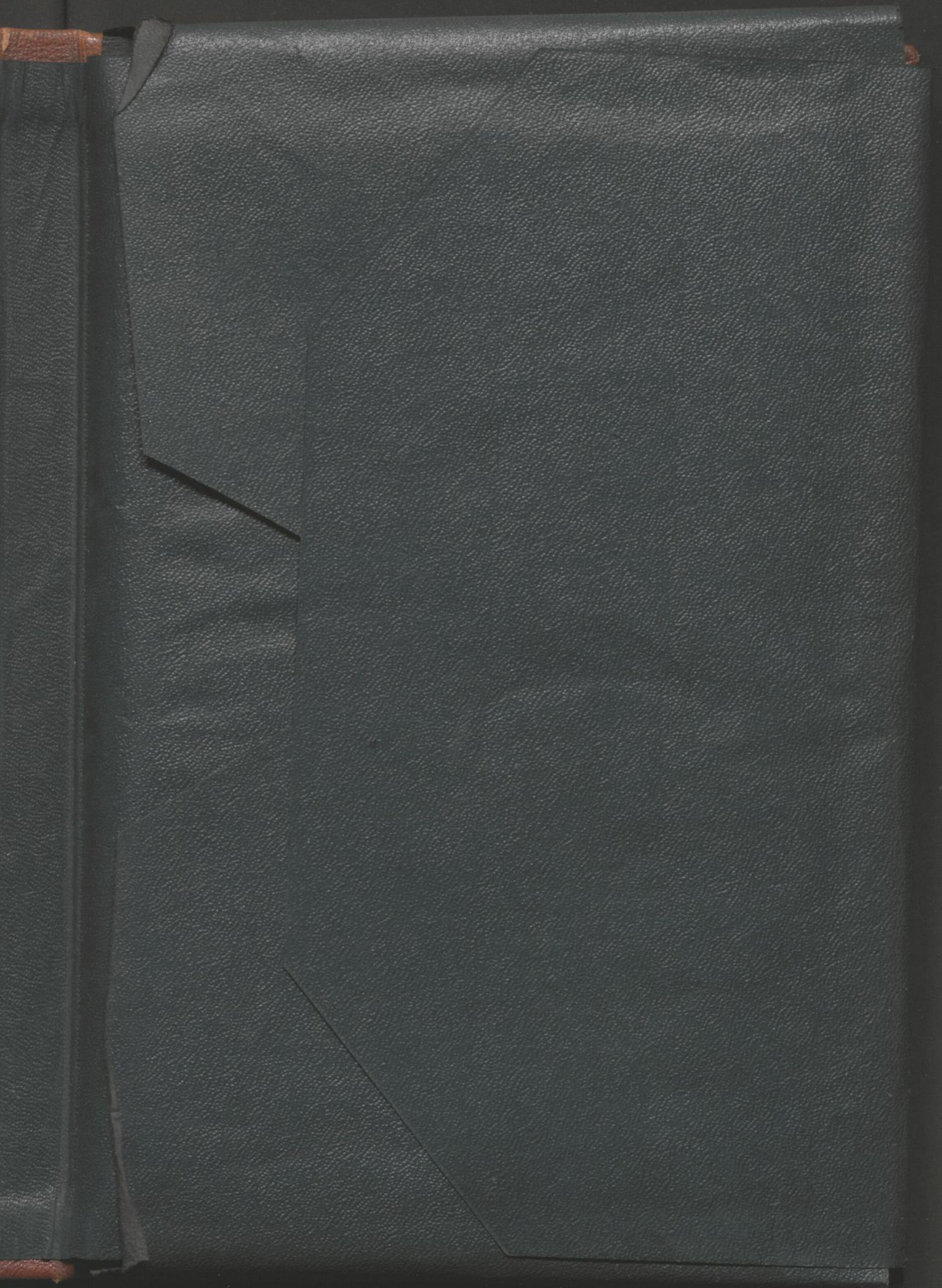


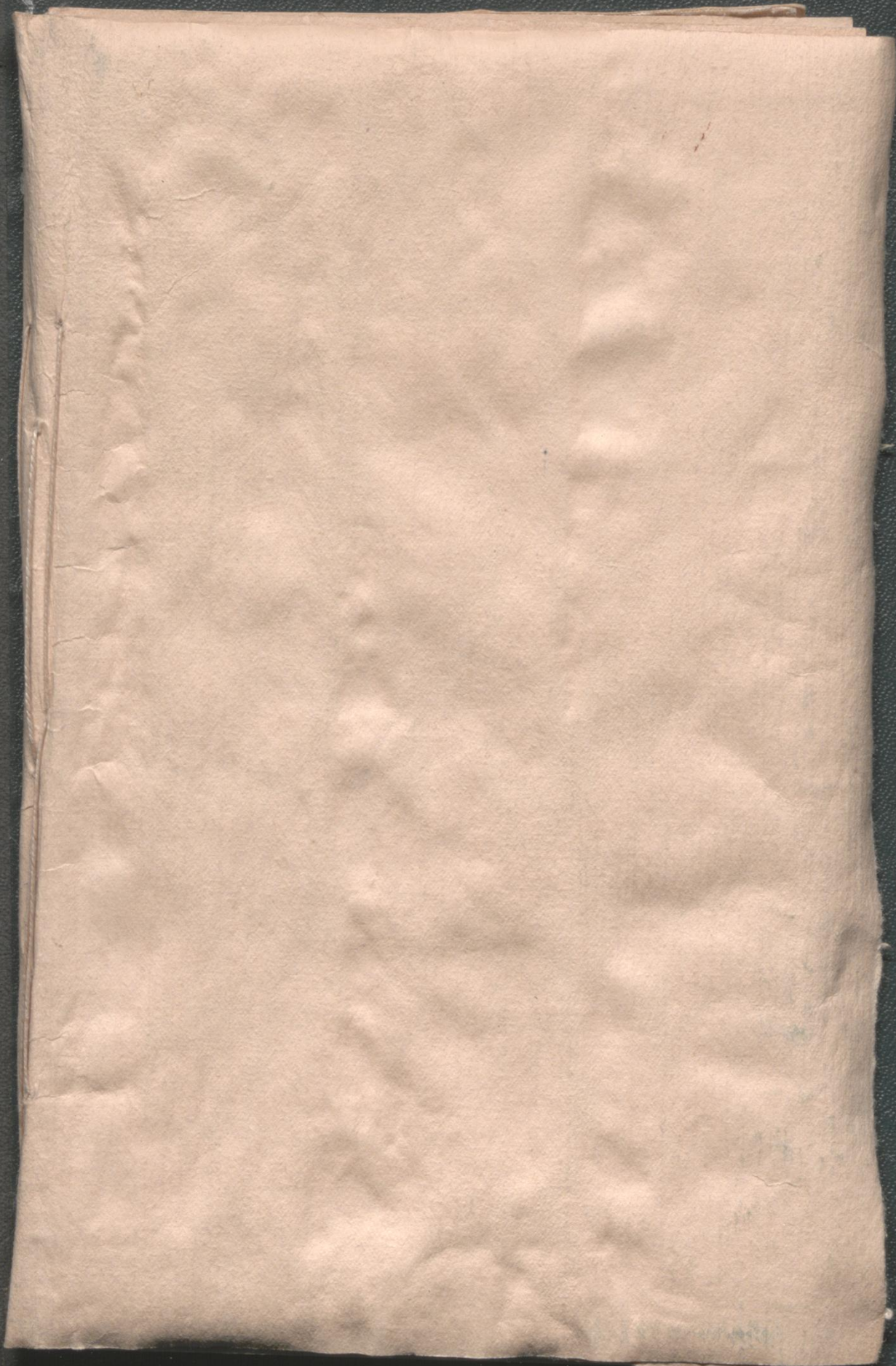


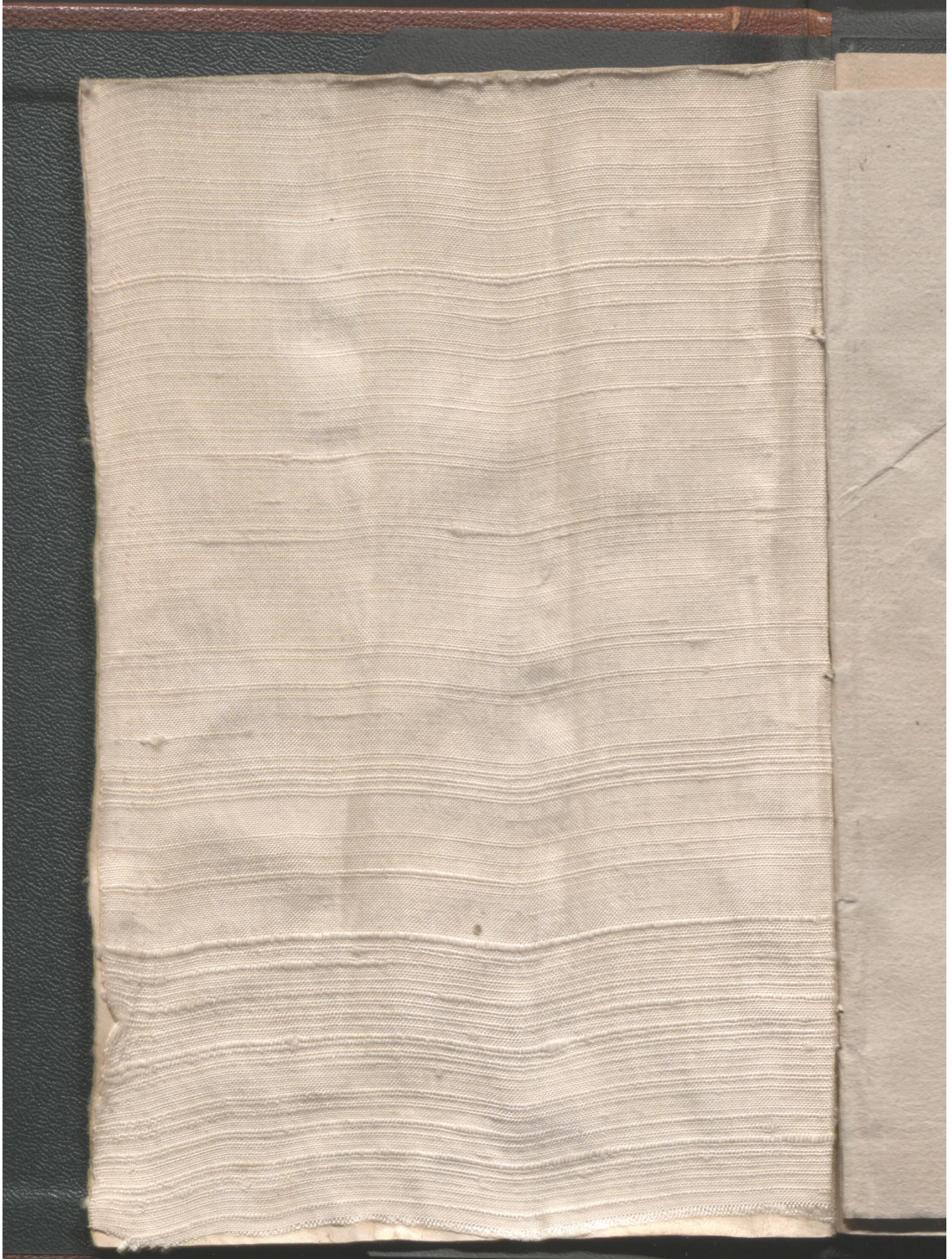
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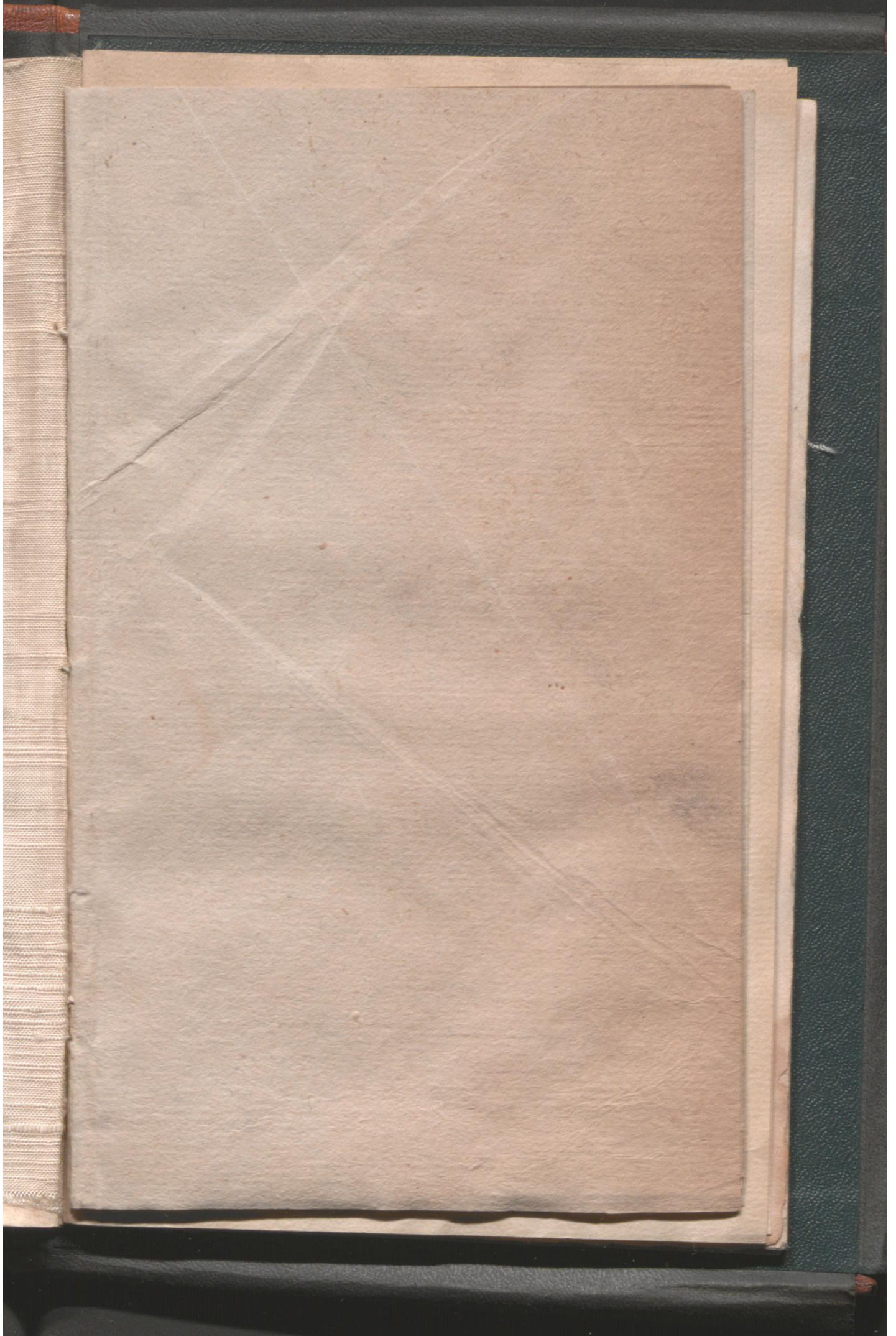
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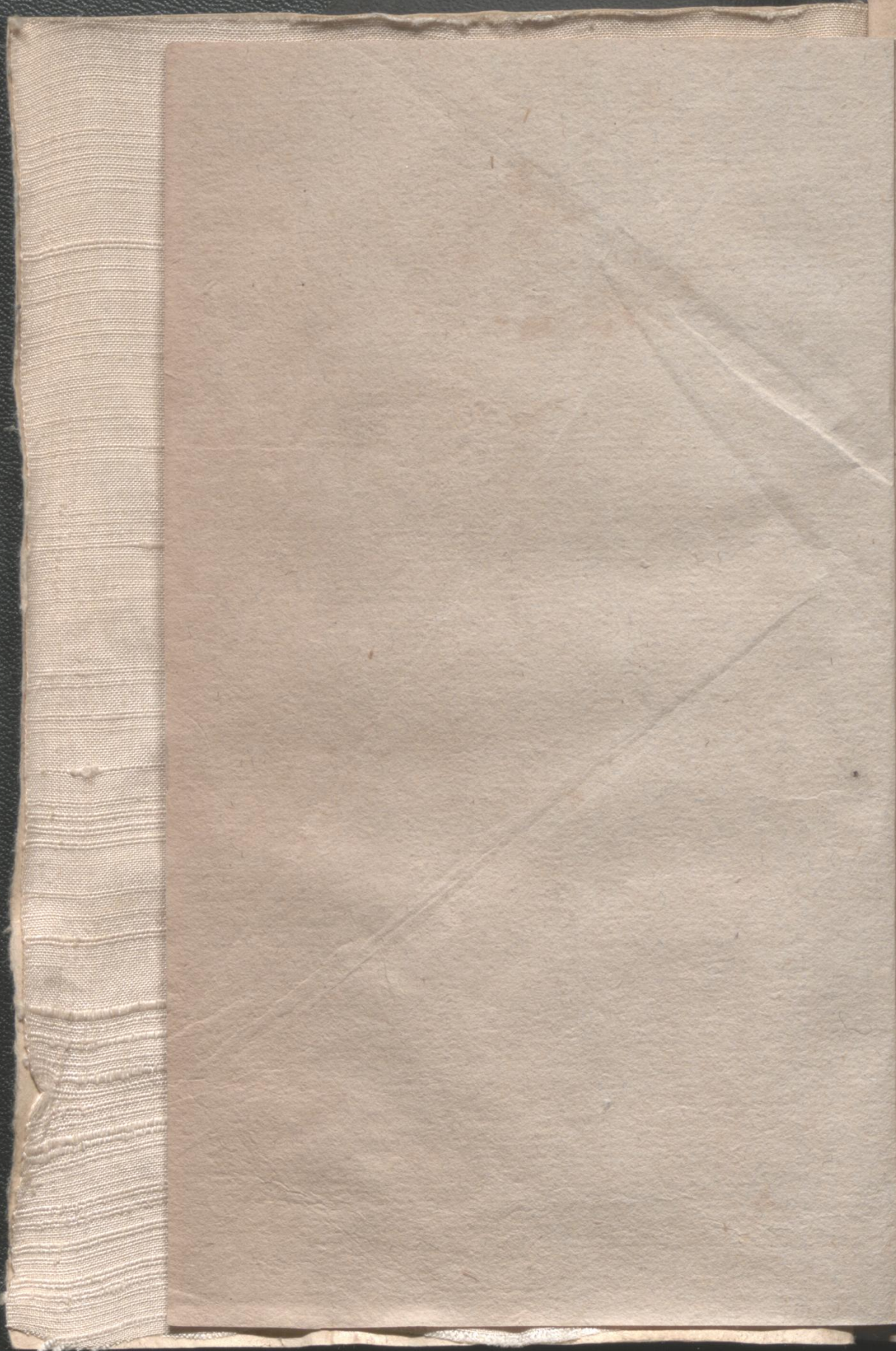


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23215  
**AN APPEAL**

TO THE JUSTICE

OF THE

**Intelligent and Respectable People**

OF

**LEXINGTON.**


*By Daniel Drake M.D.*



CINCINNATI:

Looker, Reynolds & Co. Printers.

1818.

 **THE** object of the Author of the following pages is not so much to retort invective upon his aggressor, as to vindicate himself from the charge of having made an attempt to destroy the Medical College of the Transylvania University, while a Professor in that Institution.

