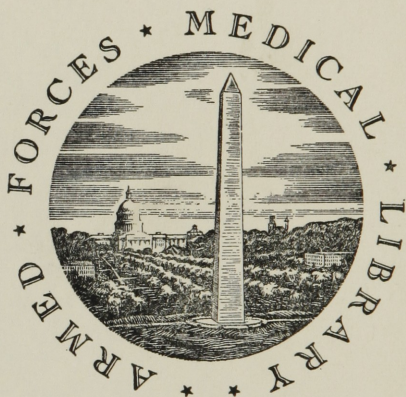




UNITED STATES OF AMERICA



FOUNDED 1836

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WASHINGTON, D.C.





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# SECOND APPEAL

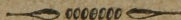
TO THE JUSTICE

OF THE

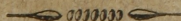
Intelligent and Respectable People

OF

LEXINGTON.



*BY DANIEL DRAKE, M. D.*



CINCINNATI:

Looker, Reynolds & Co. Printers.



1818.



✎ As the following Appeal is neither very short, nor entirely free from attempts at logical reasoning, a careful reading of it will be attended with some labor. I would advise those persons, therefore, who are already convinced with respect to the matters in dispute, not to engage in its perusal. Such as have decided in my favor, do not want additional evidence : and should there be any who are convinced by Dr. Dudley's facts and arguments, I despair of producing in them any change. I write for those who have cautiously suspended their opinions till the whole case should be presented, and are willing to contemplate the evidence adduced with sufficient patience and attention to perceive distinctly how much it establishes. To such persons I hope to exhibit something that will be conclusive.

At the end of the pamphlet, I have added a note concerning the election of the Professors of the Medical College, which is intended for elucidation ; and might even be read first, with advantage.

## A SECOND APPEAL.

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IN the preface to my first APPEAL, it was stated that the principal object which I had in view was to vindicate myself from the charge of having made an attempt to destroy the Medical College of the Transylvania University, while a Professor in that Institution. The attempt, it appeared from Dr. Dudley's statement, consisted in this: that I had given a pledge to hold my appointment for two years, and had resigned before the expiration of one. Dr. Dudley's declarations were accompanied by no evidence, and in refuting them I was under the necessity of proving a negative; which I did, as I conceive, in the most unequivocal manner. The pledge, he asserted, was given in a meeting of the Medical Faculty, at which Doctors Blythe and Richardson were present as members. These gentlemen have declared that they listened to the conversation relative to the length of time that I would continue in the University, and that I gave no *pledge* to hold my place for any specific period. Dr. Overton, however, one of the Faculty, tho' at present an inhabitant of Nashville, after being repeatedly importuned by Dr. Dudley from July to September, both by mail and a special messenger, at length favored him with a certificate, in which it is stated, that I observed at the meeting just alluded to, that I would not suffer the result of our first winter's exertion to fix my resolution in relation to holding my appointment; but that after the second winter, when the impediments then existing to the advancement of the School were removed, I would finally determine,—and if in the affirmative, remove to Lexington; and this has been published by Dr. Dudley as “evidence which must prostrate me beyond all hope of redemption.”

Now I deny that this evidence, taken literally, offers any contradiction to that of Doctors Blythe and Richardson, and earnestly invite my readers to re-peruse it. The natural and correct meaning of what Dr. Overton has attributed to me, is, that I would suffer no circumstance connected with the difficulties which the School had to encounter for the first winter, to be the cause of my resignation; but it certainly does not express that in despite of all circumstances I would continue in the School for two years. This is only an inference, and to this inference the unequivocal and decided testimony of Drs. Blythe and Richardson stands directly opposed. Before committing the apparent contradiction between these gentlemen to the public, I will take the liberty of offering a few remarks.

1. Dr. Dudley would endeavor to excite the belief, that the testimony of Dr. Overton is of a *positive*, and that of the other gentlemen only of a *negative* character; and therefore, that although he stand alone, his evidence should overturn theirs. It does not require much ingenuity to disclose the sophistry of this reasoning. The gentlemen state that they were *parties* and *auditors* to the very conversation alluded to by Dr. Overton, and declare that I made no engagement whatever. Their certificates have, consequently, as *positive* a character, as that which has been procured to supersede them.

2. In Dr. Overton's letter, and in various parts of Dr. Dudley's pamphlet, it is either intimated or positively asserted, that an engagement of mine to stay two years, was, with them, an equivalent for their consenting to associate with Dr. Richardson. Now, the conditions on which that gentleman was recognised were recorded in the Journals of the Faculty; and I would enquire, if a pledge of mine were the basis of that recognition, why that pledge (so important in its consequences) was not recorded also? The truth is, that no promise or intimation of mine had the smallest influence in procuring the recognition of Dr. Richardson by Doctors Dudley and Overton; for *before* my arrival at Lexington they had consented to associate with him, on the very condition which was afterwards recorded in the Journal of the Professors. For the truth of this I will refer to Mr. Andrew



McCalla and Col. James Trotter, the Chairman and Treasurer of the Board of Trustees; the latter of whom was requested, by Doctors Dudley and Overton, to call on Dr. Richardson, and inform him, that they were willing to go into the University with him, on the single condition, that he should sign no diploma until he got one himself; and this is the condition on which he was received at the first meeting of the Faculty. Now, as Dudley and Overton had consented to this, previously to my arrival at Lexington, it must be admitted by every man of common understanding, that they are not at liberty to refer that consent to any promise of mine made at a subsequent period:—the testimony of Dr. Overton is therefore set aside, and all the reasonings of Dr. Dudley founded upon it of necessity fall to the ground.

3. Before I left Lexington, Dr. Overton made a proposal to me to remove thither and succeed him in the practice of physic, as he wished to emigrate to the state of Tennessee. He seemed anxious that I should accept his offer, and held out a variety of inducements. At a meeting of the Faculty, about the same period, I was desired to unite in an application to the Trustees to have the existing appointments confirmed under the new law of incorporation. I declined both of these propositions, and repeatedly assured Dr. Overton that I expected to resign in the ensuing spring. In the midst of all these assurances, he never uttered a single word on the subject of a pledge on my part, not to resign under two years. Now I will leave it with those who understand human nature, to decide whether if he then had been conscious of having on me so strong a *lien* as the engagement spoken of by Dr. Dudley, he would not at least have cited it as an argument against my determination?

4. The vituperation uttered by Dr. Dudley against Drs. Richardson and Blythe, was resented by those gentlemen in a manner, and with a promptness that could only have been inspired by conscious rectitude. The former, abandoning his characteristic moderation, demanded, as an atonement for the outrage on his character, that satisfaction which the fashionable world erroneously call the highest that can be given. The latter, with as little delay, resigned his Professorship, and in a letter at once tem-

perate and energetic, has shown to society with what indignation he resented the imputation of dishonesty.

5. Dr. Dudley, either with profound ignorance, or the shallowest sophistry, has cited my vote at a meeting of the Faculty, on a question relative to Dr. Richardson's situation in the year 1819, as a proof that I intended to hold my Professorship for two years.—As well might he have cited any other vote which had a prospective effect, as that which he has selected. If he think that the members of a corporation are to vote on no subjects but those which will be perfected while they continue in office; or if he suppose that he can make society believe that such is their duty, he has as much to learn on this point as on many others. As a member of the Medical Faculty of an incorporated institution, it was my duty to decide on all questions that were raised. He might with the same propriety have selected my vote on the question regulating the succession of the office of Dean, which established a perpetual rotation, as a proof that I meant to hold my Professorship for my whole life, as to have quoted the one he did, to prove that I was pledged to continue in the School for two years. In my vote I represented my Professorship, and not myself.

