

## IN ASSEMBLY,

May 12, 1840.

## REPORT

Of the minority of the select committee, to which was referred numerous petitions asking a change of the law towards Thomsonian physicians.

Mr. C. E. Clarke, from the minority of the select committee to which was referred the numerous petitions asking a change of the law towards certain practitioners in medicine, known as Thomsonian practitioners,

## REPORTS :

That the petitions are very numerous, perhaps more so than on any other subject which has occupied the attention of the present Legislature. The rolls of petitions, and the list of names, are amazing; amounting to more than 36,000. On examining them, however, it appears that they are not the growth, produce and manufacture of any one single year, but of ten long years—the same length of time that was occupied in the siege of Troy—the title of a century. On inspection of these antiquated rolls, some of which bear that smoky and venerable appearance which characterizes the manuscripts which are excavated from the ruins of Herculaneum, the committee discover the names of many who have long since departed—left the warm precincts of celestial day, and who, by the act of their departure, have given another melancholy proof that man is mortal; and that though his life may be sweetened and his days prolonged by that ministering angel, the physician, that to man there is an appointed time, even though he may have full faith and confidence in the infallibility of the doctor of his choice.

[Assembly, No. 354.]

The committee are the friends of petition in its most enlarged sense ; but they think that there should be some limit even to this right ; and that as all temporal rights and privileges close with life, it seems that a good stopping place should be the grave, the more especially, as in the grave there is neither knowledge nor device.

In this enterprising, stirring, speculating, go-ahead country, changes of location and changes of opinion are of every day occurrence ; and it is by no means to be inferred, that because an individual signed a petition ten years since, that he is in favor of the principles of that petition now.

This fact is illustrated in the petitions now under consideration. In 1830, a law existed which imposed a fine of \$25 on every person who should, without being authorized by law, practise physic or surgery ; and no person was authorized by law to practise physic or surgery, till he had arrived at the age of twenty-one years ; and until he should have pursued the study of physic and surgery four years with some physician and surgeon authorized by law to practise as such, and had been duly examined by and received a diploma from the censors appointed by law to take such examination.

At the instance and request of those styling themselves Thomsonian doctors, and those friendly to them, this law was so far modified, as not to prohibit *any* person from administering to the sick, any roots, barks or herbs, the produce of the United States.

There is still a further provision, that any person not authorized by law to practise physic and surgery, shall be incapable of recovering by suit, any debt arising for such practice.

The essence of the law is this : any person, whether young or old, male or female, in short, any being who can be distinguished by the name of "*person*," may practise as a physician and administer to the sick, roots, barks or herbs, the growth of the United States. But shall not, unless authorized by law to practise as a physician and surgeon, be allowed to sue for and recover at law, for such services.

But if any person, not an authorized physician, shall administer to the sick any roots or herbs, or barks *not* the growth of the United States, or any other medicines, he shall not be allowed to collect pay for the same, and shall be subject to a fine of \$25.

He who should as a physician administer a portion of sulphur, or salts, or magnesia, or Peruvian bark, aloes, gum arabic, or myrrh, or camphor, or opium, medicines of well known properties, and of most salutary effect, cannot collect pay for his services, and is subject to a fine of \$25.

While he who shall administer lobelia, or tobacco, or red pepper, or any other poisonous root, herb, or bark, is exempt from any such fine, provided the poison grew in the United States.

It is not the object or intention of the minority of the committee to criticise this law, though they cannot discover any reason why it should not be as safe and proper, and lawful to administer salts and sulphur, or camphor, or gum arabic, or Peruvian bark, as the meats of the peach stone, red pepper, or lobelia.

The committee only refer to the fact to show that so far from dealing harshly towards this class of physicians, the Legislature has actually strained a point in their favor, and have treated the person who uses the medicines which have been in use a thousand years, as though he was a dangerous man, and his medicines exclusively to be guarded against.

Of the 36,000 petitioners, whose names have been this winter presented to the Legislature, 12,418 pray for the repeal of the law which subjected to a fine of \$25, any person who should practise as a physician without being authorized by law. The committee take leave to say that so far as this class of physicians is concerned, this law has been repealed many years since. This class of physicians and their peculiar medicines, have been exempted from the operation of a law which they stigmatize as severe, against natural rights, inhuman and unconstitutional, while those who presume to practise as physicians without a license, with myrrh, aloes, salts, camphor, and Peruvian bark, are still subjected to this same "inhuman" and unconstitutional law, and submit without murmur or complaint.

It appears to the minority of the committee, that the law thus far, so far from being partial against the Thomsonians, is very partial in their favor, and that if any persons have occasion to complain of "monopoly" and "severity" of law, it is those who have been prevented from using, as physicians, those medicines which have been known as salutary for thousands of years.

The committee further report that it is idle, to say the least, to overwhelm the Legislature with petitions for a redress of a grievance which has long since been redressed, to petition the Legislature for the repeal of a law which has long since been repealed.

Of the remaining petitions 6,476 pray for the repeal of that portion of the law which prohibits any persons, practising as a physician or surgeon, without being licensed, from collecting pay for his services.