## AN APPEAL.

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CITIZENS OF LEXINGTON,

NOTHING could induce me to obtrude upon you the history of a private and personal dispute; as it is the duty of those engaged in such quarrels to settle them without attempting to interest the public. Those differences however which arise between public agents and bear a relation to their official acts, are of another kind. In these the public have an interest; they involve the character and conduct of those in whom confidence has been reposed; and it is therefore not merely admissible, but perhaps the only correct course, to refer them to the community. I know of but a single exception to this remark. When the accused is unable to establish either his own innocence, or the malignity of his accuser, it may be necessary to apply to the case those principles which regulate the demand for satisfaction in private quarrels.

As the charges quoted in the following pages relate intrinsically to my official conduct, and as I fortunately possess the most ample proofs of their falsehood and baseness, I feel myself at liberty to appeal to your justice, and entertain no doubt but your decision will be equitable.

In addressing you I have chosen the pamphlet form in preference to a newspaper insertion; because it is to you only that I am desirous of jus-

tifying myself, and because I am not disposed to give to an affair which, to say the least of it, can do no good to your Institution, any unnecessary publicity. With these explanatory remarks I beg leave to solicit your candid attention to the following statement.

ON the day in which my resignation of the Professorship of Materia Medica and Botany in the Transylvania University was received by the Trustees, Dr. Dudley remarked to Dr. Richardson, that my conduct in resigning was unaccountable, inasmuch as I had "pledged myself at George's tavern, when the Faculty met last fall, to hold my appointment for two years." Knowing this to be untrue, Dr. Richardson deemed it correct, as I had left Lexington, to communicate it to me. I was much surprised, and presuming that Dr. Dudley would, upon application, rectify his statement, I immediately addressed to him the following letter.

(COPY.)

*"Cincinnati, April 2d, 1818.*

SIR,

In a letter which I received this morning from Dr. Richardson, he informs me that you say "my conduct in resigning my professorship was unaccountable, inasmuch as I pledged myself at George's tavern, when the Faculty met last fall, to hold it for two years."

This is incorrect. 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.

In regard to a resignation I remarked, that I should always consider it my duty to resign under circumstances that would enable the Trustees to fill my place in time to prevent the institution from sustaining any injury, and this I have done.

I trust, sir, you will appreciate the propriety of correcting your statement on this subject, and thus prevent any impression on the minds of the people of Lexington unfavorable to my veracity.—Any explanation that may satisfy my friend, Capt. Bain, will be sufficient for me.

Your ob't. serv't.

DANIEL DRAKE."

*Dr. Dudley.*

When this communication was handed to him by Captain Bain, he did not deny what he had said to Dr. Richardson, nor did he either repeat or retract the charge he had made against me; but shortly afterwards addressed to Capt. B. the following abusive and prevaricating note:

*To Capt. Bain.*

"SIR,

The last sentence in the letter from Dr. Drake directs me to address to you any remarks I may be prepared to make & that whatever may "satisfy you will be sufficient for him"—I have only to observe that the whole course pursued by Dr. Drake on the evening of the organization of the faculty was of a character to afford us every assurance that he felt himself pledged to the school for two seasons at least—and in addition to this, Dr. Drake observed on that occasion that he felt himself with us enlisted in the fortune of the school & that his reputation must rise or sink with it—

I have the honor to be

very respectfully

yr. friend & svt.

B. W. DUDLEY.

14 Apl. 1818"

*Capt. P. Bain.*

This he handed personally, and took occasion to add, that he "felt no delicacy towards me, that my conduct had been illiberal and ungentlemanly,

and that he was induced to believe that my motive for acting as I had done towards the Medical School was to destroy it and erect one in Cincinnati."

Being entirely disappointed in the result of my application, and finding insult added to calumny, I resolved upon providing the documents necessary to establish the correctness of my conduct towards the University, and rely upon exhibiting them to the Trustees. I accordingly transmitted to them the following address, with the annexed letters from Professors Blythe and Richardson.

(COPY.)

*To the Trustees of the Transylvania University,  
Lexington.*

GENTLEMEN,

A very unexpected and wanton attack upon my character and conduct, renders it necessary for me to trouble you with a short address. Immediately after the resignation of my Professorship in the Medical College, Doctor Dudley observed to a gentleman that "my conduct was unaccountable, inasmuch as I pledged myself at George's tavern, when the Faculty met last fall, to hold my appointment for two years." I applied to him to correct this statement, but instead of doing so, he added "that my conduct in resigning as I did was illiberal and ungentlemanly, and that he was induced to believe that my motive was to destroy the Medical College."

Now these statements contain two charges of great magnitude: 1st. that I resigned, in violation of an engagement; and, 2d. that I did so, to destroy the School of which I was a member. I deny both of them; and in support of my denial of the first, beg leave to refer you to the annexed letters from Professors Blythe and Richardson, which I presume you will regard as conclusive.

In support of my denial of the second charge, I will make the following statements:

1. Throughout the whole month of February I spoke publicly of my expectation of resigning in the spring; and some time before the course expired, upon expressing the same thing to Dr. Overton, he told me that Dr. Dudley and he had resolved to nominate Dr. Short as my successor; to my class, moreover, at the end of the session I expressed the same expectation; and finally, at a meeting of the Faculty three days after the lectures ended, I repeated the same declaration.

2. After my return to Cincinnati, (with the intention of resigning before the first Monday of May) upon learning that the meeting for filling vacancies was to be held a month earlier than the law required, I immediately forwarded my resignation, which was sent off on the 24th of March, within three weeks after my Professorial duties for the season were completed.

It is impossible, then, that I could have given earlier notice of my intention to resign, or have resigned at a season more favorable to the interests of the School.

These documents and facts will, I have no doubt, convince you, gentlemen, that Dr. Dudley's allegations against me are false and malicious, which is the only object I have for intruding upon you this communication.

With expressions of thanks for the honor conferred upon me by the appointment which I lately held, I am,

Gentlemen, with great respect,

Your obed<sup>t</sup>. serv<sup>t</sup>.

DANIEL DRAKE.

*Copy of a letter from Dr. James Blythe, dated Lexington,  
April 13, 1818.*

DEAR SIR,

I was much surprised at the receipt of your letter. I can without hesitation say that I never did hear you, either when we met at George's tavern, or at any other time, pledge yourself to hold your professorship for two years. I think I was in the room the whole time the Faculty were together at George's. I am sure from my great solicitude that you should hold your Professorship, if any such pledge had been given, I should not have forgotten it. I have, I think, heard you say, that if you re-

turned to deliver a second course you would remove to Lexington. But in my hearing, you always spoke in great doubt as to your delivering a second course. I can only add that I am heartily sorry that you have resigned, but think you acted with great propriety in doing it at so early a period, that an *attempt* might be made in due time to fill your place.

With sentiments of great esteem,

I am dear sir, yours,

Dr. Daniel Drake.

JAMES BLYTHE.