These facts and arguments strongly corroborate the testimony of Doctors Blythe and Richardson; and until their evidence is set aside, I shall consider myself completely acquitted from the charge of having violated a pledge to the Transylvania University.

Dr. Dudley asserts, however, that in my letter to him by Capt. Bain, there is an admission that I had made this pledge. The sentence alluded to is the following: "I observed that my impression then was, that I should come to Lexington a second time, after which I should decide on my ultimate destination."

Having assumed this as an acknowledgment of all that he had charged me with, he proceeds to make various applications of it, and among the rest, asserts, that while Doctors Blythe and Richardson were denying that I gave any pledge, I was, myself, admitting it. So much stress, indeed, does he lay on this sentence, that it would have pervaded his whole book, had the work not been too disjointed to admit of a connecting principle.

Now if the statement that I had the *impression* that I should return to Lexington a second time, be the same as a *pledge* that I would;—if there be no difference between the simple utterance of an *expectation*, and the declaration of a *promise*;—if “*an image in the mind*,” be the same as a “*pawn*,” or “*any thing given in security*,”\* then I am convicted. But if those terms are not synonymous, and I might express the former, without incurring the obligations of the latter, then I stand acquitted, Dr. Dudley’s sophistry is exposed, and Drs. Blythe and Richardson are exonerated from the charge of having certified to less than was admitted by me.

I most earnestly solicit my readers to re-peruse this part of Dr. Dudley’s reply, confidently expecting them to perceive in it such an earnest attempt at assuming, and reasoning from, false premises, as will induce them to receive with a proper degree of caution all his subsequent conclusions.

I conceive it unnecessary to take any further notice of the charge of my having violated a pledge to hold my Professorship. The public have now all the facts and reasonings on the subject which they will perhaps ever obtain, and I feel perfectly willing to rest the issue on what has been exhibited.

On the charge that in the time and manner of resigning I had attempted to break up the Lexington School, I need say nothing in addition to that with which I have already troubled the public. In the 7th page of my first Appeal it is demonstrated that I gave the earliest possible notice of my intention to resign, and that I did resign immediately after the end of the session. These points are indeed not controverted by Dr. Dudley in his pamphlet, and I stand therefore as completely absolved from the imputation of having attempted to break up the School, as from that of having violated an engagement to continue in it.†

\* Johnson’s definitions.

† In the 13th page of my first Appeal, I have stated that Dr. Dudley in his letter had *intimated* that the pledge I was charged with making, was given at another time and place from that to which he had at first referred it. This he denies; and I am pleased that he has confined his statements to what occurred at the meeting of the Faculty. My cons

Dr. Dudley insists that there is a Medical School in Cincinnati; that I am a member of said School; that it was instituted since my return from Lexington; and that it had been previously projected, as I spoke of it to Dr. Overton in the winter. From these premises he draws the inference that I was hostile to the Lexington School. What admirable logic!—Since my resignation a Medical School has been established in Cincinnati, *therefore* I was a faithless member of that in Lexington;—I projected this School, with the view of destroying that; but at the same time communicated the project to Dr. Overton, its technical head. The truth is, that I repeatedly predicted to the Professors of that College, that whether I continued in it or resigned, there would be a rival School in this place; for that Dr. Rogers had contemplated this project, whether supported by me or not. And therefore that the most which could be calculated on by the people of Lexington, would be to make their town, as it respects Medical instruction, the Philadelphia of the west.

To pursue this subject a little farther, I am willing to incur the charge of repetition. Suppose I admit that there is a Medical School in Cincinnati, and that I am one of its teachers, does it follow that I was or am an enemy to the Medical College of Lexington? That I never violated any engagement made with that Institution; that I labored zealously to discharge my duty while a Professor in it; that I warned my colleagues of the probability of my engaging in a School at this place; that I gave the earliest possible intimation of my intention of resigning; and, finally, that I resigned seven months before the commencement of the second course of Lectures, have all appeared in evidence. On what ground, then, am I chargeable with hostility to the Lexington School? I am a Director of the Seminary in this place, and might, with equal propriety, be charged on that account with enmity to the Transylvania University. The

elusion that he had changed the time and place, was founded on that paragraph of his letter of the 30th of June, which contains a partial statement of a conversation that I had with him and Dr. Overton the day before the meeting of the Faculty; with which statement he has coupled the pledge which I am said to have made, in such a manner, as to indicate that it was given at that time.

Medical School of Baltimore was established long since that at Philadelphia, and the Faculty composing it might, on the same principle, be denounced as having attempted to subvert the University of Pennsylvania. The people of Cincinnati entertain the hope of erecting a College; but, on a parity of reasoning, might be required by the inhabitants of Lexington to desist from it, as an act of hostility to that town. These examples will, I trust, be sufficient to expose the fallacy of Dr. Dudley's reasonings on this subject.

These were the first and foulest of the dark catalogue of crimes with which I am charged by Dr. Dudley, and such is the successful issue of an examination of the evidence adduced in their support. I will now proceed to an inquiry into the manner in which the other allegations are sustained; and here a great difficulty presents itself. In my first Appeal I had, with much labor, collected from Dr. D's. two letters and arranged into a regular series all the *counts* in his *indictment*, and had their author possessed but an ordinary stock of intellect, I should now have an easy task. A shorter effort, however, than the labor of two months would have enabled Dr. Dudley to bring back confusion. The subject is now inextricably involved; and I am deeply impressed with the truth of the maxim, that one of the greatest miseries attendant on controversial writings is that inflicted by the stupidity of an adversary. When folly erects its wand in opposition to the philosopher's stone, and transmutes the precious into the base, let those who are doomed to lay its sorceries prepare for trouble. I will proceed with as much perspicuity as the nature of the case will admit.

The charge of my having, with consummate vanity and presumption, intrigued for Dr. Overton's professorship, is supported by Dr. Dudley with testimony which he gravely informs us would be sufficient, in a court of justice, to bring a criminal to the gallows. It is as follows:

1. Doctor John Todd certifies, that he had *heard* that I would be *pleased* to have Doctor Overton's appointment.

2. Before I left Lexington I was dissatisfied with Dr. Overton.

3. My friends in Lexington were of opinion that if Dr. Overton's place were offered to me I would be induced to return.

It is impossible in Ohio not to smile at seeing such proofs adduced in support of such a charge: in Kentucky, if we credit Dr. Dudley, it would be no laughing matter; as, on testimony of this character, the purest man in society might be convicted of the vilest crimes.

What does the certificate of Dr. Todd amount to?—Not that he heard that I was *intriguing* for Dr. Overton's place, which was Dr. Dudley's charge against me; but, that it was *said* I would be *pleased* to have it! Again: I was dissatisfied with Dr. Overton while at Lexington, and *therefore* had intrigued for his appointment. What an irresistible conclusion! Again: My friends were of opinion, after my resignation, that if Dr. Overton's professorship were offered to me, I would be induced to return: *ergo*, I was, with them, engaged in an intrigue to supersede him! Such deductions really outrage all common sense. That I was dissatisfied with Dr. Overton I am willing to admit, if Dr. Dudley requires it. That various overtures have been made to me to accept of his professorship, I will not deny; but I do deny that I ever desired or agreed to accept it: and that I would plunge into an intrigue to gain what I would have been unwilling to receive, if *tendered* to me, is absurd. The truth is, that the severity with which I retorted on Dr. Dudley for this charge, was inspired by my vivid perception of its falsehood and injustice. I called on him for proofs, and he has furnished none—he therefore stands convicted of wicked and wilful misrepresentation.