This law is equal and impartial; it extends to all. The legal qualifications required in order to enable a physician to collect pay are the same to all; the Thomsonian may, if he chooses, become licensed just as easily as any other, and being thus licensed, has full liberty to practise in his own peculiar way and with his own peculiar medicines, and to recover by law for his services.

It must always be borne in mind that this class of physicians are not prohibited from using their own peculiar medicines and practising in their own way, and that if they will study the prescribed length of time and in the manner prescribed by law, they have full liberty to receive whatever compensation the person administered to sees proper to pay; and that this is greater liberty than is granted to any other unlicensed physician. The question then is simply this: Shall the law give to any person, no matter who or what, the power of the law to enforce the payment of a claim for medical services? No fact is better established than this, that diseases become less dangerous, far less deadly, as we become acquainted with their nature and cause. It would seem that to become acquainted with the nature and cause of disease, an intimate knowledge of anatomy and physiology was absolutely necessary; and that to administer successfully, to their age and experience, the knowledge of the nature and power of medicines was equally necessary; and this would imply a knowledge of materia medica and chemistry.

The committee had progressed thus far in the investigation and discovering that there was a great diversity of opinion amongst the petitioners, and that while about 6,000 prayed for unrestricted liberty, 17,000 prayed for restrictions, took some pains to ascertain what was the nature and extent of the restrictions for which the 17,000 petitioners prayed, and for that purpose they gave notice to Dr. John Thomson of this city, through whose means most of the petitions were presented

to this House, and who is the son of the founder of this system of practice.

It was ascertained that there is a medical society in this State known as the New-York State Medical Thomsonian Botanical Society; that Dr. John Thomson, of the city of Albany, is its president.

This gentleman furnished the committee with his views in writing upon this interesting subject, which cannot, perhaps, be better expressed than in his own words, which the committee take leave to present.

It seems that the learned President of the N. Y. S. M. B. T. S. is *himself* of opinion that one year's study is necessary in order to qualify a physician; and that he should be of mature age, and should be examined by Thomsonian censors, and should have a diploma from the said society, as evidence of such qualifications, before he was admitted to practise or collect pay.

This he explains is the meaning of the 17,000 petitioners who have signed the following petition.

*“ To the Honorable Legislature of the State of New York, in Senate and Assembly convened :*

“We whose names are hereunto subscribed, being citizens of the county of Orleans and State of New York, most respectfully beg leave to state to your honorable body, that there exists in this State a numerous and respectable class of medical men, called “ THOMSONIAN PHYSICIANS,” whose theory and system of medical practice differs so essentially from the legally established medical practice, that the existing medical laws of this State, instead of encouraging and protecting them in their efforts to improve and simplify the healing art, tend materially to embarrass and paralyze their exertions, by depriving them of legal aid in collecting their dues.

“We therefore pray your honorable body, during your *present session*, to enact a law, which shall enable this class of physicians to collect pay for services rendered in attending the sick; especially those who are, or may hereafter, become members of the Thomsonian Medical Society of the State of New York, and have received, or may hereafter receive, diplomas therefrom.”

The committee at this point encountered a disagreement amongst doctors—and the duty seemed to devolve upon them of solving a difficulty

which was embalmed in an adage a thousand years ago—"when doctors disagree who shall decide."

According to modern political parlance, here are 6000 petitioners asking for the "*largest liberty*," and 17,000 with the learned Dr. Thomson at their head asking for restriction—monopoly. This great discrepancy of opinion strikingly illustrates a well known principle in human nature.

Our good ancestors, the Puritans, took much merit to themselves, for crossing the wide ocean, bidding their native land good night, and taking up their abode in voluntary banishment, that they might enjoy religious liberty; but they had no sooner got here than they showed that though Puritans, they were still men, and thought that true genuine religious freedom consisted in every man being subjected to the same rules, belief, faith, and practice as the Puritans; and when a few plain Quakers appeared amongst them, they were banished by these lovers of religious freedom, for opinion's sake.

Here are the same men who ten years ago, only wanted the liberty of administering to the sick without being subjected to a fine.

Next, they want that the law should sanction their practice by enabling them to collect their debts by law. Now they say and pray that no one should be permitted to collect debts except they have studied a year and received a diploma from the N. Y. S. T. B. M. S.

Behold—"the advocates of the *largest liberty*"—of inherent rights—of alleged constitutional liberty—have become the open and avowed advocates of restriction—of monopoly.

With the intention of ascertaining whether it would be for the health of the people of this State to encourage by legal enactments a new system of medical practice, the committee took some pains to ascertain the principles upon which the Thomsonian theory was based, and were informed that a fundamental principle was this; that all disease consisted in *obstruction*—that obstruction produced irritation—irritation, suppuration, and suppuration, death.

That the first object was to remove obstruction—the second to allay irritation—the third to prevent suppuration, and that failing in this, death must ensue.

Q. Who are those whom you wish should have lawful authority to collect their debts ?

A. Those only who have studied and practised in company with a member of this society one year, and has undergone an examination before the board of censors, and received a diploma as evidence thereof.