*Copy of a letter from Dr. W. H. Richardson, dated Lexington, April 14, 1818.*

DEAR SIR,

I have received your letter requesting me to state, whether you did or did not make a pledge to hold your office for two years, in the Transylvania University, when the Faculty met at George's tavern last fall.

I feel well satisfied that you made no pledge of the kind whatever; you remarked on that occasion that you had repaired hither, for the purpose of discharging the duties assigned you; and your continuance depended on the prospects of the school, your health, and in some measure your private affairs in the spring; that if you did not continue, you would resign early enough to enable the Trustees to fill your vacancy for the ensuing course. I had, through the last winter, repeated conversations with you on the same subject, and you never expressed any other determination.

I am, respectfully,

Yours, &c.

D. Drake, M. D.

W. H. RICHARDSON.

The result of this experiment will sufficiently appear from the following letter which I received from Dr. Dudley, on the 6th instant.

*Lexington June 30. 1818*

SIR

The board of Trustees have received your Communication together with the letters of Messrs. Blythe &



Richardson designed to advocate your innocence of the Charges I alledge to you—As the board have very properly decided that they have nothing to do with you or your communications & have given you permission to withdraw them, I have concluded not to annoy that body on your account, but to address you directly—I was surprised to perceive that in your communication you have been silent on the Charge I made in writing against you wherein I stated that you announced yourself as having embarked in common cause with the institution & that your fortune & reputation must rise or sink with it—and this is the more singular since you complain of another charge never reduced to writing, but which even if made, pleads amply your conduct in justification—I now ask you sir what was the conduct of Doct Overton & myself towards you; did we not in the spirit of Conciliation yield to you what had been refused the board of Trustees in recognising Dr Richardson as Professor in the Medical school; did we not state that the class of the previous winter would be hostile to the school if Dr Richardson should be acknowledged as a Professor while the outrage committed on their feelings remained unredressed by the Board—did we not observe that in lectureing to empty benches you would become discouraged & retire from the school & did you not reply that the impression from the first winters course should have no weight on your ultimate descision & that another season at least would be necessary before you would form an opinion as regards the prospects of our school—This is the pledge you gave and as regards your expressions of doubt in remaining here, during the winter, there is good ground for believing them made in the true spirit of intrigue which had for its object the chair of the Theory & Practice of Physic.

Did we not loose a pupil even from your own state by recognising Dr. Richardson as professor independent of the injury we sustained at home while your influence brought us no patronage from Ohio—These are facts which if you have any regard for truth & candor you dare not deny—The Contents of your two friends letters have been duly appreciated; that of Doctor Blythe is in perfect Charecter with the man; his memory is te-

nacious 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 letter of Doctor Richardson amounts to all that could have been expected. I am well assured, had the students attacked my Professorial deficiency in a publication; had they represented my incapacity to the board of Trustees as good cause of disgrace and removal had my associate Professors objected to me as an unqualified teacher in the medical school, I should not only have been insensible of the pledges you gave but my feelings would have entirely disqualified me for the detail he has drawn—

I now ask you sir what was your course during the winter, without ever hearing one of my lectures you pronounced on my incompetency—

In relation to Dr. Overton a man whose talents are brilliant in collision with any others in the Western Country your conduct has been still more reprehensible—

It is difficult to say who merits the severest censure, him whose consummate vanity & Presumption urged on an intrigue for the purpose of wresting Overtons appointment from him, speaking in soft language all the while his doubts about remaining in the institution or the servile tools by which a design so base could be attempted—Instead of contributing all your exertions for the benefit of the school by that kind of mutual support and approbation which such an undertaking requires you became the busy partisan; passing Eulogies on all occasions on some, while as busily engaged in insidious & oblique detraction from the other professors

I therefore do not hesitate to say that you have designedly withheld the truth & that you have been regardless of the honor & the principles of a Gentleman— & for this I am responsible—respectfully

B. W. DUDLEY.

[The foregoing is a copy verbatim et literatim of Dr. Dudley's manuscript letter.]

PRINTERS.

Each application for justice having produced new and more offensive aggressions, I have resolved to bring the matter to a crisis. That not a single charge, however trifling, may remain unrefuted, I have carefully extracted from Dr. Dudley's written and oral communications, every thing which has a bearing upon me; and as far as I can perceive, the following schedule comprises the whole.

1. "That my conduct in resigning was unaccountable, inasmuch as I pledged myself when the Faculty met at George's last fall, to hold my Professorship for two years."

2. "That the whole course pursued by me on the evening of the organization of the Faculty, was of a character to afford every assurance that I felt myself pledged to the school for two seasons at least."

3. That I resigned for the purpose of breaking up the school, and establishing one in Cincinnati.

4. That my declarations during the winter, that I expected to resign in the spring, were not sincere."

5. "That I announced myself as having embarked in common cause with the Institution, and that my fortune must rise or sink with it."

6. That I asserted that the number of pupils the first winter should have no influence on my determination.

7. That I insisted that Doctor Richardson should be recognised as a Professor, by which at least *one* pupil from the state of Ohio was lost.

8. That without hearing one of Dr. Dudley's lectures, I pronounced him incompetent.

9. "That in relation to Dr. Overton, a man whose talents are brilliant in collision with any others in the western country, my conduct was still more reprehensible."

10. That I have been engaged in an intrigue for Dr. Overton's professorship.

11. "That instead of contributing all my exertions for the benefit of the school, by that kind of support and approbation which such an undertaking requires, I became the busy partisan, passing eulogies on all occasions on some, while as busily engaged in insidious and oblique detraction of others."

12. That I had designedly withheld the truth.

13. That my conduct had been illiberal: and

14. That it had been ungentlemanly.

Now, as these charges are unsupported by any proofs but the declarations of a *petit maitre*, who in a moment of wonderful energy, is fumbling to immolate me on the altar of public opinion, I should, were I an inhabitant of Lexington, content myself with a denial of them *en masse*. Being comparatively a stranger, a different course is perhaps necessary. True it is, that while I have the disadvantage of being unknown to many of you, Dr. Dudley labours under the greater disadvantage of being well known; and I might therefore rest the issue upon a general declaration of my innocence. To save trouble in future, I prefer however to examine and refute his allegations at the present time. I am desirous of cleansing the Augean apartments by a single effort.

For a complete refutation of the three first charges, it will I trust be sufficient for me to refer to the letters of Doctors Blythe and Richardson, with the accompanying address to the Trustees. No additional testimony can be necessary to prove that the charge of my having given a pledge to hold my Professorship for *any* given time, is as false as the intimation that in the time and manner of my resignation I had attempted to destroy the College, is groundless and unprincipled. As I held my place for *no specific* time, the resignation of it could never be a breach of obligation. When I accepted the appointment, it was not a condition that after resigning it I should never hold another of the same kind; and therefore were there a Medical School in Cincinnati, and were I to join it, such an act ought not, and among candid, honorable and high minded men, would not be alleged against me as an impropriety.

