

Bayard (Ed)

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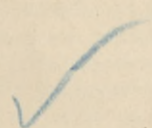
FOR

PURE HOMŒOPATHY

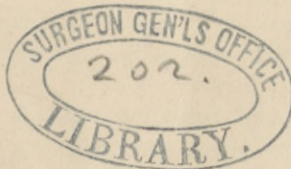
AGAINST

ECLECTIC HOMŒOPATHY.

BY



EDWARD BAYARD, M. D.



PROCEEDINGS IN THE HOMŒOPATHIC MEDICAL SOCIETY OF THE COUNTY
OF NEW YORK ON MARCH 8th AND MARCH 13th, 1878.

A PLEA FOR
PURE HOMŒOPATHY
AGAINST
ECLECTIC HOMŒOPATHY.

At a meeting of the Homœopathic Medical Society of the County of New York on the 8th of March, 1878, the following resolution, which had been offered for adoption, was under discussion:

Resolved, That in common with other existing associations which have for their object investigations and other labors which may contribute to the promotion of medical science, we hereby declare that, although firmly believing the principle "*Similia similibus curantur*" to constitute the best general guide in the selection of remedies, and fully intending to carry out this principle to the best of our ability, this belief does not debar us from recognizing and making use of the results of any experience; and we shall exercise and defend the inviolable right of every educated physician to make use of any established principle in medical science, or any therapeutical facts founded on experiments and verified by experience, so far as in his individual judgment they shall tend to promote the welfare of those under his professional care.

Dr. Edward Bayard, of No. 8 West 40th St., New York, a member of the Society, rose and spoke against the resolution as follows:

'This resolution justifies and encourages the members of this Society in practicing principles and expedients in cure not under the Homœopathic Law.

Can this be right in a Society avowedly Homœopathic? Is not its integrity gone when it admits any other principle of cure than the Homœopathic Law?

This eclecticism was not thought of in the formation of the Society; neither would it have been tolerated. What then is the inference? What will its opponents say? They will say, "You have practiced under your great discovery for years, and now, after the Society has increased in numbers, and you have the accumulated thought of many minds, it is found at last that the

“single law that ‘like cures like’ is not sufficient to be relied on, nor as potent as at first supposed; is but a principle in medicine, and not an exclusive system!” I see upon the faces of our Allopathic brethren the smile of derision. They will say: “The distinct ground which you took, and made the difference between us, was an invidious distinction, having at its bottom self-aggrandizement. The vantage ground you took so boldly you now admit you cannot maintain. Your vaunting colors that you gave to the wind, and raised so high, you have brought to half-mast,” and they will say too, “Homœopathy is dead.”

With Hahnemann there was no shadow of turning. He proclaimed the law, “*Similia similibus curantur*,” as the true law of healing, and maintained it in his practice, requiring no adjuncts nor palliatives. Hahnemann possessed the most remarkable, logical mind in this or any age. He seems to have been raised up by Divine Providence to proclaim a great truth, which was to benefit all humanity. He was oracular in his writings. He was,

— like the Midianite of old,
Who stood on Zophim, heaven-controlled;

and I feel myself to be particularly fortunate and honored to be ranked as one of his followers. His voice, not yet lost, and his words, by many still revered, condemn this resolution. And the long-successful practice of Constantine Herring of Philadelphia, the great discoverer of Lachesis, and prover of many of the drugs of our *Materia Medica*, writer of standard works in our science, grown old and honored in his practice, justifies in every respect the maxims of Hahnemann. Dr. Adolph Lippe, of Philadelphia, whose critical knowledge of our *Materia Medica* and nice discrimination in its peculiarities have enabled him to use the highest potencies with success in his large, long and successful practice, justifies Hahnemann. And after forty years practice I bear testimony, that I never was driven to the necessity of resorting to any other means, except the Homœopathic Law; and I believe that he who adheres strictly to that law will live longer, and die easier than under any other system or palliatives. He will live longer from the superior excellence of the Homœopathic system in its application to disease. Well might Hahnemann declare, with great propriety, “I sought truth earnestly, and found it.”