Another charge made by Dr. Dudley against me, was that I pronounced him incompetent without hearing one of his lectures. I declared both members of this sentence to be untrue, and expected Dr. Dudley to offer something in their support. On the latter he has favored us with no testimony whatever; and to sustain the former, has *repeated his own declaration*. Being on the negative of the question, it is not incumbent on me to offer any testimony in disproof of these allegations; and in leaving them subject to my former denunciation, I shall only observe, that in my visit to his lecture room, I was accom-

panied by Dr. M<sup>r</sup>Reynolds of the navy, then on an excursion through the Western country.

It will perhaps be recollected, that in vindicating myself from Dr. Dudley's charge of failing in my duties to the other Professors, I incidentally made the following observations: "The Medical Society was in a very irregular state. I suggested to Dr. Dudley the importance of having it reorganized, and made an auxiliary institution to the College—a theatre for the Professors to appear upon in discussion before the students. He assented to the whole. The Constitution was revised, and at my suggestion, Dr. Dudley was elected President, and then utterly neglected to attend the meetings." This attracted the attention of the Doctor in a peculiar degree, and has given origin to three certificates; on one of which, although (as I shall presently show) good for nothing, he placed so high an estimate as to give it two insertions. The first is from Mr. Graham, one of the junior members, who states that he *nominated* Dr. Dudley as President of the Society, without its being suggested by any person to him. This is very probable. But if I had not already seen how little sagacity Dr. Dudley possesses relative to certificates, I should be very much surprised to find that of Mr. Graham introduced. I never made a *nomination* in that Society, nor did I know who nominated the officers. All that I said was, that Dr. Dudley was elected at my *suggestion*; and that this was the case, will be at least rendered highly probable, by the following extract of a letter received from Mr. Venable, one of the young gentlemen whose names are to the certificates introduced by Dr. Dudley:

"I recollect, very well (says he) that you requested me to use my influence in procuring the election of Dr. Dudley, as President, and Dr. Richardson as Vice President, for the purpose of *conciliating the differences* between those two gentlemen. Mr. Royle is very certain that you spoke publicly in favor of the election of Drs. Dudley and Richardson, the evening on which it took place: Mr. Russell is perhaps equally certain. Mr. Parker and myself are willing to certify that you spoke of it publicly, either at the first or second meeting of the Society; at which we cannot say; but are inclined to the opinion that you spoke of it at both meetings."

As Dr. Dudley had not been President the preceding winter, and as his election took place not long after my

*suggestion*, it was quite natural to attribute to it the influence which I did. This will be sufficient for all who comprehend the difference between the words *suggestion* and *nomination*; to those who, like Dr. Dudley, are too ignorant for such distinctions, I have nothing to say.

To subvert my assertion, that Dr. Dudley utterly neglected to attend the meetings of the Society, he has introduced the two following certificates:

WE, the undersigned, members of the Lexington Medical Society, do certify, that Dr. Dudley did, during last winter, attend the meetings of said society as often as appeared consistent with his professional engagements; and further, that we have, on different occasions, heard Dr. Dudley and Dr. Drake discuss the same subjects in the society together.

(Signed)

CHRISTO. GRAHAM,  
JONA. STOUT,  
S. P. RUSSELL,  
J. H. ROYLE.

WE, the undersigned, members of the Medical Debating Society, being called upon to certify concerning the attendance of Drs. Dudley and Drake at the said society during last winter—state, that we recollect to have seen Dr. Dudley at four, and Dr. Drake at eight meetings. We further certify, that we recollect once to have heard Drs. Dudley and Drake discuss the same subject.

SAM. P. RUSSELL,  
JOHN T. PARKER,  
GEORGE W. VENABLE.

*Lexington, July 25th, 1818.*

The first of these is the certificate which Dr. Dudley has inserted twice, and that which I have pronounced to be good for nothing. That this is the case, will appear from the following facts: 1. The gentlemen subscribing it, have not told us how often Dr. Dudley was at the Society; but only that he attended as frequently as *in their opinion*, was consistent with his professional engagements. Now this might have been once, or twice. I can assure the gentlemen that they were but indifferent judges on this point; and, like many others, supposed the Doctor's professional engagements to be more numerous than they really were; as I recollect to have left him, once, at least, at an evening party, when I attended the Society. 2. Both Mr. Russell and Mr. Royle, after having, by solicitation, subscribed this certificate, became convinced, by longer recollection, that they had



testified to more than was correct. They both, therefore, made an earnest application to have their names taken off; and were surprised and mortified to find that it was not done. Mr. Russell, meanwhile, subscribed the other certificate; and thus, by Dr. Dudley's littleness, was placed before the community in an attitude, which no member of the Society merited less. 3. Messrs. Graham and Stout, the other subscribers, are Dr. Dudley's favorite private pupils. Concerning the former I have nothing more to say, but that he is the person on whom Dr. Dudley relied to procure certificate-men, and to whom Messrs. Russell and Royle made the request to have their names erased. Of the devotion of the latter to the evil destinies of his master, some idea may be formed, by reading the following polite and magnanimous epistle, written to me last summer, immediately after the publication of my first Appeal; in which, it will be recollected, there was inserted an extract from the Valedictory Address of my class:

*Lexington, July 22nd, 1818.*

DR. DRAKE

I have seen a quotation, from an address to you, by the young gentlemen of your class last winter, in a pamphlet

You have used this address for personal *motives*, which I will not sanction, I therefore demand a withdrawal of my name from that address

JN.O. STOUT

The gentlemen subscribing the other certificate declare that they recollect to have seen Dr. Dudley at the Society four times, and myself eight; and that we once discussed the same subject together. From this it would appear that I have made an incorrect statement concerning Dr. Dudley's negligence, which I very readily grant; and conscious of the rectitude of my intentions, feel no apprehensions for my character. Had I been disposed to misrepresent, I should certainly not have done it in a case where detection was absolutely certain; nor referred to a whole society to decide on what I said. Writing, as I did, under the influence of a sleepless indignation, I could not be expected, in every minute case, to express myself with mathematical precision; and, I certainly did not mean that Dr. Dudley was *never* at the Society, nor that I was *always* present.

—But, considering that he was the President, that he had placed himself at the head of the Medical College, and that the meetings of the Society were held at his *own shop*, his attendance was absolutely a *minimum*: that, in short, in comparison with the claims of the Institution upon him, it was utter neglect. I never saw him in the Society but twice, and was really surprised that he could so often contrive to be from home when it assembled. At one of the meetings to which he came when I was present, some alterations of the constitution only were discussed. At the other he did not appear till a late hour. He took the chair, listened to a few remarks made by myself on the classification of pulmonary diseases, got up, and under pretence of calling a junior member to order, repeated them nearly verbatim; when, the exercises being over, I withdrew. I never had the honor of meeting the President again; and the gentlemen subscribing the second certificate are correct in speaking of a single discussion only between us. I have deemed it necessary to dwell for some time on this subject (altho' no part of the original dispute) that it might be correctly understood, before a final decision on my veracity is awarded by those to whom I am personally unknown: my acquaintances cannot even doubt my intention of adhering to the truth.