I have said that the letters of Drs. Blythe and Richardson are sufficient to prove that I gave no pledge to hold my appointment for a specific time; but of this, it would appear from Dr. Dudley's last letter, there is some doubt. In the midst of the abuse which he wantonly heaps upon those gentlemen, he does not, it is true, charge them directly with misrepresentation: but to elude the effects of their testimony, he intimates that the pledge was given at *another* time and place:—if so, why attempt to vilify them. This prevarication is directly in character. I am charged with having made a promise on a certain occasion; in an application for redress, that occasion is

recognised; I then prove that I made no such promise—and behold, it turns out that there was a mistake as to the time and place. To whatever place or period it may be shuffled, it is nevertheless a falsehood, and the author of it a scoundrel.

With respect to the 4th charge, that my declarations through the winter, that I expected to resign in the spring, were not sincere, it will, I presume, be only necessary for me to observe, that as I did resign at the appointed time, it is pretty evident that I meant to do so. The performance of a promise is, I believe, generally regarded as *prima facie* evidence that he who made it was sincere. Whether I was in earnest or not, is a matter of no moment on the present occasion, as the question simply is, whether I gave *timely* notice of my intention—a fact that is admitted in the charge itself.

Whether I ever made the declarations ascribed to me in the 5th charge, I do not now distinctly recollect; and as Dr. Dudley's authority is in favour of it, there is a strong presumption that I did not. Whatever may be the truth on this point, my conduct while in the Institution was, I hope, in strict conformity to the honorable sentiment contained in that charge. No sophistry can construe such a declaration, suppose it to have been made, into a pledge to hold my Professorship for any *given* length of time. It was simply an expression of that integrity and enthusiasm which should pervade and animate the mind of every member of a new institution. If I was not wanting in exertions for the benefit of my class, I certainly redeemed the pledge attributed to me. To fur-

nish data for an estimate of my labours in this respect, I may be permitted to say, that I met my pupils oftener than any other Professor of the College, and that at the end of the session I had the gratification of receiving from them an affectionate and approbatory address. From this I am warranted in making on this occasion the following extracts; but do it with reluctance, as they are so deeply imbued with the glowing and impassioned feelings of very young men.

“It is (say they) not becoming in us to enquire into the causes that produced at your last lecture an allusion to our final separation, and if this were the only reason afforded us for a belief in such a separation, we should still cherish the pleasing expectation of your continuance, not only as our warmest friend and the friend of science, as an example of diligence, perseverance and laudable exertion; but above all, as our faithful guide in the difficult path of science.”

“We fear, however, from information derived from other sources, that you intend to resign. We intreat you to look around you, upon us and the Institution. We expected much from you, and our expectations have been surpassed. Your social virtues alone would have endeared you to us all; but when we look upon your acquirements, your general knowledge of science, your happy and luminous mode of illustration, the advantages obtained and those we must derive from your lectures, the lustre and fame you must shed upon our rising Institution by your superior talents—these call forth our deepest interest, as well as highest admiration.”

“Be assured that we cannot find words to express our gratitude for your attentions to us, the smallest of which will never be forgotten.”

To this I shall only add, that I attended the meetings of the Medical Society regularly, and was the only Professor of the College that attempted to meet and encourage the young men in that mode of prosecuting their studies. This can be testified by the whole society.

Whether I made the declaration contained in the 6th charge I do not remember, nor is it a matter of any moment. I can sincerely say, without going into an exposition of the causes that induced me to resign, that they had no reference to the *pupils* of the School. In the establishment of Medical Colleges in the Western Country, the great *desiderata* are, not Students, but Professors. A single coxcomb is sufficient to blast the prospects of a new institution.

To the 7th count of the indictment I plead guilty *in part*. I did not insist that Dr. Richardson, in particular, should be recognised as a Professor, though I strongly advised it; but I did insist that he, or some other person in his place, should be recognised, that the School might be as complete as possible; without which I declared my intention of returning immediately to Cincinnati. This Dr. Dudley would unquestionably have permitted, but from a dread of your obloquy. Dr. Richardson held a regular appointment; the Trustees did not object to him; I was willing to associate with him, on the condition dictated I believe by himself, that until he got a diploma he should sign none; the

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Board had issued an order requiring the Professors elect to assemble forthwith;—and the alternative was presented to Dr. Dudley, of recognising Dr. Richardson, and retaining me for the winter, or of postponing the organization of the Faculty another year. He preferred the latter, but from a dread of public indignation, adopted the former; intending and expecting by a certain course of conduct to rid the Institution of me at least, within a short time. There was, then, nothing yielded to me, as he pretends; all was extorted from him by circumstances. It is quite unmerciful, therefore, to heap on my devoted head the vast opprobrium of having caused the loss of at least *one* pupil from the state of Ohio, while my influence brought no patronage from that quarter. What an overwhelming calamity to the School! It happens, however, and I only mention it to show how little reliance is to be placed on any of the statements of this catch-penny guardian of the Institution, that there *was* “*one* pupil at least” from near Cincinnati. I feel degraded, however, by the bare notice of a charge so boyish and despicable, and will hasten on, in hopes of finding the others more exalted.

The 8th has more pith than the last, for although a short one, it contains two lies. 1. It is false that I decided on Dr. Dudley's lectures, without hearing one of them: and 2. It is false that I ever pronounced him incompetent, in the unqualified manner in which it is here stated. I always entertained the opinion, that no Professor, who is also a practitioner of *physic*, can teach with suc-

cess both Anatomy and Surgery. In this opinion I was so much strengthened by my residence in Lexington, that it became one of the causes of my resignation; and in my various conversations with the friends of the College, I never hesitated to express it. But I always admitted that Dr. Dudley would do very well for either Professorship alone. This criticism on the organization of the School but ill comported with his monopolizing views. I assert, but cannot prove it, that when I arrived at Lexington, Dr. Dudley was disposed to suppress Dr. Richardson's Professorship altogether. What is now taught by that gentleman with so much success, would then have attached itself chiefly to Dr. Dudley's chair; and we should have been presented with the magnificent and affecting spectacle of one young Backwoodsman engaged in teaching what in the University of Pennsylvania occupied the time and powers of WISTAR, PHYSIC, DORSEY and JAMES. This would have been charming!—From my knowledge of Dr. Dudley, I expect him to deny what I have stated relative to Dr. Richardson's Professorship; but if that assertion be altogether suppressed, we shall still find him pretending to teach all that in Philadelphia was lately confided to three of those illustrious men.