I believe the tendency of the resolution I seek to rescind will be to induce many practitioners to palliate disease, instead of curing it—to give immediate relief, but leave the system in a worse state than they found it, and thus to confirm disease. I know that the

practice of Homœopathy is laborious; that its individualization requires close attention and hard study; that it demands close examination of the patient; of all his symptoms; their locality and character; the conditions under which they are aggravated or ameliorated, with all the concomitant symptoms. It takes time and discrimination to gather all these in their proper order. Then the work is but half done. For then the *Materia Medica* must be searched to find the *similimum* among the numerous remedies that have many symptoms in common, yet possess distinctive peculiarities. This too takes time and discrimination. The temptation to avoid all this labor is great. It is the tendency of the average human intellect to generalize. Almost irresistible is the temptation to get rid of the sufferings and cries of the patient, and to quiet the alarm of relatives, by using any agency called therapeutic. It is human nature to arrest an agonizing pain by giving an anodyne whose effects are immediate, instead of searching up and selecting the appropriate remedy, and then calmly watching for the reaction, which may be quick or slow, according to the strength or weakness of the organism, but which nevertheless effects a cure, leaving nature with all her powers unimpaired and unembarrassed to resume the functions of health. A patient is suffering acutely under renal *calculi* passing through the ureter. The true Homœopathic remedy, selected with care, gradually relieves the patient, and at the same time cures the tendency to the reproduction of *calculi*. On the contrary, if the pains are relieved by anodynes, it is but relief. It is not cure. The causes of the disease remain untouched, and are at work as before. It is hard, very hard and difficult, to practice Homœopathy faithfully. But in its faithful practice are grand rewards to the physician. To the sick, all of its helps are sacredly due. Indeed so hard is it to practice Homœopathy, that I do not hesitate to say that the physician who cannot do so *con amore* and with absolute loyalty to its essential spirit of generalization, had better give up and pass over to the Generalizing School.

Must not disease be best cured by the re-action of the vital forces roused by a similar irritant? Does not that re-action strengthen the structure and render it less liable to a like attack? Does it not increase its resisting power and in the same ratio diminish its impressibility? This is the Homœopathic Law. Must not this be infinitely better than relieving disease by creating a disease, *i. e.* by revulsion—whose violent perturbations shock the system it relieves—breaks down its resisting power—weakens the constitution, and lays it open to a thousand ills thereafter?

True Homœopaths know that massive doses bruise sound

parts and rouse up latent chronic diseases, and give them direction into structures deeper and more important to life. They know that nature places the diseased action in the best place she can under the circumstances; always operating conservatively and wisely. Therefore, every alteration must be in the second best and less favorable place. This is the work of the revulsive principle, the basis of the allopathic art. This may relieve suffering, but does it at a fearful discount.

Now it seems to me that but two principles act on the deranged vital power—the reaction from a similar irritant, which is Homœopathy; or, the revulsive action, creating another disease, bruising sound parts, thereby drawing off the action from the diseased part; which is Allopathy.

There may be men in this Society who do not estimate the importance of the Homœopathic Law in its application to disease, as I do, nor believe in its universality; men who are eclectics. They may sustain this resolution, and it may be their justification. But I and others, who believe in the sufficiency of the Homœopathic Law in disease, feel that the ground upon which we stand is removed from under our feet by the resolution, and that it puts us in a false position.

When our Society was first formed we declared that we firmly believed "*Similia similibus curantur*" to constitute the best guide in the selection of remedies. That was the law we aimed to carry out. This declaration was made to create no invidious distinction between us and our Allopathic brethren—but because we honestly believed in the superiority and universality of our principles.

For this reason this Society is supposed to express the best and well-considered thought of its congregated members. It is thought to express the *ideal* of the best practice of all known modes of treating disease—and if it is lowered, all who belong to the Society are affected; and the expression of their collective thought is the expression of individual thought if they remain within its body. Not so the individual member in his practice. If he violates its declarations of principles, he comes short of the *ideal* expressed in this Society. He will be considered as not being able to reach it; therefore he does not touch the ideal of the Society. He may not have the knowledge, or experience, or discrimination to apply the principles that have been established by this Society; and he may be justified in using the best means in relieving the sick that his mind can reach. He does not bring down this Society to his practice.