Several recent charges are exhibited against me by Dr. Dudley, for the purpose of diverting the public mind from his want of proofs to substantiate those which I had denied. In this proceeding he resembles an embarrassed and unprincipled merchant, who continues to sell new drafts to meet the payment of the old, until by the influence of increasing discounts alone, his bankruptcy is completed. The new charge, which I am now to refute, is that of *inconsistency*. This is manifested, he informs us, in my holding *five*, and my colleague *two* professorships in a Medical School at this place; while he is censured for having monopolized only the latter number in the College at Lexington. A few minutes will be sufficient to afford the public the means of judging on this subject. Let us begin by inquiring what kind of medical institution has been organized in that town? About 30 years ago, the

Legislature of Virginia incorporated the Transylvania University, with powers to appoint and organize Faculties of various kinds. A Faculty of the Arts, for common College instruction, had been partially in existence for many years, when, in 1815, the Trustees resolved on creating a Medical Faculty. They proceeded accordingly to elect professors, and in the autumn of 1817, soon after my arrival in Lexington, these professors met and organized themselves as a Faculty. The Medical College, as it was termed in the ordinance of the Trustees, was required to hold annual sessions, and authorised to confer the degree of Doctor of Medicine, under the charter of the University. It was, indeed, invested with all the privileges and legal powers of the most regular Colleges; and, technically speaking, was entitled to rank with the medical departments of the Universities of Pennsylvania or Edinburgh.

Now, what is the nature of the arrangements made by Drake & Rogers (in conjunction with Mr. Slack) which Dr. Dudley has denominated a Medical School, and even elevated to a rank with the Medical College at Lexington? I answer, that according to the advertisements of that firm, those arrangements relate expressly to the instruction of *private* pupils;—to that kind of education which every physician, who has a student, is bound to give him;—to that kind of instruction which Dr. Dudley is expected to afford to his private pupils, independently of the public instruction which he gives in the College. Who does not know that every physician has, or ought to have, an acquaintance with all the branches of medicine; and teaches, or pretends to teach, his students in the whole? This is a fact familiar to us all. Now, what Drake & Rogers have proposed, is merely to multiply the advantages and opportunities of their private pupils, by delivering to them annually a few courses of Lectures. These courses are superadded to the usual facilities afforded young men by their preceptors, but are still entirely gratuitous. Their doors are not shut, however, against the students of neighboring physicians, who may be desirous, before visiting Philadelphia, New-York or Baltimore, to avail themselves of all the advantages within their reach. In this manner, they have proposed to

obviate some of the difficulties, with which, from experience, they know the students of medicine in this country are obliged to contend; but they have not pretended that they could supersede the necessity of visiting an eastern school; much less, that they had the power or intention of conferring degrees. Considering their plan under this, its proper aspect, it offers nothing which, as Dr. Dudley would intimate, is either immodest or impossible; but quite the reverse:—for while Dr. Dudley and other single practitioners undertake to educate their students in *every* branch of medical science, the pupils of Drake & Rogers will be conducted through the same routine by their united exertions. Should there be a Medical College established in this place, and should they become professors, their instruction of private pupils would still continue. This will be sufficient, I presume, to show the difference between their establishment, and the Medical College at Lexington; and to exhibit in a satisfactory manner, the fallacy of Dr. Dudley's argument, in citing the number of branches that are taught by me, as a proof of my being inconsistent, in pronouncing him incompetent to two collegiate professorships.

I will now proceed to examine whether my criticism on Dr. Dudley's monopoly was not conformable both to reason and precedent; and will commence by repeating, that no man, who is a practitioner of *physic*, can successfully teach, in a Medical College, both anatomy and surgery. The reason simply is, that he has not time. They are both to be taught in the winter, and are both demonstrative. The operations necessary to illustrate them must be made during that season—they cannot, like the manuscripts of the professors of the theory and practice of medicine, and of *materia medica*, be prepared in the summer, and laid by for use—they must be made and exhibited in rapid succession; and no professor, who is engaged in the practice of *physic*, can find time for their successful execution.

I assert, without the fear of authentic contradiction, that the medical world does not, at this time, furnish a single example, of a practitioner of *physic* and surgery, who is an eminent professor of anatomy and surgery, in any Medical College. In Europe it may not be uncom-

mon to see anatomy and surgery taught by the same person; but in that country the practice of surgery is separated from that of physic, which of course gives much more time for study to those who follow it. Even there, however, the oldest and most respectable institutions furnish no precedents in support of Dr. Dudley's assumption. The only full and regularly organized Medical College in Great Britain, that attached to the University of Edinburgh, for more than half a century the most respectable school in Europe, has, as Dr. Dudley may learn by a reference to the books, a professor of surgery, distinct from the professor of anatomy.\* After this model the best Medical Colleges in America have been constructed. Philadelphia has both a professorship of anatomy and surgery; Baltimore has the same; and, Dr. Dudley's ignorance to the contrary notwithstanding, New-York has confided to Dr. Mott the department of surgery, and to Dr. Post the professorship of anatomy.†

We must now attend to matters of a different kind. It will doubtless be recollected, that Dr. Dudley complained, in his letter of the 30th of June, that I had failed in the respect and attention due from one Professor to another. This charge I denied most unequivocally; and cited various proofs of a friendly disposition on my part towards him when I arrived in Lexington. It was impossible for him to set aside this testimony, and he assumes a new ground. He avows that he declined a cordial intimacy with me, and proceeds to give his reasons. It was *understood*, he informs us, soon after my arrival in Lexington, my professions to the contrary notwithstanding, that I entertained all the rancor of party feeling; and that I was hostile to any change in the condition and regulation of the University. Here again is another attempt to impose on the public a species of testimony, which even a duller intellect than that of Dr. Dudley would reject, if he had possessed any better. What was *understood* concerning my party feelings, by persons whose names are unknown to me, is no concern of mine;

\* See Thomson's Annals of Philosophy.

† See New-York Medical Repository.

and what is meant by being hostile to any change in the condition and regulation of the University, remains to be explained. This is one of his two reasons for declining my acquaintance. The other, which still more loudly proclaims the extremities to which he was reduced by the magnitude of his charges, and my pointed calls for testimony in their support, I will proceed to state and consider in detail. As the original dispute related to my official conduct, and to the incidents connected with my professorship, it might have been expected that Dr. Dudley would have confined himself to them. These, however, unfortunately for him, were not of a kind calculated to subserve his purposes; and he felt himself under the necessity of ranging beyond the limits of my public conduct, and ravaging the fields of private life, or of bearing magnanimously the unequal contest. Fortunately for my reputation, he had not fortitude to sustain the latter, nor sense and decency enough to avoid the former. But few of the incidents of my private life were within his knowledge, but these were sufficient to furnish him with no less a crime than that of perjury! As that part of his reply, which contains the narrative on which this charge is founded, has no doubt been repeatedly read by all who have seen it, I shall immediately proceed to my vindication, by a correct statement of the transaction.