Q. What books do you and your pupils study ?

A. Thomsonian Guide to Health, by Sam. Thomson; Hearsay's Midwifery; Rafinesque's and Barton's and Bigelow's Botany; the Thomsonian Recorder, a semi-weekly medical paper, published at Columbus, Ohio, and Botanic Sentinel, Philadelphia.

Q. Do you think the study of anatomy or physiology of the least use to a Thomsonian doctor ?

A. We do not, nor do we recommend the studies. We do not consider ourselves as surgeons, and those studies are useful only to them.

Q. Are the Thomsonian doctors midwives ?

A. We are midwives, and the most successful of any in the country.

Q. Do you ever, in any case, bleed ?

A. Never, in any possible case.

Q. What stimulant do you use ?

A. Our chief stimulants are cayenne pepper, lobelia and aromatic herbs; no alcohol, no wine, no opium, no ether.

Q. Do you use any things as medicines, except vegetables ?

A. No; we consider all other medicines poisonous, whether they be elementary or natural or artificial compounds; every metal or compound of a metal. This extends to all mineral waters, no matter how popular; we consider them all deleterious, and of course poisonous. One of our apothegms is, that the metals and minerals are in the earth, and being extracted from the depths of the earth, have a tendency to carry all down into the earth, or, in other words, the grave, who use them. That the tendency of all vegetables is to spring up from the earth. Their tendency is upwards; their tendency is to invigorate and fructify, and uphold mankind from the grave.

Q. In what light do you view, and in what estimation do you hold those who, having little experience, and under your father's patent, have a right to practise as a Thomsonian doctor? Do you view them qualified or not; skilful or not?

A. We do not consider them fit, as general practitioners; they have merely the right to compound their own medicines, and practise in their own families; and have no right or business to practise on community; they are not presumed to be acquainted with disease or medicine, and should not be tolerated to practise, or to collect their pay for their services; community is in danger from these unskilful practitioners. There are thousands of this stamp all over the United States. If these men ever acquire experience and skill, it is by practising upon community and at its expense.

*To the Hon. Messrs. Farrington, Clarke and Wheaton, to whom were referred the petitions of the Thomsonian Botanic Physicians of the State of New York.*

Gentlemen, you have propounded to me the following questions, to be answered in writing, viz:

*Firstly.* What reason does Doct. Thomson give for asking that the right to collect pay by law, should be confined to those who shall hereafter become members of the New-York State Thomsonian Botanic Medical Society?

*Secondly.* Does he want that society to be incorporated, and if so, under whose direction and superintendence shall it be?

*Thirdly.* Who shall prescribe the course and length of study for students?

*Fourthly.* What principles do you practise on?

*Fifthly.* What books do you study?

*Sixthly.* How long a time?

*Seventhly.* What studies are those which the old practitioners pursue which you deem useless?

In the first place, why is here a system of medicine springing into existence so opposite to the principles of the long established and popular systems of the present age? I answer that it was by the failure of this old established system of medicine, to restore those to

health whom we are accustomed to cherish above all other earthly objects; that the human mind was led to wander into the wide regions of philosophy, unguided by any human theory except reason and common sense. My father had been much subject to sickness in his family, and was anxious to have the best medical attendance in his vicinity; he actually employed the best physician within several miles to remove and locate himself upon his farm, and while the doctor was yet a resident upon his farm and within the space of a few years, five different members of his family had been pronounced as incurable by this same physician, and when the patient had been thus abandoned, my father was first stimulated to try what he could do to alleviate or mitigate the sufferings of the patient, and happily succeeded in restoring every individual to health; now, says my father, if this long established system of medicine fails to restore the different members of my family, and I then take hold and do for them what was expected from those who professed superior skill, is not my treatment the best. From that time forward which is now near fifty years, he has never employed a regular physician to the knowledge of the writer. The neighbors who were called together to assist at his house as is usual in country neighborhoods in time of sickness, and more especially when the patient was supposed to be dangerously ill, were led to observe the least change that took place with the patient, and observing the happy effects of my father's nursing upon the members of his own family, became the first messengers to herald the Thomsonian system of medicine to the world. In the course of time many of the relatives or friends of those kind neighbors were stricken down by the hand of disease, and the physician being employed as usual, as the best judges of remedies for the sick, as in the case of my father's family, in many instances gave the patient over as incurable. The human mind being now upon the rack for any thing that would in the least mitigate the pains of the sufferer, it would be remarked, why not send for Samuel Thomson, and have him nurse the patient as he does those of his own family. This course was usually adopted and I have no knowledge of his ever losing a patient in his own neighborhood.