This resolution, which we move to rescind, declares "*that al-*

though firmly believing that '*similia*' constitutes the best general guide in the selection of remedies," &c., &c. This first part of the resolution is a blow against the foundation of our faith and system. It is a breach wide enough to admit all the forces of Eclecticism; and the second part declares that this belief in Homœopathy does not debar us from recognizing and making "use of any experiences."

To the clear, distinct affirmance of our law of healing, Homœopathy owes her wonderful advancement in our State. Though ridiculed and despised by our Allopathic brethren it has risen in a wonderfully short time into a position of character and influence; and our antagonists have sought to assail us and to find holes in our armor by saying we were pretending one thing and doing another; declaring the Homœopathic Law, yet using Allopathic means; that we were a fraud. This was the worst they could say about us—"we were the ass with the lion's skin." That resolution goes far to confirm their charge.

I came before the world and declared myself to be a Homœopathist, believing in the excellence of Homœopathy and selecting it for its very peculiarity of practice; and if I failed in the use of its principles, and concluded that they were *not* equal to the exigency and that the Allopathic principles could be applied with more efficiency, I certainly would acknowledge this and advise the calling in of one of my Allopathic brethren. I should feel it but fair and honest to them, and manly in myself to admit their excellence.

Our Society by this resolution, instead of upholding our great principle of the law of healing as a light placed upon a hill, as a central figure upon which to concentrate all our attention, will produce distraction, hinder and delay truth and injure humanity.

I entered this Society as a Homœopathist—I wish to remain one, asking for no aid to cure disease except the law of "*SIMILIA SIMILIBUS CURANTUR.*" And I earnestly trust that the good sense of this Society will rescind the resolution so inconsistent with its dignity and its principles.

In conclusion Dr. Bayard read the following extract from a letter of Hahnemann to Hufeland:

"This law, which I have elicited from the very nature of things, I have now followed for many years, without having found it necessary to revert to the ordinary medicines. For twelve years I have made no use of purgatives to evacuate the bile or mucus, no cooling drinks, no resolvents nor incisives, no anti-spasmodics, no sedatives, no narcotics, no irritants, no tonics, no diuretics, no soporifics, no subjiacents nor blisters, no leeches nor cupping glasses, no cauteries; in a word, none of those methods which the general therapeutics of different systems prescribes to fulfill imaginary in-

“dications of cure; for a long time I have cured solely in obedience to the law of nature which I have just announced, and from which I have not deviated in a single instance.

“And what has been the result? It has been what it ought to be. I would not exchange for all the most vaunted blessings of the earth the satisfaction I have derived from this method.”

Afterwards, and at a regular meeting of the Society, on the night of March 13th, 1878, Dr. Edward Bayard addressed the Society as follows:

“Gentlemen of the Homœopathic Medical Society of the County of New York:

The resolution I offer to-night is not prompted by antagonism to any member of the Society; neither do I call in question the sentiments of any member, or the mode of his peculiar practice; neither do I intend to speak of the intrinsic excellence of the Homœopathic practice; neither will I trespass on your time on any other question except the legal aspect and the dangers to this Society of the adoption of the resolution presented Feb. 8, 1878, and voted March 8, 1878, in these words:

“*Resolved*, That in common with other existing associations which have for their object investigations and other labors which may contribute to the promotion of Medical Science, we hereby declare that although firmly believing the principle, ‘*Similia similibus curantur*’ to constitute the best general guide in the selection of remedies, and fully intending to carry out this principle to the best of our ability, this belief does not debar us from recognizing and making use of the results of any experience; and we shall exercise and defend the inviolable right of every educated physician to make practical use of any established principle in Medical Science, or of any therapeutical facts founded on experiments and verified by experience, so far as in his individual judgment they shall tend to promote the welfare of those under his professional care.”

I now offer for adoption by this Society the following:

Whereas, The above resolution passed on the evening of February 8th, 1878, is unconstitutional and in direct violation of the Charter and the Constitution of the Homœopathic Medical Society of the County of New York, both as to the matter thereof and the mode of its adoption,

Resolved, The said resolution be, and the same hereby is, expunged from the records of the Society as utterly void and of non-effect.