On the 24th or 25th of December last, when walking the street with Dr. Overton, I was requested by him to stop at Wickliffe's tavern, and see a man, who, from an injury in the head, had been for twenty-four hours affected with convulsions. I walked in, and spent a minute or two at the bed-side of the patient, who was not at that time convulsed, and then withdrew. Two or three days afterwards, I was requested by Mr. Stout, the Coroner, to attend before the jury of inquest, the man having expired. I repaired thither, and found Doctors Dudley, Overton, Cloud and Warfield, with several Medical students, in the same room with the jury and corpse. Not long after my arrival, Mr. Stout, I think, (but perhaps some member of the jury) addressed a question to me, which led to the answer, that an opinion on the case could only be given by an examination. He immediately asked if I would make it: to which I replied, that Dr. Dudley, the Professor

of Anatomy, was the proper person to execute it. Doctor Dudley was accordingly spoken to, but declined the undertaking, unless he was permitted to remove the subject to his own house, as it might require perhaps *two days* to complete the examination. The Coroner decided that he could not suffer the body to pass out of his custody;—upon which I observed to Dr. Dudley, that he might commence the examination there, and continue it as long as the jury were willing to wait, or until the causes of the man's death were discovered; that if they were not willing to tarry in the adjoining room until we were satisfied, they would have to make up their verdict without the information to be derived from the search. Dr. Dudley consented to undertake it, and all the Medical men present were sworn, as is usual, to make their report correct. A few perforations through the skull, in the course of *half an hour*, exhibited such an appearance of the brain as satisfied all who saw it, that violence had occasioned the death of the subject, and the Doctor desisted from his *two days'* labor. While the examination was going on, I began to reflect on the serious inconvenience I might suffer from being recognised as a witness in this case, and accordingly determined to withdraw. This determination, and the reasons for it, I briefly mentioned to some gentlemen of the crowd who stood near me, and then retired for my lodgings. On my way thither, I was overtaken by a stranger, and requested, in the names of Doctors Dudley and Overton to return; I gave him my reasons for not doing so, and proceeded to my room. In a few minutes I was waited on by the Constable with a subpoena (for none had been served on me before) and I returned with him. On my way back I met with a gentleman of the Bar, to whom I stated the case, and he voluntarily accompanied me to the room where the jury were assembled. His representations, with my own, quickly satisfied the Coroner; but Doctors Dudley and Overton, with some of the jury, insisted on my evidence. I stated to them that I wished to return to Cincinnati before the next term of Court, and that I knew nothing of the case but what *all* the Physicians in Lexington *might* know in fifteen minutes if they were sent for: that no benefit could therefore result to the prosecution from my testimony, while a visit

from Cincinnati to deliver it would subject me to great inconvenience. This, from a stranger, I thought would be sufficient; but Overton and Dudley, with one or two of the jury, continued to insist; and Dr. Dudley, in particular, among other remarks, observed that I ought to have withdrawn before being sworn. I replied to him with becoming indignation, that I had not sworn that I would be a witness in the case, but that I would give correct evidence, if I gave any. Finding myself thus environed, I expressed a regret at being compelled by circumstances in any way to oppose the requisitions of the civil authority, and then refused to give testimony in a manner which silenced all further importunity.

This, as far as I can recollect, is an accurate report of the incident introduced by Dr. Dudley: if I have misstated it, there will be no want of certificate-men, as the whole transaction took place in a crowd.

That Dr. Dudley thought, in this instance, that all of us had sworn that we *would give testimony*, is very probable, as he expressly says so in his pamphlet. A mind organized like his, could not be expected to apprehend the difference between an *obligation to appear* as a witness in a cause, and an *oath to state correctly* the facts relative to it. My offence was a *contempt of the Inquest*, which the Doctor mistook for a *perjury*. He could not distinguish (nor perhaps will he ever) between the crime of refusing to give testimony, and that of swearing to a falsehood. On the same principle, had I been unable, from sickness, to continue at the examination; had Dr. Dudley broken his trepan, and given up the search; or had the jury dismissed us without receiving a report, perjury would have been the crime in either case. If failing to give evidence after being *qualified* constitute perjury, then every man who is sworn to go before the Grand Jury, but is not taken thither by the Prosecuting Attorney, is perjured; and every witness in a Court of Justice, who after having taken the oath is discharged, from the trial not coming on, from his testimony being superseded by that of another, or from the cause being discontinued, is guilty of the same crime. I need dwell no longer on this transaction, and will leave it by observing that Dr. Dudley's malevolence in citing it, is only surpassed by the



gross stupidity with which he has contemplated its character, and the contemptible sophistry with which he has attempted to palm it on the public, as an excuse for neglecting me six weeks *before* its occurrence.

I wish the reader to bear in mind, that my complaints of Dr. Dudley's incivility were made in *reply* to his charge against my deportment, as his colleague, in the School. In private life, it is impossible that there ever could have been a "cordial intimacy" between us. I acknowledge that in going to Lexington I anticipated something from his society. I had heard, it is true, that he had once failed to get into practice in that town, and, abandoning the profession, had established himself in the trade of a commission merchant at New-Orleans; but I was so credulous, as to suppose that a voyage to Europe, even for commercial purposes, might have superadded something to his natural inanity. In this, however, I was disappointed. In my first interviews, I perceived the ensigns of Paris foppery to have nearly obscured the slender stock of intellect on which they were engrafted;—while a closer inspection soon convinced me, that egotism, ignorance and sycophancy had formed within him an unholy alliance, and alternately guided the helm of his destinies. The obligations of official duty might compel me to associate with such a man; but nature would defend me against his friendship.

Dr. Dudley has asserted, that if I had "possessed the lively feelings of a man of honorable pride," I would have challenged him for his imputations against me, instead of appealing to the public. I will proceed to examine how far it was incumbent on me to adopt that course. It was the violation of a pledge to the Medical College, and an attempt to destroy that institution, with which I was charged. My conduct as a professor was what his accusations involved. My responsibilities were to the College, or to society on its behalf; and in no degree to Dr. Dudley, although he chose to connect with his libellous allegations, such personal remarks as seemed to indicate that he was individually injured.

Now, I will ask, what was my duty to my family and friends, when thus arraigned? Unquestionably to show

that I was innocent. But was this to be accomplished by requiring personal satisfaction? Certainly it was not;—and the demand for such satisfaction, instead of obviating, would have increased the necessity of a public exposition. I could not for a moment hesitate about my course. I procured and transmitted to the Trustees the most ample proofs of my innocence. Exasperated by this exposure of his baseness, Dr. Dudley utters new charges relative to my official conduct, *garnishing* them, as before, with various personalities. Adhering steadfastly to my original purpose, I resolved on an appeal to that community, in the bosom of which, it was said, I had been planning and perpetrating crimes;—and the whole transaction was exhibited to their inspection. Possessing, and thus employing the means of a complete vindication, the personal invectives with which malignity had shrouded its strictures on my public character, were at once annulled and avenged. The venom being extracted, the wound must quickly heal up. The flimsy pillars of the gothic and vitious fabric being demolished, its uncouth appendages must tumble to the ground and moulder away. To have demanded personal satisfaction after having accomplished this, would have been to do more than duty required;—to have demanded it before, would have been to neglect the only method of establishing my innocence.