Thus his plan of nursing was adopted by the near neighbors, and from them it went from house to house, from town to town, and from State to State, until it is now more or less known in every State in the Union; and the advocates or friends to the system are computed by the celebrated Doct. Benson Waterhouse to amount to upwards of 3,000,000. It was by their philosophical experiments and the happy results  
[Assembly, No. 354.]

attendant upon the same, that first led my father to exclaim, in the language of the poet, surely the "*greatest study of mankind is man.*"

Having been thus successful in his nursing, he was led to inquire upon what principle the animal functions were brought into action, and by what principle they ceased to act. The practical operations of his medicines were narrowly investigated; and a reason for the specific operation of each medicine upon the system was required. My father at last settled down in the belief that the human system was a species of animal machine, subject to the action of the elements, and when deranged, was to be put in order by a judicious temperament of the same elements by a skilful repairer, whose duty it is to know, *particularly*, the principle by which the machine is deranged; and, understanding the deficiency, may know how to restore the absent principle in all cases where the principle of life is not so far gone as not to have sufficient to build to, or the machine so far decayed as to be beyond restoration. For example; the foetus, before it comes into existence, is formed by nature with all those little intricacies of machinery that are designed for usefulness in life, viz: the organs of respiration, digestion, the nervous and arterial systems, &c. &c. But in its present state, the mother's breath, food, and beverage, and other support, is that of the child. Its birth changes the scene; the child then acts for itself: it changes a temperature of about 102 degrees of Fahrenheit for one of about 65 to 80. The moment this low temperature strikes the surface, the outward warmth is slacked or reduced; the atmospheric pressure being very near 16 lbs. weight upon the square inch, presses in upon the organs of respiration and the lungs are at once inflated: the temperature being so much greater upon the lungs, (say 102 degrees,) than upon the surface (from 65 to 80,) that the warmth of the lungs immediately rarifies the air to near the temperature of the blood; by which means it becomes so light and expanded that the 16lbs. upon the square inch of the surface pressure will not admit of its continuance longer upon the lungs; and the air, from the buoyancy it has acquired from the warmth, seeks an equilibrium by rising above, in consequence of the heavy external pressure upon the region of the chest upwards, which crowds it out, and with it, the first sound of the voice is a cry. This is the first movement of the machine in producing sound, which, by cultivation, is made to express every passion and want that the body may require: and a judicious practitioner of medicine is its repairer; and to keep it in active operation until it wears out, and in

old age every wheel having borne its proportion of labor, it voluntarily falls to pieces.

This frail bark was thrown into life, and he that modeled it, pronounced it perfect: therefore, he does not design that we should take any part away, any more than that we should add to it; as we can do the one, in a philosophical point of view, as well as the other. The physician, as the repairer, has no more to do than to remove the clogs and obstructions that retard the motion of the gearing, without removing any part of the machinery; for if you take out any part of this complicated machine it is never as perfect afterwards; and you obstruct, to a certain degree, the whole work, the same as any artificial machine; for instance; a clock or steam-engine. The child, if healthy, continues to grow: his arms, legs, body and face are plump and full: we see no indications of old age, such as wrinkles or loss of flesh: he comes up to youth, to manhood, or the meridian of life, which is from 25 to 35 years of age: the members of his body may now be said to have acquired their full vigor. It may now be truly said of the man, as of fruit, he is ripe. He turns the point of life from the zenith and begins to wear or decay. You will hear him remark, I cannot do quite as much as I could once: my food does not appear to afford that substantial support it did once: my rest is deficient: my nerves have become tremulous: wrinkles are fast gathering in my face and hands: my limbs fall away; and why is all this decay? The man does not know: he says, I am growing old; but that does not answer the question. The fact is, the first part that gives away is, the organs of digestion by which the whole fabric is supported, these organs have become first blunted, and are not capable of extracting the same quantity of nourishment from a given quantity of food as before the man had attained the meridian of life or before the fruit became ripe.

Well, under this state of things, something must be done to keep up vital energy. It will be remembered that while the man was coming to maturity he was laying up in store, strength of blood, size of muscle and bone, and a good store of flesh—the fuel of life. If his appetite should fail, you know the man would not die until all his flesh was nearly gone, and he a mere skeleton; for in proportion as the appetite fails, nature calls upon the stock of flesh already in store, which was laid up in early life to support the body in the decline of life, the same as a man who is ambitious in youth to lay up a sufficient competency

for the income to support him ; but if the income fails to give him a good and sufficient support, he must make drafts upon the principal, light or heavy, as the circumstances of the case may require.

It is precisely the same with the human system. You will perceive an old gentleman far advanced in life, if he has not injured his constitution in his younger days by taking medicine, or lost any of the vigorous properties of the first stock of his blood, by taking a part of it away or weakening the same by injuring the digestion, through which the blood receives its support, by animal or vegetable poisons, he will run gradually down. As the digestive powers fail, the drafts upon the flesh are more urgent and heavy, and it is not unfrequent that we see the person at the advanced age of seventy, eighty, ninety and even one hundred years of age, while apparently in his usual health, die sitting in his chair, or in the field, or in the midst of his avocation, the fuel of life having become completely exhausted, or the lamp of life being drained to the very bottom and the light has become extinct for the want of oil, or nature having completely exhausted from her storehouse the means necessary to sustain life. Such a machine we consider has been under the management of a judicious repairer, engineer, or physician if you please ; has been brought to maturity by judicious management ; has nurtured a vigorous constitution and by prudent management has laid aside for future use, a suitable quantity of the material to sustain and prolong life after the person has passed the meridian to its last moments.