GENTLEMEN: I, and those whose views I have the honor to represent to-night, object to the Society's resolution of March 8th, on the grounds: *First*, that it is in direct violation of the Act of Incorporation of the Homœopathic Medical Society. *Secondly*, that it is in direct violation of the Constitution of the Homœopathic Medical Society of the County of New York.

An Act to incorporate Medical Societies, passed April 10th, 1813, and the amendments thereto, authorized the physicians and surgeons of the several counties of this State to assemble and choose a President, Vice-President, Secretary and Treasurer, and when so organized declared them to be bodies corporate. Every physician and surgeon after due notice was bound to apply for membership in such Society, and if not done within certain time his license was deemed forfeited—and in case charges were preferred against him in the Society, of gross ignorance in his profession or immoral conduct or habits, the Society could consider the charges, and if two-thirds of the members present deemed the charges well-founded, might deliver a certified copy of the charges and the vote thereon to the District Attorney of the County, who should give notice to the member accused, who from that time should be suspended from practice of physic and surgery until the determination of the charges. And the District Attorney should be the prosecutor, and the Judges of the County Court of the County should determine those charges—and if the charges were true, the Judges could expel the accused from the Society, and ever thereafter prevent his practicing physic and surgery within this State.

At this early period of its history, with but few exceptions, the physicians and surgeons were Allopathic, who considered the practice of Homœopathy gross ignorance and quackery. The Allopathic physician was everywhere, the Homœopathist nowhere. It was therefore certain that no one who believed or practiced in whole or in part Homœopathy, could retain his place in a County Medical Society a day without proceedings being instituted against him for gross ignorance or quackery. Of such a result under that Act I was personally an eye-witness about forty years ago, having acted as counsel for Dr. Williams of Seneca Falls, a Homœopathic physician, afterwards professor in the Homœopathic Medical College at Cleveland, Ohio. To get a refuge for the Homœopathic physician against such persecution—the offspring of intolerance, bigotry and ignorance of a great truth—the Act to incorporate Homœopathic Medical Societies was passed by our Legislature; and it is one of the proud recollections of my life that I was largely instrumental in having it passed.

That act made it lawful for Homœopathic physicians of each County of the State to meet together and organize a County Homœopathic Medical Society in the same manner as the Act of April 10, 1813, authorized Medical Societies. The Act required that the organization should be known by the name of the Homœopathic Medical Society of the County in which it is founded.

It is first, therefore, lawful for "Homœopathic Physicians" *alone* in each County of the State "to meet together," &c., &c.—not Allopathic physicians—nor Eclectic physicians—nor Thomsonian physicians—nor Mesmeric physicians. It must be Homœopathic physicians. *They* should organize a County Homœopathic Medical Society. *They* shall be known by the name of the Homœopathic Medical Society of the County.

How precise and emphatic is this Act of Incorporation! How clear its distinguishing feature! Is there any ambiguity here? Are we at a loss to define the exact position of this Society? What is Homœopathy? If we appeal to its great and illustrious founder, he declares it to be, "*like cures like*." If we apply to its derivation we find it to be, *omoios* and *pathos*; like suffering. But we have no need to turn to Hahnemann, or the roots of the word to ascertain its meaning. I refer you to the Constitution framed under this Act, which gives solidity to the whole; without which we do not exist as a Society; which makes its member eligible for election who practices upon the principle of "*Similia similibus curantur*;" and who is obliged to sign this constitution ere he becomes a member.

I. By Chapter 384 of the Laws of 1857, it is provided in substance, that it shall be lawful for "Homœopathic Physicians" to meet at a certain time and place and "organize County Homœopathic Medical Societies"—and the Statute goes on to prescribe that "wherever a Society be organized as aforesaid, in either of "said Counties, it shall be known by the *name* of the Homœopathic Medical Society of the County in which it is founded," &c., &c.

The law thus plainly requires none but Homœopathic Physicians to meet under it for the *sole purpose* of forming Homœopathic Medical Societies, and requires these, being so organized, to bear the name of the Homœopathic Medical Society of the particular county wherein they shall be formed. Under this act the Homœopathic Medical Society of the County of New York *was* formed. It is the creature of that statute, and has no other warrant for its existence but the terms of that law.