Dr. Dudley asserts, however, that I felt it necessary, on this occasion, either to fight myself, or to impose that necessity on my friends; and that I adopted the latter. I can as readily refute this calumny, as the others which he has uttered. Doctors Dudley and Richardson were in a state of animosity long before my arrival at Lexington, and the unfortunate meeting between them was only the consummation of a protracted hatred. Dr. Richardson sanctioned the exhibition of his certificate to the Trustees, and a statement of Dr. Dudley's animadversions on that certificate, was transmitted to Dr. Richardson, without my knowledge, by a gentleman to whom I had shown Dr. Dudley's letter. This was done before the publication of my Appeal; and in Dr. Richardson's reply to that gentleman (a letter which is now in my possession) he expressly declares his satisfaction at having at last obtained positive proof of what he had long suspected—

the secret calumnation of his character—and avows his determination to be revenged. The call upon Dr. Dudley was occasioned, therefore, by his own letter, and not by my Appeal.

I will briefly exhibit this subject under another aspect. On the day that my pamphlet issued from the press, Mr. Rhineland, of Lexington, arrived in Cincinnati, and, under cover of the following note, enclosed to me a communication from Dr. Dudley:

SIR

I was requested by Doctor Dudley to hand you the inclos'd & receive your answer.

JNO R RHINELANDER.

*Edmonson's Tavern.*

*Dr. Drake.*

July 18th.

SIR,

Twelve or fourteen days ago I addressed you a letter by mail on the subject of the communication you have made the board of Trustees of T. U.—

The object of this note is to receive an avowal on your part of the reception of my letter; inasmuch as it is my design to bestow the attention to that subject which your conduct has rendered necessary.

Respectfully &c

B W DUDLEY

Dr Drake.

Lex. 16 July 1818

From the bullying style of this note, several of my friends, as well as myself, were of opinion, that when my Appeal reached Lexington, Dr. Dudley would make a demand for personal satisfaction. He had, to be sure, uttered the first abuse and committed the only outrage; but what he had said was in a private letter by mail. I had brought the transaction before the public, and depicted to them his moral turpitude, in a manner which he has acknowledged to be unequalled. I knew him to be without the means, as has since been shown, of supporting the charges which I had required him to prove; and every circumstance conspired to excite the expectation of a visit from him. Under this state of things, it was necessary that I should promptly make another decision. This was done, and I returned to Mr. Rhineland the following answer:

Saturday afternoon, July 18, 1818.

SIR,

That I received Dr. Dudley's letter of the 30th of June, will appear from the enclosed pamphlet, in which I have refuted his charges against my official character, and consider myself as absolved from any attention to those which are personal.

I would observe to you, that I regard the community as the proper tribunal to decide between us : but if Dr. Dudley thinks otherwise, and wishes to address me again, he must not do it by mail, but by the *hand of a gentleman, unsealed.*

DANIEL DRAKE.

*Mr. Rhineland.*

From this note, Dr. Dudley could not fail to be convinced, that while from policy, as well as principle, I might expose his falsehoods, as the surest mode of punishment, the farther outrage of a *call* would be resented by an *acceptance*. He had not the prudence to make this call ; and although as bare of proofs, as of genius and virtue, proceeded to a public exposition. The dispute is thus, by the consent of both parties, referred to the community, from whose decision I shall acknowledge no appeal.

In my first pamphlet, it was incidentally stated, that I requested Doctor Dudley to invite me to an operation which he was about to perform, and that he neglected to do it ; but that I was smuggled into the operating room, where I received from him neither politeness nor civility. On this *important* subject, he would not, of course, fail to get all the certificates within his reach. We are accordingly favored with two, from Doctors Ridgely and Pindell. From these it appears, that when on their way to the operation, they met me near Dr. Dudley's room ; and Dr. Pindell detained me until Dr. Ridgely reported me to Dr. Dudley, who forthwith advanced to the door and asked me in. Now, this is what I denominated smuggling ; and those who attentively read the certificates of these gentlemen, cannot, I think, but agree with me, that but for our accidental meeting, and their strenuous exertions, I should not have been *honored* with an invitation. For what purpose these certificates have been introduced, I have met with no person who can divine ; and yet Dr. Dudley seems to regard them with as much interest as a certain fowl broods over the eggs of chalk which mischief may have substituted for the true ones. He should

not be ridiculed for this, because he can no more distinguish between relative and irrelative testimony, than that silly bird can between natural and artificial eggs. I shall not insult my respectable friend, Dr. Ridgely, by an apology for having said he smuggled me into the operating room; nor will I venture to repeat that I was smuggled in. Certain it is, that I was neither boxed up like a bale of muslin, nor carried in a buck-basket of clothes, like Sir John Falstaff: but, that I was, as it respects Doctor Dudley, a *contraband* article, is evident from the treatment I received. Whatever may be the decision of the *literati* and civilians on this point, it will, I hope, be granted by all, that to smuggle a *man* into a "gentleman's apartment" is no very serious offence.

As Dr. Dudley's pamphlet may be sent beyond the sphere where Dr. Blythe's reputation is known, it is due to that gentleman that I should devote a page to the consideration of Dr. Dudley's attack upon his character. The following is a correct history of this outrage.

At the same time that I made an application to Dr. Dudley, requesting him to correct the calumny he had promulgated on the subject of my resignation, I addressed letters both to Dr. Blythe and Dr. Richardson, desiring them to state whether they had ever regarded me as pledged to the University for a specific time. From each of those gentlemen I received an answer in the negative. These answers, after the failure of my application to Dr. Dudley, were transmitted to the Trustees, and by them exhibited to him. It was this which drew forth the confused and illiterate letter which was inserted in my Appeal. In that letter, for no other reason than Dr. Blythe's having made a candid and temperate statement relative to my pledges to the University, Dr. Dudley, with unprecedented audacity and injustice, pronounced him "a man whose memory is tenacious *in retaining* every thing agreeable to his wishes, while he has the peculiar faculty of forgetting all which would prejudice his views, either in relation to money, to politics, or to the church." The publication of this unprovoked and outrageous aspersion was instantly and indignantly resented by Dr. Blythe, in the only mode which his feelings and

principles would permit. In the letter announcing a resignation of his professorship, there is manifested all the symptoms of a wounded sensibility; but the most violent retort made upon Dr. Dudley is, merely, that he could "no longer consent to associate with a man who knew so little of his real character, or could so wilfully misrepresent it." Retaliation so mild, might have been expected to produce in Dr. Dudley a magnanimous silence; but his subsequent conduct has shewn, that magnanimity is a virtue too lofty for grovelling minds. In the pamphlet now under review, we find at least two pages devoted to the most virulent and unrelenting abuse, that was ever disgorged on so slight a provocation. Had Dr. Blythe committed a flagrant breach of every commandment of the Decalogue, Dr. Dudley could not have set forth his depravity in stronger language; when the entire amount of his offence was, to give as a witness, a statement which proved that Dr. Dudley had misunderstood or misrepresented a fact.

In the construction of this dastardly article, Dr. Dudley has attempted to be artful. But his art, like that of all feeble minds, is folly in the livery of cunning. Having understood that all decent men condemn the perpetration of outrages on ministers of the gospel, the Doctor proposes to himself to escape their obloquy by an affectation of religion, and dwells with great sublimity on his devotion to holiness and holy men. He has thus, if I am not mistaken, superadded hypocrisy to the catalogue of his crimes; and instead of gaining the confidence of those he designed to please, must invite the contempt of every religious person who happens to be acquainted with his disregard of christianity.