Thus you will perceive that the Thomsonians, by understanding the above theory, and practising upon the same principles, are treating the system philosophically. As our theory was formed from our practice, and our remedies are in harmony with life ; as they will assist nature in her most depressed situations, or when there is a sufficient spark left to build to, and the remedies will not prove detrimental if given by the practitioner whose judgment has been matured and regulated by a scale established by extensive experience and observations by the bedside of the sick, no other standard can be depended upon.

It may be said, why not let any person, who feels so disposed, try the same kind of experiments as my father did, and run the risk of establishing a theory for himself ; to which I reply, has every person, or one in 10,000,000 if you please, the same capacity of mind for inquiry as my father had ? if so, is it probable he would have the same

chance to bring his unpolished judgment in contact with the regular physician, and have them balanced in the true scale of practical utility? After all where is the uncultivated mind sufficiently strong to buffet the rough torrent of popular prejudice, and maintain principles directly at war with the long established practices of the day, and work out, as it were, from the rough, a system so philosophical as to be capable of being brought home to the understanding of every mind of moderate capacity, without at once adverting to the old system of practice as a guiding star, as was the case of Samuel Thomson, who proved every principle of his theory by his practice as he progressed, and is ever ready to assign a philosophical reason for every principle advanced.

You now see the Thomsonian system of practice, as patented by my father, used by millions of the inhabitants of these United States, and it must be expected that whenever a system of medicine has been discovered, or any new theory been brought to bear so extensively upon the welfare of community, it will be liable to abuse, and must eventually become subject to legislative regulation. By some, the Thomsonian system of medicine has been made a matter of speculation, by which there has been much complaint by the people. Those who have been the greatest cause of these complaints, were those who have failed in other pursuits in life, such as *mercantile*, *mechanical* or *commercial*, and casting about for an avocation by which to obtain a sure livelihood with the least trouble and expense, and have adapted the Thomsonian system as the one best calculated to bring about so desirable an object. It is against this class of practitioners the community wish to be protected. Such individuals commence their practice from reading, not having had any previous knowledge practically with the experienced practitioner.

My father's patent-right extends only to the purchaser, and his family right; it does not contemplate that a person who has purchased the right to compound and vend the Thomsonian medicine is also entitled to set himself up as a practitioner, without first obtaining a knowledge of the principles and practice with some person who is well qualified to instruct practically. Now if there is a law compelling the students to comply with the terms of the *New-York State Thomsonian Botanic Society* before they shall be able to collect pay by law, it will be a stimulus for the student to prepare himself to be legally allowed to practise. From those persons who have only purchased a family right,

the correct practitioner suffers much wrong from the hands of community, who invariably class them together; while the one has an extensive practical knowledge and a good understanding of his theory, the other has only a slight knowledge of the theory by reading only, without any practice.

*Secondly.* All that is required by the New York State Thomsonian Society is, that those who wish to practise shall not be able to collect pay by law, until they have subscribed to the rules and regulations of the society in every particular.

*Thirdly.* The State Society in general convention shall adopt such course of studies as they shall think proper.

*Fourthly.* The text books are, Thomson's Guide to Health, Hearsey's Midwifery, Rafinesque's Botany, Thomsonian Recorder, and several other works.

*Fifthly.* One year to be devoted in study and practice, with a competent practitioner.

*Sixthly.* You ask what studies are those which the old practitioners pursue which you deem useless?

We deem nearly the whole of the theory and practice of medicine as fallacious, and not to be depended upon; as the medicines are what we consider, and what are generally termed poisons, or articles that are detrimental to health and life. The same articles are used to restore the sick to health that a well person would take to destroy life, if he wished to commit suicide. Now, we can never subscribe to the doctrine that what will kill in the hands of an assassin or suicide, will prove a balm to heal the sick and restore consolation to the afflicted, because the hands are changed that administer the article.

Our medicines are calculated to assist nature and comfort the sick in their affliction, and lift up as it were with a helping hand such as are infirm; to ease pain and quiet the excitability of the system, and bring the body back to the state, as near as possible, of healthy action, and will do no harm if it does no good.

The regular practice makes sick or reduces the patient, and makes him much worse than when first taken; and after it has operated, by a violent effort of nature to throw it off, if the constitution is strong enough to bear the shock of the medicine together with the disease, both will be thrown off together. The medicine is then stopped to

give the patient a chance to gain ; but if the constitution is not strong enough to throw off the medicine, it is sufficient to take life of itself. We see opium used frequently to take life, also to cure the sick ; also mercury for the same purposes. The knife is used to take the life-blood of animals, to sustain life. The lance is used to save the life of the sick—to restore that same principle that the knife is used to take away.

Under these considerations, we think the *materia medica* useless to the Thomsonian practitioner, as they take away what we wish to restore. The Thomsonian system of medicine is, thank God, founded on no such system of philosophy.”

