIDGE, Jan. 11, 1875.

I, HIRAM L. CHASE, having been summoned to appear before a Board of Trial of the Massachusetts Medical Society to answer to certain charges, protest

That this Board of Trial, not being a tribunal acknowledged by the laws of this Commonwealth, has no legal right to hold its sessions.

That the Massachusetts Medical Society, holding its charter by authority of this Commonwealth, has no legal right to make, frame, or pass a by-law which shall conflict with the laws of said Commonwealth.

That the said Society, so holding its charter, has no legal right to make, frame, or pass a by-law disfranchising a member or depriving him of any of his rights and privileges for difference of medical opinion.

That such by-laws so made, framed, or passed, have no legal binding force, and are therefore null and void.

HIRAM L. CHASE.

CAMBRIDGE, Dec. 22, 1874.

MR. CHAIRMAN, AND GENTLEMEN OF THE BOARD OF TRIAL :

I HAVE been summoned to appear before you, to answer to certain charges affecting my honor as a practitioner of medicine,—charges couched in language so discourteous, so offensive, as to be contemptible. I very much doubt whether any one of the Committee on Ethics and Discipline (all of them to me unknown) would be willing to so far forget that he was a gentleman, as to address such language to me personally.

Standing as I do, in the consciousness of moral and professional rectitude, I hurl back the charge of dishonor with the scorn it merits.

Let us read the precious documents relating to this subject that I have received. Under date of Oct. 21:—

I am instructed to inform you that your resignation as a member of the Massachusetts Medical Society will be accepted, if sent to me on or before Wednesday, Oct. 28 inst.

The Committee on Ethics and Discipline will be in session at the house of Dr. H. W. Williams, No. 15 Arlington Street, Boston, at 3 o'clock P.M., on Thursday, Oct. 29th inst., if you prefer to go before them.

Yours very truly,

F. W. DRAPER,

Recording Secretary.

Permit me to ask by whom the Recording Secretary was instructed?

I have not a word of fault to find with the

Recording Secretary personally, for I well know that he was only performing his duty,—a duty which must have been distasteful to an honorable and high-minded man, as I have every reason to believe him to be. I knew of no good reason why I should resign my membership of this Society, or why I should appear before the Committee on Ethics and Discipline, and therefore allowed this to pass in silence.

Under date of Oct. 29, 1874 :—

SIR, — At a meeting of the Committee on Ethics and Discipline held to-day, the following was voted :—

Upon representations made to this committee, it is their unanimous opinion that Dr. H. L. Chase ought, by his obligations to the Massachusetts Medical Society in signing the by-laws, to resign his membership in the Society.

F. W. DRAPER,

Secretary.

What the representations were, and by whom made, I had no means of knowing; and as my opinion did not coincide with that of the Committee on Ethics and Discipline, in regard to my obligations to the Massachusetts Medical Society, I did not see fit to resign. I had infringed no one of the by-laws of the Society to which I had affixed my name, and I do not acknowledge the right of any society to pass a by-law which shall inflict a wrong upon an individual member. Had I sent in my resignation, it would have been an admission that I had violated the laws, rules, and regulations of the Society, which in my opinion I had not done; therefore I allowed this second document to pass un-

noticed. As I said in regard to the Recording Secretary, so I say of the Committee on Ethics and Discipline. I have no fault to find with them, for they also are in the performance of their duty, and, as they are *honorable* men, this duty must be exceedingly repugnant to them; but I should like to see the man who, devoid of all honor, enters on this mean, contemptible course, and makes these representations to the committee; for as he now stands his form is so impalpable, so shadowy and unreal, as to elude the grasp.

Under date of Dec. 8 : —

TO H. L. CHASE, M.D.

SIR, — Charges have been preferred against you by the Committee on Ethics and Discipline of the Massachusetts Medical Society, for "conduct unbecoming and unworthy an honorable physician and Fellow of the Society," to wit : —

In that, in direct opposition to the spirit and letter of the by-laws of the Massachusetts Medical Society, which you have solemnly agreed to comply with, you have been an officer, and continue to be a member, of a certain society called the Massachusetts Homœopathic Medical Society, — a society founded on an exclusive system forbidden to Fellows of the Massachusetts Medical Society by its aforesaid by-laws.

You are therefore directed to appear before a Board of Trial at the Society's Rooms, 36 Temple Place, Boston, on Tuesday, Dec. 22, 1874, at 11 o'clock A.M., to answer to the aforesaid charges.

In accordance with the by-laws of the Massachusetts Medical Society.

BENJAMIN E. COTTING,
President of the Massachusetts Medical Society.

“In direct opposition to the spirit and letter of the by-laws.” I should very much like to have some gentleman point out to me any word, in those by-laws, relating to the Massachusetts Homœopathic Medical Society. I have very carefully read those of the present time, dated October, 1874, and cannot find that that society is mentioned. So that even if I were bound to *this* code of by-laws, which I deny, I have violated neither the *spirit*, nor the *letter* of the law.