It may be well to examine if there be not kennelled in this department of sacrilegious scurrility, some other goblins than malevolence and deceit. The offences of Doctors Blythe and Richardson against Dr. Dudley were the same, and in his letter to me on the 30th of June, they are abused in about the same degree. This abuse they both resent; but in very different modes. Dr. Richardson demands personal satisfaction;—Doctor Blythe resigns his professorship. The effect of these opposite methods of revenge, on Dr. Dudley's feelings and conduct, is very

striking. The calumnies that might have served for both, are concentrated upon one:—on which of them? Not on him who might a second time require personal satisfaction; but on him whose vocation precluded any such resort. True courage would have selected the other, if malignity and conscious guilt had urged it to attempt the immolation of either.

Dr. Dudley commences his pamphlet, by informing his readers, that I have employed the vulgar epithets of liar, scoundrel and villain; which he, as a gentleman and scholar, intends to avoid. This is very well; but it would be still better, to avoid that conduct which can only be depicted by this “grovelling technicality.” My friends have spoken to me on this subject, as it relates to my own dignity, rather than the Doctor’s merits. I will say to him, and them, in the language of Junius, that if some coarse expressions have been uttered, they are unworthy of me; but I see no reason to admit that they have been improperly applied. He asks, what will the learned say? To these I must apologize in a different manner. Although a novice in the sciences, I am not wholly ignorant of the rules of philosophizing, and not one of these is more deeply engraven on my mind, than that which teaches us to call things by their right names. If this is not done, all is confusion. A paper on astronomy cannot be written in the language of astrology; nor can the noble qualities of the horse be depicted in terms which describe the sullen stupidity of the ass. Honesty and dishonesty, truth and falsehood, virtue and vice, are not more opposed, than the men to whom these contrasted epithets are applicable. No learning could enable us to overlook these distinctions, nor render an author intelligible, who should employ the language in which we portray a saint to depict the character of a fiend. It was scarcely possible, then, for me to avoid vulgar epithets, without “sacrificing sense to sound,” which the rules of composition forbid. On the whole, I thank those worthy friends who have spoken to me on this matter, and regret that I was not more attentive to my dignity as a man, and less anxious for precision as an author. This apology, I hope, will satisfy all who are interested.

But what excuse is the grossness of my retorts upon Dr. Dudley, for the accusations that provoked them? Can the falsehood of a charge be done away by the severity of the reply? Are the declarations of Dr. Dudley, that I had violated a pledge—engaged in an intrigue—and proved faithless to my trust—less false and wicked, because I may have compromised my dignity in repelling them? No one can answer these questions in the affirmative. Why then, I would ask, does the Doctor commence his pamphlet by reciting the instances in which passion had stimulated me to speak the truth in “strong and appropriate language?” Had I condescended to write more grossly still, it would not have supported his charges, nor lessened the necessity of his engaging in that inglorious task. So bad a cause, required, however, a variety of expedients to support it; and this is but the initial of a stupid series, to the production of which, I shall apply the lines in which Pope has depicted the labors of another hero of the Dunciad, and with them close my paragraph:

Then gnaw'd his pen, then dash'd it on the ground,  
Sinking from thought to thought, a vast profound;  
Plung'd for his sense, but found no bottom there,  
Yet wrote and floundered on in mere despair.

As Dr. Dudley has given us to understand, in the second line of his book, that he is a scholar,\* it may not be amiss to devote five minutes to a consideration of his character as an author. I would not be understood to mean that the defects of his book could even be indicated in that period, but that they are unworthy of detaining us longer. As far as I know, Dr. Dudley is the author of three different works: an Inaugural Dissertation—a Letter to me, inserted in my first Appeal—and the Pamphlet

\* I was about to say *the very first line*, as I preferred the sound, but did not wish to have a certificate brought against me for misquotation. I have not yet forgotten the Medical Society. Some men have organs of sense that enable them only to perceive small matters, and Dr. Dudley is one of this *genus*. I said that he utterly neglected the Medical Society; and he comes out with seven certificate-men, to prove that he was guilty of *great*, but not of *utter* neglect. In the language of Dean Swift I may exclaim—

Strange such a difference should be,  
’Twixt tweedle-dum and tweedle-dee.



now before me. The first either was, or ought to have been, suppressed by his friends, and should not now be dragged before the public;—the second would be a fair subject for criticism, if its grammar, orthography and punctuation were not so wretched, as to sink the dignity of any reviewer who might condescend to touch it. The Doctor has blamed me for not pointing his letter; but if he wished me to do this, he should have added a postscript to that effect. Of this production I shall take no further notice, except to hold it up as a specimen of what we may suppose his pamphlet was before it underwent the corrections of the printer.

I will now proceed to an examination of the *chef-d'oeuvre*—the great masterpiece of the Doctor's literary labors—his Pamphlet. Of the utter insufficiency of his facts, and their gross misapplication—of his false assumptions, sophistical reasonings, and absurd conclusions, we have already seen examples enough. Of the amazing derangement into which he has contrived to throw his matter, I have already spoken; but this forms so strong a feature of the work, as to require, that we should contemplate it a little longer. I am inclined to believe it the effect of design; and, if so, it is truly one of the most unequivocal signs of genius which he has manifested. It is, probably, an attempt at applying the instinctive manœuvres of the rabbit, in crossing its own path when pursued, to the discomfiture of an adversary, in controversial warfare:—and the thought is certainly much better than most of those embodied in the book. If you raise a dust in your adversary's eyes, and blind him, it is about as well as beating him off, or running away. As a critic, however, it becomes me to protest against an expedient which gives so much trouble to the reviewers. For example: suppose that I was desirous of stating the facts relative to that *great* affair, an attendance on the medical society. I open at the eighth page, read two certificates, and consider the business disposed of. I advance, through nearly a dozen different topics, to the 14th page, where to my astonishment I find the same subject formally introduced a second time, in company, as before, with a pair of certificates! I read these, and behold, one of them is the same that I had read before!

Again: In the eighth page we are presented with a certificate from Dr. Todd, to prove, that I would be pleased with Dr. Overton's professorship, and the subject is *apparently* finished; but it has only plunged to reappear, unlooked for, in page 11. Thus verifying the accuracy of Mr. Addison, who compares an author without method, to a duck—which dives when you do not anticipate it, and rises where it is least expected.

Of *absurdities* and *contradictions*, I shall cite but a few examples, as such faults are too trifling to merit much notice.

In the first page he observes, that I am a man, of whom a "lofty, generous and magnanimous course, qualified by language the most chaste and elegant, and riveted on public sentiment by great force and energy of style," was what all my acquaintances, not excepting Dr. Dudley himself, had reason to expect:—while in the 2d page, by the powerful magic of his pen, I am transformed into a liar, scoundrel and villain, though he "politely declines" to call me either! Now, the Doctor never reflected, that if I had such a great stock of good fame, the public might receive the report of its being dissipated by a single effort, with some caution;—that they might suspect vanity had magnified his labors in his own eyes, or a general failure induced him to overrate the value of a partial success. He will, it is to be hoped, avoid this inconsistency, in the next edition.

Again: in the 14th page, I am charged with perjury, committed in December, 1817; and that crime is alleged as a reason for declining a "cordial intimacy" with me during the remainder of the winter. But in the first page he informs us, that when I wrote, in the following summer, I was a person from whom he expected a "lofty, generous and magnanimous course." This is certainly not what we look for from one who is perjured.