The committee, it is well known, are not physicians, and of course cannot be expected to combat this theory. They must be pardoned, however, for not giving their assent to a theory, the proof of which could only be obtained by long experience and close observation of every variety of disease, and by the performance of the nicest and most scrutinizing anatomical inspections, operations and dissections.

This class of physicians scout anatomy, as to them a useless science ; they do not bleed, because the lancet is steel and the assassin's knife is steel, and you must not say they use that tool to cure, which may be used to kill. By a parity of reasoning, a boil, or an abscess, or a blood-blisters, must not be opened, because the tool by which the operation is performed, is composed of the same material as a deadly weapon. How can the man who has only looked on the surface of a human being, tell what is the cause of disease ? What obstruction can he discover ?

Is lock-jaw, or *tic doloureux*, or gout, or rheumatism, or the tooth ache, occasioned by obstruction ? if so, what obstruction ? And it is an internal obstruction, if obstruction at all ; and as dissections are unknown and anatomy useless, the theory must be founded on mere guess work, and according to all philosophic rules, is entitled to no credit.

Another of the leading principles of this class of physicians is, that the human body is composed of four elements, earth, air, fire and water.

Now, as this class of physicians never dissect a human body, and are not chemists, how can they inform us of its component parts ? If we wish to ascertain the component parts of any material thing,

we submit it to the chemist ; we analyze it, resolve it into its elementary principles. This theory was not arrived at in any such way ; but to use the words of the founder of this system, he arrived at it by the " mature consideration."

It thinks, that if the qualities of a newly discovered ore were to be ascertained, its elements discovered and its value made known, the process would be something besides consideration.

Were consideration the test of component parts and value, there would probably be as many opinions as men.

In this very instance, unfortunately for the theory, and the " mature consideration" on which it is founded, the very things called elements are falsely so called ; earth, air, fire or water, are not elements. The heat produced by combustion, may perhaps be denominated an element, but who does not know that earth, air, and water are compounds ? who is it that presumes to speak of elements and of compounds, unless a chemist himself, or adopting the opinions of chemists.

It will not be denied, that it is the duty of government to protect, by laws aptly fitted to the case, the people against the impositions which any trade, craft, occupation or profession may practise upon them.

Custom or statute, or both, have established certain rates or toll for the miller. We test, by certain standards, the weights and measures which are in use ; we establish the weight of a given measure of grain ; we exact a license from the pedler, auctioneer and dealer in liquors ; we establish an inspection over the productions of the butcher, the fisherman, the tanner, the lumberman, and the miller, to protect community against imposition, interposing the skill of the inspector as a shield for the ignorant. This we do in the arts.

In the sciences we have laws for the protection of the people against pettifogging.

In the ecclesiastical world, the State, out of regard for perfect religious freedom and perfect toleration in all matters of faith, abstains from intermeddling ; but even here, the different societies of christians, one and all, have their laws, as certain and as effectual too, as to the moral and literary qualifications of their spiritual guides.

In medicine, too, the law has prescribed the moral character, the term of study, the examination and the age of the practitioner.

Are all these laws founded in folly? Are they deserving of being stigmatized as monopolies; as interfering tyrannically and unnecessarily with common rights and constitutional privileges?

In whose behalf is it that we are called on to deviate from a course practised and sanctioned by the wisdom of ages? Who are they, who talk so much of inherent rights and constitutional privileges, and of monopoly, and of the ignorance and unskilfulness of others?

They are men who claim to practise under a *patent*, who have the exclusive right to compound, vend and administer certain medicines; their existence is predicated on monopoly and exclusive chartered privileges.

Who are they who stigmatize others with the mystery thrown around their science; of their learned technical terms; terms known and understood alone by the medical world; and from their uniformity, affording a wonderful facility for the dissemination of learning, terms, of necessity, learned but always descriptive, and founded on a common language? Terms which any man may learn and understand, if he will just take the trouble to open the dictionary, and no patent lock interposed.

They are men who practise under a patent, granting exclusive privileges; and who give the names of No. 1 and 2, as words to their medicines. Are numbers, digits, Arabic figures, more descriptive of the nature, power and properties of medicines, than the most abstruse word used in *materia medica*?

“Physician heal thyself,” was never more appropriately applied, than in this case. Render simple and plain your own vocabulary; call your medicines by plain English names, and then criticise, ad libitum, the mystery or pedantry of others.

The committee, with the view of discovering whether there was any thing real in the objection to the use of mineral medicines; whether the principle laid down by this class of physicians, that all metals and minerals, in their state of purity, and all compounds of them, whether natural or artificial, were poisonous, took some pains to ascertain

into what substances metals and minerals entered and formed an essential component part, and found that there was scarcely an article of food or medicine but was composed in part of a metal or mineral. That the healthiest human being is composed, in part, of metallic and mineral substances. The colour of the blood is occasioned by a compound of iron it contains; the bones are a mineral substance, and these component parts are as necessary as any other which enter into the system.