As it respects, in the 9th place, my conduct to Dr. Overton, "a man whose talents are brilliant in collision with any others in the western country," I have nothing further to say. That (in the 10th place) I ever intrigued for his Professorship, or would have accepted it, had it been offered to me, is a wilful lie, fabricated merely to prejudice

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the public mind. I should be glad to see an attempt made to support it.

The 11th charge is so long that I beg leave to refer you to it. To answer it properly, it will be requisite to give myself a little latitude. It seems to contain two distinct items; first, that I did not unite with the other Professors in giving that mutual support which was necessary; and second, that I praised some of my colleagues, while I censured others. I am not more struck with the injustice than the folly exhibited in making these charges. In entering upon a refutation of them, I would say, "Let him that is without sin cast the first stone." If I could only show that I gave the same support to Dr. Dudley that I received from him, I should prove, I presume, that whatever right the Trustees might have for censuring *both of us*, he at least ought to have been silent; but if I can show, still further, that I gave to him much more support than I received, my defence, on his own principles, must necessarily assume the character of an opprobrium on his conduct. I shall adopt the principle contained in the charge—that it was necessary and proper that the Professors should give mutual countenance and support. Let us then, (as Dr. Dudley considers himself at the head of the Institution, and as I was a stranger,) enquire what liberality he manifested to me.

When I arrived at Lexington, I called upon him. He returned my call, and was again at my tavern lodgings two days after, at the first meeting of the Faculty, convened in obedience to a requisition of the Trustees. That was the last

time I had the honor of being visited by him, although at a subsequent time, in violation of every principle of etiquette, I condescended to invite him to visit my family. Was this giving me countenance? Dr. Dudley was almost the only physician of Lexington with whom I had no consultation. Was this giving me approbation and support? He never entered my lecture room during the whole session. Was this showing me respect? I requested to be present at an operation he was about to perform; he promised me an invitation, but never gave it. My friend Dr. Ridgely, however, smuggled me into the operating room, where I remained unnoticed in the presence of the whole class, and was finally left at his own door, while one of my colleagues was invited from my side to go and assist in dressing the patient. Was this manifesting respect? was it the lowest grade of common politeness? was it not indecent and insulting?

Such were the approbation, hospitality and support that I received from Dr. Dudley. I will now state what relates to myself. Before leaving Cincinnati, I received several invitations from Dr. Richardson to accept of his house until I could procure lodgings for my family; which I declined, on the sole ground, as expressed to him in my letters, of a difference existing between him and Dr. Dudley, and that I did not mean to come to Lexington as a partisan. He approved of my decision. After my arrival I gave Dr. Dudley to understand that I should recognise in him a former acquaintance, and treat him as such; and accordingly continued my visits to him du-

ring several weeks, until I fairly ascertained that he had resolved not to return them. I informed him, moreover, that I meant frequently to attend his lectures; and should have done so, had my first visit thither, soon after the course commenced, been reciprocated. The Medical Society was in a very irregular state. I suggested to Dr. Dudley the importance of having it reorganized, and made an auxilliary 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. Such were the overtures for mutual support and assistance made by me. The public will decide who was most remiss in that respect, and on whom ought to rest the disgrace of having failed in that reciprocal countenance and aid which the Professors of a new College should afford to each other.

In the latter periods of my residence at Lexington, I made repeated complaints to various persons of the manner in which I had been treated by Dr. Dudley, and this is what he denominates “insidious and oblique detraction.” All to whom I gave a history of his conduct, expressed their astonishment; and most of them were unable to explain his motives. I can develop the whole in a single sentence. He did not, as I have already intimated, wish me to remove to Lexington, and laboured indirectly and insidiously to render both the town and University so offensive, that I would not desire to belong to

either; and he in a great measure succeeded.—  
 Dr. Dudley wishes for a Medical School; but it  
 must be organized in a very peculiar way. He  
 must be permitted, in the first place, to select as  
 many of the Professorships as he may desire; in  
 the next, no Professorship must have an incum-  
 bent that will not be subservient to his views;  
 and in the last, no physician must be introduced  
 from abroad that will interfere with his practice.  
 These are the conditions which have heretofore  
 secretly governed him; and should he in future  
 abandon them, it will be merely because they  
 are developed to the public. Until they are dis-  
 pensed with, Lexington cannot have a Medical  
 School, notwithstanding her enviable acquisition  
 of this great man.

The three last charges are so indefinite as to  
 admit of no refutation, and so personal as scarcely  
 to be entitled to admission into an appeal to the  
 community. They were not made in the hope  
 that any person would credit them, nor (if we  
 may judge from Dr. Dudley's general character)  
 in the expectation that his responsibility would  
 be tested. They were uttered solely with the  
 view of turning the public eye from the embar-  
 rassment into which his false and malicious as-  
 sertions, respecting my Professorial character and  
 conduct, had placed him. They remind one of  
 those ejections made by a certain fish, when  
 closely pursued, which serve to darken the wa-  
 ters in its track and enable it to elude its pursuer.

I have on this occasion had but a single object  
 in view, that of proving all my conduct relative to  
 the University to have been correct and honora-