“Solemnly agreed to comply with,” — let us see about the solemnity of this agreement.

Nearly thirty years ago, a young man, carrying a diploma from Harvard University, entered the office of Dr. Putnam, then the Secretary of the Massachusetts Medical Society, desiring to join that society. He was received very politely, a book handed him in which he was requested to sign his name. So much for the solemnity of the occasion. Really, gentlemen, “solemn” in this connection is, in my opinion, a gross misuse of the word.

That I have had the honor of being President of the Massachusetts Homœopathic Medical Society, — an honor, in my opinion, equal to that of the Presidency of this society, — and that I am still a member of that society, I am proud to admit; but that that society is founded on, or binds me to an exclusive theory or dogma, I deny. No, gentlemen, that society leaves its members to perfect freedom, and I am proud of it for that freedom. In proof of this, I quote from its by-laws: “This Society demands for itself absolute liberty in science, and hence re-

quires of its applicants for membership no creed or profession of medical belief." The whole domain of science is as open to me as to you, — more open, indeed, — and no man, no body of men, shall dictate to me what course I shall pursue in the treatment of any sick person who may be intrusted to my care. I am answerable to God and my own conscience, and am in duty bound to use the means which, in my best judgment, will quickest, easiest, and surest cure my patient. Are you not bound in the same manner?

"Forbidden to Fellows of the Massachusetts Medical Society"! Forbidden! thank God, I am not so craven as to allow any man to forbid me to do what is right. Forbidden! it might do in the fifteenth, but in this nineteenth century, when every man should declare his right to judge for himself on all matters of science, it is a shame and a disgrace to the members of this society, that such a by-law exists.

Gentlemen, I have endeavored to maintain an honorable and an upright course during my whole professional career; in a quiet and unostentatious manner, to do my duty by the sick. I challenge any man to say aught against me. If you expel me from this society, what will you have accomplished? You cannot prevent any one from employing me: this stigma of dishonor will not attach itself to me, however much you may seek to place it there. Dishonor! If to be a member of a society established by the laws of this Commonwealth is *dishonor*, then I am *dishonorable*. If to seek after the truth is *dishonor*, then I am *dishonorable*. If to

practise that which I know to be right is *dishonor*, then I am *dishonorable*. If to endeavor, in all that lies in my power, to uphold the dignity of our noble profession is *dishonor*, then I am *dishonorable*.

This is not the time nor the place to discuss Homœopathy. I will only say that the law "*Similia similibus curantur*" is a *law of God*, and therefore *infallible*. But, while I claim infallibility for the law, I am not so weak nor so foolish as to make that claim for those who may apply it. The law is of God, and partakes of the infinite: its application is by man, consequently finite.

Perhaps this is not the time nor the place to discuss the by-laws of the Massachusetts Medical Society; but, as I am arraigned before you under those by-laws, I wish to say a few words of Article VIII. :—

"Any person engaged in the practice of medicine or surgery in this Commonwealth who has not received such a medical education as is required by By-law I., and any one guilty of practices forbidden to Fellows (I.) [*i. e.*, Spiritualism, Homœopathy, Allopathy, Thompsonianism, Eclecticism, or any other irregular or exclusive system], shall be deemed an irregular practitioner; and it shall be disreputable and unbecoming for any Fellow to advise or consult with any such irregular practitioner, or in any way to abet or assist him as a practitioner of medicine or surgery."

Now, Mr. Chairman, this, in my opinion, is one of the most inhuman, unchristian by-laws which it is possible to enter the mind of man to conceive. Why, sir, I would "abet or assist" the veriest rascal that walks the earth, if he were trying to help any

other sick or suffering fellow-mortal. O Priest, O Levite, would you "pass by on the other side" ?

Strike from your code this by-law, which is alike repugnant to the common dictates of humanity and to the high and noble calling of physician.

I stand here, this day, in no sense a culprit, but as the exponent of the great principle which underlies the laws of this Commonwealth, of this whole country,—*the right of free thought*. Should your decision be adverse, I shall appeal to the bar of public opinion, in the full confidence that public opinion will vindicate my honor and free it from your most unjust aspersion.

I submit, then, that, as it is the inherent right of every citizen of this Commonwealth to be a member of any society not in opposition to the laws, it is not, it cannot be, dishonorable to be a member of the Massachusetts Homœopathic Medical Society.

That, as the Massachusetts Homœopathic Medical Society holds its charter and authority under the laws of the State, it is not dishonorable to be a member of that Society.

That, as membership in the Massachusetts Homœopathic Medical Society is not forbidden to Fellows of this society, by its by-laws, it is not dishonorable for the Fellows of the Massachusetts Medical Society to be members of the Homœopathic Medical Society.

That, therefore, the charge of conduct unbecoming an honorable physician and Fellow of this Society has not been sustained.