Salt itself, so necessary to the enjoyment of life and the promotion of health, is a mineral, and has for its base a metal; one of these *poisonous* metals. The body of man being composed in part of both metals and minerals, it would seem that a constant supply of these materials in some form was necessary to the development, and sustenance, and health of the animal system. The committee cannot come to the conclusion that metals or minerals, or their compounds are, as a general rule, poisonous: on the contrary, that both in sickness and in health, they are necessary to our existence.

The fancy, that because the metallic and mineral kingdom is in the ground, and the dead body of a man is deposited in the ground, and that the former has an affinity for the latter, and therefore has a tendency to drag down the body to the grave, is hardly worthy of comment. Water lies as deep in the ground as the metal; its tendency is as essentially downwards. Rum has no such downward tendency. Rum does not exist in the ground; the tendency of rum is upwards. If the theory were correct, the conclusion would seem to follow that water is poisonous and rum is healthy.

This class of physicians use roots, and their tendency is downwards. The committee have also taken some pains to examine the vegetables which this class of physicians use, and behold, there is not one but is composed, in part, both of metals and minerals. This is true of the whole animal and vegetable kingdom. Out of a great number of analytical experiments performed by Sir Humphey Davy, the committee take leave to select the following: 100 parts of wheat flour contain 43 parts of soluble salts, 13 of phosphates and carbonates,  $\frac{1}{2}$  a part of metal, 32 parts of silica; so that the material out of which our daily bread, the "staff of life" is made, is composed .98 $\frac{1}{2}$  of these poisonous metals and minerals which have such a tendency to drag down men to the grave.

The Indian corn, the native grain, and of which above all others, the American is proud, and of which the poet Barlow said, that half the bones of New-England's sons are made, is composed of .78 of metallic and mineral substances.

It would be a waste of time, to show the component parts of different vegetables. It is sufficient to say, that there is not a single vegetable in the world of plants which is not composed, in part, of metallic and mineral substances.

Even the red pepper, which is the great stimulant used by this order of physicians, is found on analysis, to contain ten per cent of metallic matter. The *lobelia inflata* is not more fortunate.

This plant, vulgarly called Indian tobacco, and which occupies so high a rank in the *materia medica* of this class of physics, is thus described by Barton.

It will be borne in mind, that Barton's *Medical Botany* is one of the few books which this class of physicians claim that it is useful to read.

"*Lobelia inflata*," says Barton, "is decidedly one of the most active of our native vegetables. It might, perhaps, be said with truth, that the United States does not yield a plant of more powerful and unequivocal operation on the human system; and since poisons are, generally, under judicious use, good medicines, the Indian tobacco seems to have an undoubted claim to a place in the *materia medica*; it is possessed of an emetic, sudorific and powerful expectorant effect.

"Not only horses and cattle have been supposed to be killed by eating it, but a remarkable instance of its deleterious effects on the human system is related in the report of a trial for murder, of a notorious empyric, in Massachusetts, who caused lobelia to be used to a pernicious extent as a nostrum. This daring and ignorant man (Samuel Thomson, by name,) is said to have usually prescribed it, and frequently with impunity, in the dose of a common teaspoon full of the powdered seeds or leaves, and often repeated. If the medicine does not puke or evacuate powerfully, it frequently destroys the patient, and sometimes in five or six hours."

How this author, who calls lobelia a poison, and the founder of this system of medicine a notorious empyric, and a daring and igno-

rant quack, should have found favor with his son, the president of the N. Y. S. M. T. B. S. who has so high a regard for his father as to think his equal is not to be found amongst 10,000,000 of men, seems inconsistent with a knowledge of the author. The committee have come to the conclusion that Barton's Medical Botany might, perhaps, have been read, as bills are in this house, by its title only.

The committee, with the view of showing that the sciences of anatomy, physiology and chemistry were useful to be studied by the practitioner of medicine, take leave to express an opinion, that disease consists in a change, either of structure or function, in the human system, and that the object of the physician is to bring the system back to its original healthy condition.

Now anatomy teaches that the body consists of a great variety of tissues, and that the progress of disease in each is different. This is proved by an examination and comparison of symptoms, and it is in the union of a certain number of symptoms which constitutes a particular disease.

It has been ascertained by long practice and experience, that certain medicines or remedies have removed such disease. If such medicines occasionally prove ineffectual, an examination of the dead body will show that such disease had advanced too far before the application of the remedy to be arrested by it.

A moment's reflection will satisfy all that the progress of medical knowledge, the science of treating disease with skill, must, of necessity, be slow, and owing to the complex nature of the human body, to a certain extent, imperfect.

But if any truth has been established by the experience of ages, it would seem to be this, that there is a variety of disease, and that it cannot be successfully treated by a single class of medicines. A necessary inference from this is, that the physician needs all the light which can be derived from the study of the human system, when in a state of health. Taking this view of the subject, the committee come to the conclusion that an intimate knowledge of anatomy and physiology are absolutely necessary to the physician.

Chemistry teaches the nature and properties of all material bodies; of course of the nature of all medicines.