II. What is a Homœopathic Medical Society? There could be no higher evidence of what was meant by the Homœopathic

Medical Society of the County of New York than the writings of the great Founder of the Homœopathic School, as to what should constitute the distinctive feature of the system of medical treatment which he inaugurated. But the meaning of the Legislature that framed the act is clear, without a shadow of doubt. The "*Homœopathic Physicians*" who met under the act and formed the New York County Homœopathic Medical Society, and, as required by law, so *styled* it, were undoubtedly Homœopathic physicians; and their competency to define what the word means could not be questioned without assailing the validity of the organization of that Society.

In the Constitution of the said Society, regularly adopted by them and now in force, the future membership of the Society is restricted to those "who practice upon the principle of '*Similia similibus curantur*,'" and it is added, among other things, that no one shall be entitled to the privilege of membership until he shall have signed the constitution, *i. e.* in other words, until he shall have pledged himself solemnly to the definition of what constitutes the homœopathic principle given in the same Article II.

To practice on the principle, from *its very conception and terms universal and exclusive*, is necessarily to profess its *universality and exclusiveness*; and to this every member of the Homœopathic Medical County Society of New York stands *absolutely* pledged by his signature to the Constitution; more: the recent unconstitutional effort made to *change* the definition of what constitutes the Homœopathic practice, as heretofore understood in the society, is conclusive as admitting the *necessity for a change in the existing order of things*.

The Charter, and the Constitution of the Society organized under it, show, therefore, beyond the possibility of question, what was signified in the former by the word *Homœopathic*. It meant—a society of physicians practicing under the universal and exclusive principle that "like cures like." Such being the express condition of the charter, in virtue of which *alone* that Society subsists, it is plain that its Constitution (even where the proper forms are pursued) could not be amended in *that particular* without incurring by the act the penalty of a forfeiture of the charter. Were it done, it would become the duty of the Attorney-General of the State, upon proper representation made to him, to take steps to vacate the charter and annul the existence of the Society.

III. Such would be the effect of the recent resolution, unconstitutionally passed by the Society, had it formally been adopted as an amendment to the Constitution. It would have been a clear

violation and forfeiture of the original charter; but, as the matter stands, it was an infringement of both the Constitution and the Charter, and hence *absolutely void*.

1. This will appear from the Article 9 of the Constitution, which shows how it shall be amended, namely: at an annual meeting by a vote of two-thirds of the members present, after notice shall have been given to the Secretary or Society in session, in writing, at least three months prior to the annual meeting. This was not done, and therefore the resolution is simply an impotent negation of the Constitution of the Society and has no legal validity.

2. Nor has it the force of a modification or addition to the By-Laws, not having been adopted conformably to Article 8 of the Constitution, which declares how the same shall be repealed or modified. The resolution, then, was passed without a shadow of regularity, in clear violation of the *expressed* terms of the Constitution and Charter of the Society. Consequently it is a nullity upon the Society's book of minutes. Yet, however, it compromises the rights of every practitioner who is faithful to his pledge taken on entering the Society.

Any such member, therefore, has a right to apply to the Supreme Court for a writ of *mandamus* to compel the Society to expunge said resolution from their minutes, if, upon explanation made to the members, a majority shall contumaciously refuse to accede to his motion to do so.

That writ is the appropriate remedy to compel corporations to perform the duties the law imposes on them. It is the plain duty of this Society not to keep upon its minutes a resolution violative of its Constitution and its Charter. And if the members refuse to expunge it, the Court will direct it to be done. This writ is constantly resorted to in analogous cases; as, for example, to compel a medical society to restore to membership a party who has been illegally expelled; or to compel such a society to admit a proper applicant to membership; or to do any other act which it is their duty as a Society to do, and which they refuse to do. A greater necessity cannot well be conceived than that of a resolution expressing the purpose of a majority of the members to destroy the Society."

When the vote was taken, the Eclectic Resolution of March 8th was ordered to be expunged from the records of the Society.