Once more: At the bottom of the thirteenth page he observes, when treating of said perjury, "On that occasion several of us urged the propriety of an examination to be continued until the causes of his death were completely developed by dissection; you, while yet a stranger, most officiously urged a partial examination, and as this course met the views of the coroner and jury, you pre-

vailed." But, on the top of the next page he states, that being sworn, "we proceeded and fairly exposed the causes of his death." Thus, at the very time that he is depreciating me, he bears testimony to the efficiency of the mode, which he alleges I had officiously urged in opposition to his. Vanity led him, in the moment of success, to fancy that his own method had been pursued; and therefore he announces the result with a sort of triumph. In this he reminds one of the philosopher in *Rasselas*, whose self-complacency was so great, that when it rained, he imagined himself to be the power that sent it. It would be well, however, for an author to avoid the treacherous influence of this delusive passion; and should the Doctor write again, it is to be hoped he will, like George III, "make a memorandum to remember not to forget" one sentence before he proceeds to another.

My limits absolutely forbid more than a partial review of the style and language of this work; but, to exceed this would be ungenerous. One of the Roman poets\* advises, I think, that a literary work should be laid by and improved for nine years before its publication. But Dr. Dudley was employed only nine weeks on his, although it extends to 18 duodecimo pages, but five of which are filled with certificates and extracts. It would be wantonness, then, to hold up many imperfect sentences to public derision. Four or five will be sufficient.

"— then I presume you will be content to return from the field of controversy, and stand the convicted culprit of *merited degradation*."

"A grievance with me of still more interest, however, yet remains unalleviated, *notwithstanding the degraded position in which your conduct has placed you*."

"You have enlisted the feelings and prejudices of Dr. Blythe in your favor—*a man who, from long residence in Lexington; whose capacity as a teacher in a public institution; whose powers in pulpit oratory; whose present occupation, as preceptor of the most interesting order of creation, should have placed him too high in public estimation, to be reached by the arm of hostility*."

"I am aware that Dr. Blythe will attempt to make it appear that the church and religion are *subjects of attack*: in this, however, he must fail."

\* I have refrained from saying which, lest some wag should tell the Doctor I was mistaken, and put him to the trouble of procuring and publishing a certificate.

I shall leave it with such of my young readers as want exercises at school, to test these sentences by the rules of syntax and composition; and proceed to the termination of the book. As yet, the Doctor seems never to have entirely forgotten the old adage, that "Ignorance, divested of cap and stilts, excites neither ridicule nor contempt." But folly cannot always adhere to the rules prescribed for its government by wisdom. He had heard of the boy who was called a fool, because he refused to speak; and therefore determined not to let the closing paragraph escape, without impressing on it a poetical image.—Mounting, for this purpose, a brace of metaphors, he raises his eyes to heaven, and, forthwith, makes a *plunge* which might have shamed the noblest personage of the *Dunciad*. But let my readers collect the history of his descent from the paragraph itself:

"If I am prepared, however, to appreciate your feeling, the pining influence of suspense is pleasure extatic, when compared with the corroding powers of evidence which must prostrate you beyond all hope of redemption; but while the sun of your fair fame is set forever, the least I could desire is, that you may leave some friend to toll the melancholy knell over the humble remains of humanity."

To *prostrate by corrosion* is certainly a new method; but since this has taken place, we may soon expect to hear that a tree has been *sapped* by the *wind*, or a tower *undermined* by *thunder and lightning*. The last clause is so affecting and unintelligible, that I shall presume to apply to it nothing short of a quotation from Pope—

To move, to raise, to ravish ev'ry heart,  
 With Shakspeare's nature, or with Johnson's art,  
 Let others aim: 'tis yours to shake the soul  
 With thunder rumbling from the mustard bowl;  
 With horns and trumpets, now to madness swell—  
 Now sink in sorrows with a tolling bell!

Cincinnati, Ohio, October 6, 1818,

## NOTE.

FOR the purpose of enabling the public to understand several allusions made in the Pamphlets which have been written on the subject of the Medical College of the Transylvania University, I propose briefly to state a few facts. I will not vouch for their accuracy (though I believe them myself) but am willing to give up my authors if required by any of the persons interested.

In the summer or autumn of 1815, an application was made to the Trustees of the University on this subject: a general ticket was formed, and an election held. Dr. Brown was elected Professor of the Institutes and Practice of Physic; Dr. Dudley of Surgery and Anatomy; Dr. Richardson of Obstetrics; Dr. Short of Materia Medica & Botany, and Dr. Rogers adjunct Professor of Anatomy. Drs. Brown, Short and Rogers refused; but Drs. Dudley & Richardson accepted their appointments; and Dr. D. in the ensuing winter, delivered a course of lectures on anatomy and surgery. Dr. Overton, who was a candidate for the chair refused by Dr. Brown, proceeded at the same time to deliver a course on the institutes and practice of physic; and Dr. Blythe another on chemistry. In the following autumn a second election was held, which resulted in the choice of myself as Professor of Materia Medica and Botany; but the two other vacant chairs were not filled. In the ensuing winter, that of 1816-7, Doctors Dudley, Overton and Blythe resumed their courses; and, before the expiration of the season, the two latter were, by a union of their friends, elected, and signified their acceptance. The friends of Dr. Rogers, meanwhile, insisted that Dr. Dudley should relinquish to him one of his professorships; but this he refused. Dr. Richardson was among the number who urged this separation, and to this is to be attributed, in a great degree, the unfortunate differences between him and Dr. Dudley. About that period Doctors Overton and Dudley became united in their views; and although Dr. Richardson had

been eminently instrumental in the election of the latter, he joined Dr. Dudley in the technical objection to Dr. Richardson, that he had not graduated. Doctor Richardson believed, that, as Dr. Dudley was elected at the same time with himself, and made no objection to him; and as Dr. Overton had manifested a strong desire for admission into the College, notwithstanding this circumstance, their objections were the result of hatred, inspired by his efforts in favor of Dr. Rogers, and refused, therefore, to resign. A violent animosity was the consequence, and in that state they continued till the following October, when Doctors Dudley and Overton agreed to associate with Dr. Richardson, provided he would sign no diplomas until he graduated. Soon after this, I arrived at Lexington, and the professors elect held a meeting. Dr. Richardson was recognized as a colleague, under the above condition, and leave of absence was granted him, in the winter of 1818—19, for the purpose of graduating in one of the eastern schools.

This was the first meeting of the Faculty, and before that time, although Lectures had been delivered for two years, there was no Medical College organized; and our resolutions expressly declared that the students, who attended those courses, should not thereby be rendered eligible for degrees. I state this fact explicitly, because Doctor Dudley has blamed the recognition of Doctor Richardson (which he ascribes to my influence, although it had been agreed to before my arrival) for the loss of a *brilliant student* from the state of Ohio, who was a personal enemy of Dr. Richardson, and would not, therefore, we are given to understand, return to Lexington. We thus lost, says Dr. Dudley, the opportunity of conferring a diploma on "a young man who might have given as much eclat to our school as a graduate, as you have done in the capacity of professor." Now, by the resolutions of the Faculty just referred to, although this young man had attended some Lectures in Lexington the preceding winter; he could not have graduated until he went through two other full courses: but that he would not have done this, under any circumstances, is evident from the fact, that he has since engaged in the practice of physic without visiting any Medical School.







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