Can it be doubted then that this science which teaches the nature, and the power of medicine is useful and necessary to a physician. As well might the mechanic doubt the utility of understanding the power and use of the tools of his trade, as the physician doubt the necessity of knowing the component parts, the nature and strength of the medicines he uses.

Had this class of physicians been chemists, they would not have leveled their sweeping denunciation on all metals and minerals, and compounds thereof, for that science would have taught them that every medicine which is prescribed by them contains both these substances.

One of the greatest discoveries which crowned the labor and research and learning of the medical world, is the discovery of the theory of the circulation of the blood, by Harvey.

This great man after going through the preparatory studies at the grammar school, studied five years in the University of Cambridge. As a traveller he performed the tour of Europe, and desirous of accomplishing himself as a physician, he pursued his studies some years in the medical school of Padua, then one of the most celebrated in Europe, and there he took his degree as Doctor of Medicine, in 1602. He afterwards became a fellow of the College of Physicians in London, and a professor of anatomy and surgery in that college, and in 1616 first disclosed his great discovery of the theory of the circulation of the blood.

Harvey was at that time 38 years of age, and his whole life had been devoted to the cause of science, and the greater part of it to that particular science in which his great discovery was made.

Jenner, that great benefactor of mankind, who disarmed a disease more deadly than the plague of all its terrors, was the son of an English clergyman, received a most excellent classical education, and studied medicine the usual length of time with a country practitioner, not content with the education thus obtained, better probably than that usually allowed, he went to London to attend the hospitals there, and became a private pupil for two years of the celebrated John Hunter, a name dear to every medical student. He cultivated natural history with great ardor and success, and was in the opinion of Hunter, the first scholar in Europe in the science of human and comparative anatomy.

The tendency of this last science was the discovery, which immortalized his name, and which has saved, and which will continue to save, to youth its beauty, and has prolonged, and will continue to prolong the lives of millions.

This great discovery engaged the attention of Jenner for more than twenty years; and an acquaintance with his experiments would convince all that the occasional failure of vaccination was owing to a neglect of the rules which he prescribed.

The names and short biographical sketches of these great men are introduced merely to authorize the inquiry whether these discoveries ever would have been made, by and with the aid of such an education as the Thomsonian physicians think is all sufficient.

Science is always progressive, and it requires very little of the virtue of humility to say and believe that it is yet in its infancy. Sir Isaac Newton, the great, the intellectual, the almost pure intelligence, the connecting link between men and angels, if such a thought may be indulged, said, when speaking of his great learning, his wonderful discoveries, that he considered himself but a child, amusing himself by picking up shells on the shore of the great ocean of science.

This is a world of humbugs; and with all our keen sightedness, adroitness, skill and ingenuity in all we undertake, we are, perhaps, the most easily humbugged of any nation in the world, and in nothing is this alacrity to be deceived more fully manifested than in the eternal, never ending, still beginning, doctoring still and still destroying patent medicines: perhaps one-fourth of the advertising patronage of a country newspaper consists in puffing patent medicines, and this great tariff is levied on credulity afflicted with disease. If there were truth in the advertisements of a single paper, attested to by the learned, the wise and the pious, there is not a disease to which poor humanity is heir, but what is susceptible of speedy relief and ultimate cure.

It is the duty of a wise government to study the character and propensities of the people for whom it makes laws; and if it is forced so to shape the law as to correct fallacy and vice. Whether the Legislature of this State, when it gave to a German quack \$1,000 to disclose a pretended specific for the bite of a mad dog, was guided by that wisdom which checks imprudence, restrains credulity in its race of folly; or whether it gave countenance to our innate gullibility and love of the

marvellous, the committee do not pretend to decide. One of the prominent weaknesses of man is the love of the marvellous. When, superadded to this, the fear of death operates upon a mind, enfeebled by disease, and upon the minds of friends full of apprehension and anxiety, we are apt to repose confidence in worthless objects; and to use the most ridiculous and hazardous means which ignorance may prescribe or impudence administer. The Leyden phial, the touch of the king or the seventh daughter for scrofula, the patent tractors, the philosopher's stone and animal magnetism, have each in their turn occupied the attention and preyed upon the powers and credulity of mankind; and one folly seems to give way only to make room for another; and the committee are of opinion that no legislation should be indulged, which is calculated to encourage the love of the marvellous, to encourage credulity, or to countenance those who practice upon these infirmities in our nature.

The committee are of opinion that the very foundation of all this theory which is sought to be upheld by law, is founded in ignorance and error; and that it would only set at nought most of those lights which are necessary to guide the physician in the intricate path which he is obliged to travel.

That to say that a man ignorant of anatomy, of physiology, of pathology, of chemistry, of materia medica, may be safely trusted to administer to the human system, which is so fearfully and wonderfully made, would be saying more than to say, that he who never saw the inside of a watch, was fit to repair the most valuable time piece.

That to give legislative countenance in such case would be to encourage gullibility and credulity; to advocate the cause of quackery in the case of medical science; to set at nought all those rules of plain common sense, which in other matters usually govern mankind.