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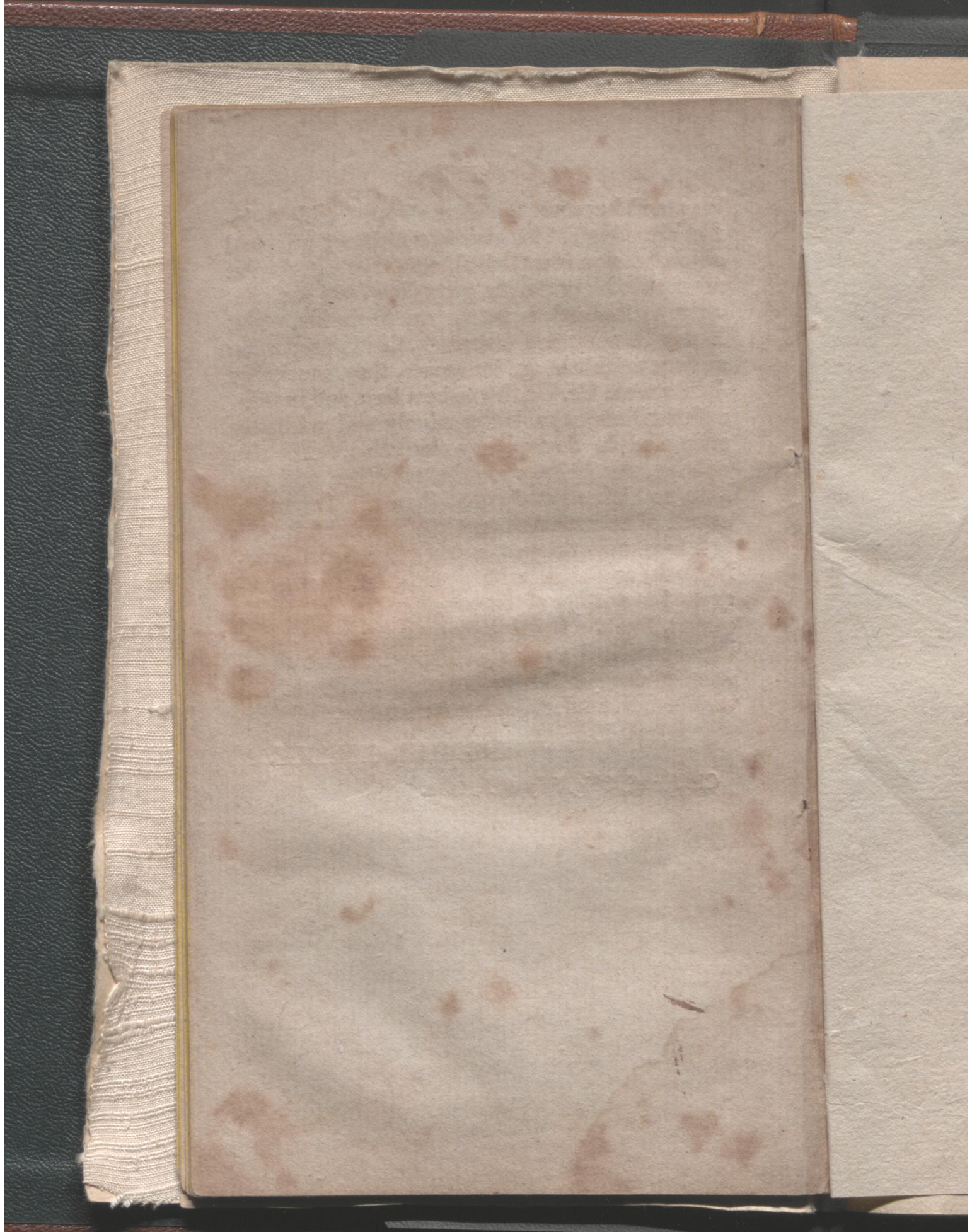
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ble; and have not therefore stepped aside to inflict chastisement for insults, which, my principal object being accomplished, must fall harmless at my feet. How far the preceding facts are adequate to this end, is not for me to decide. But I may be permitted to remark, that in proportion as they establish *my* innocence, they inevitably demonstrate Dr. Dudley to be a base and unprincipled villain, who has wantonly and wickedly attempted to destroy my reputation. For this outrage, my feelings require no other, and can have no higher satisfaction, than the favourable award of an impartial and intelligent public.

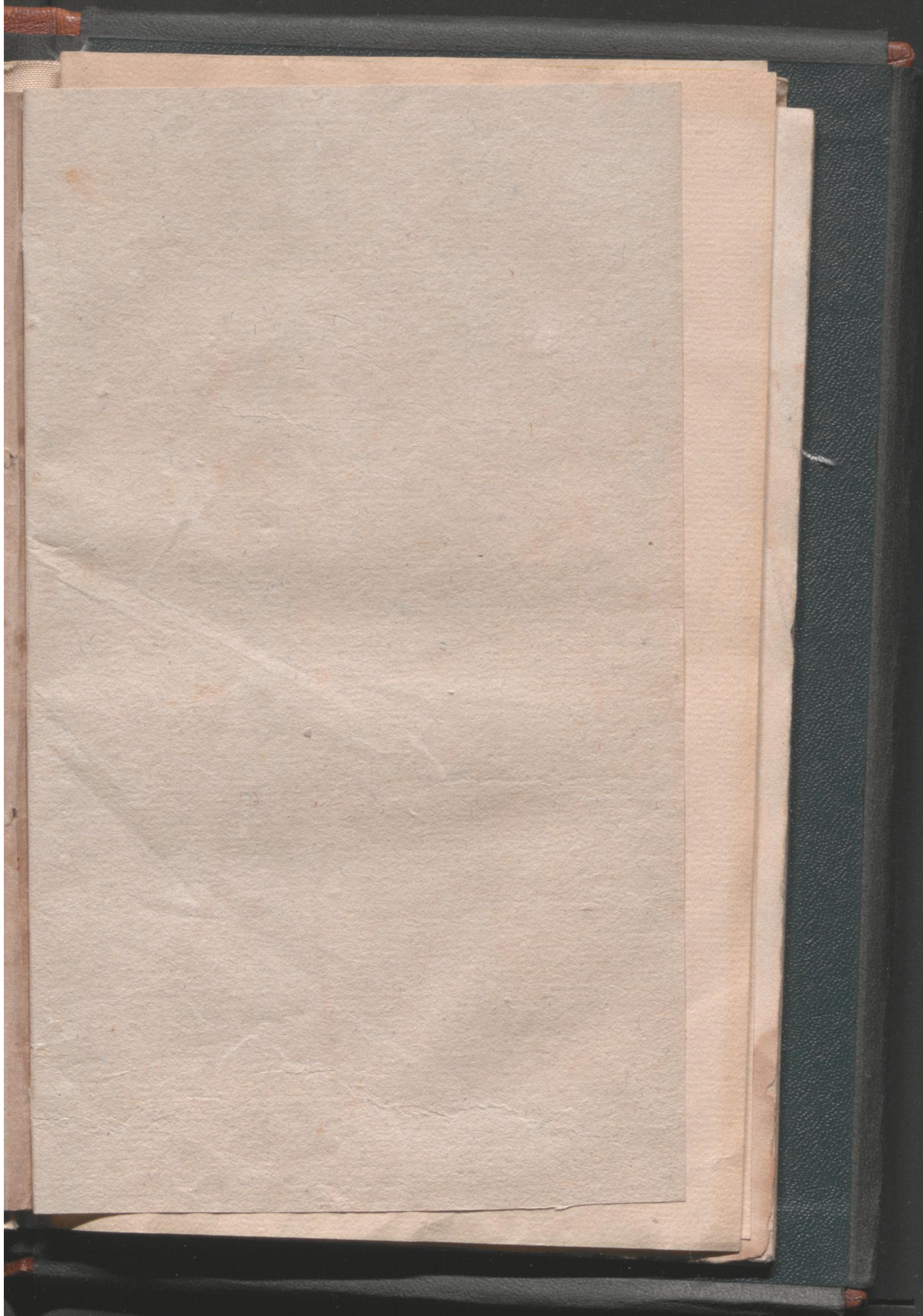
I have now finished a necessary but disgusting task, and shall with great difficulty be re-excited to another of the same kind. Although I cannot, like the Grecian Hercules, boast of having vanquished a monster, I may at least claim some praise for having ferreted out one of the vermin which infest our modern Attica.

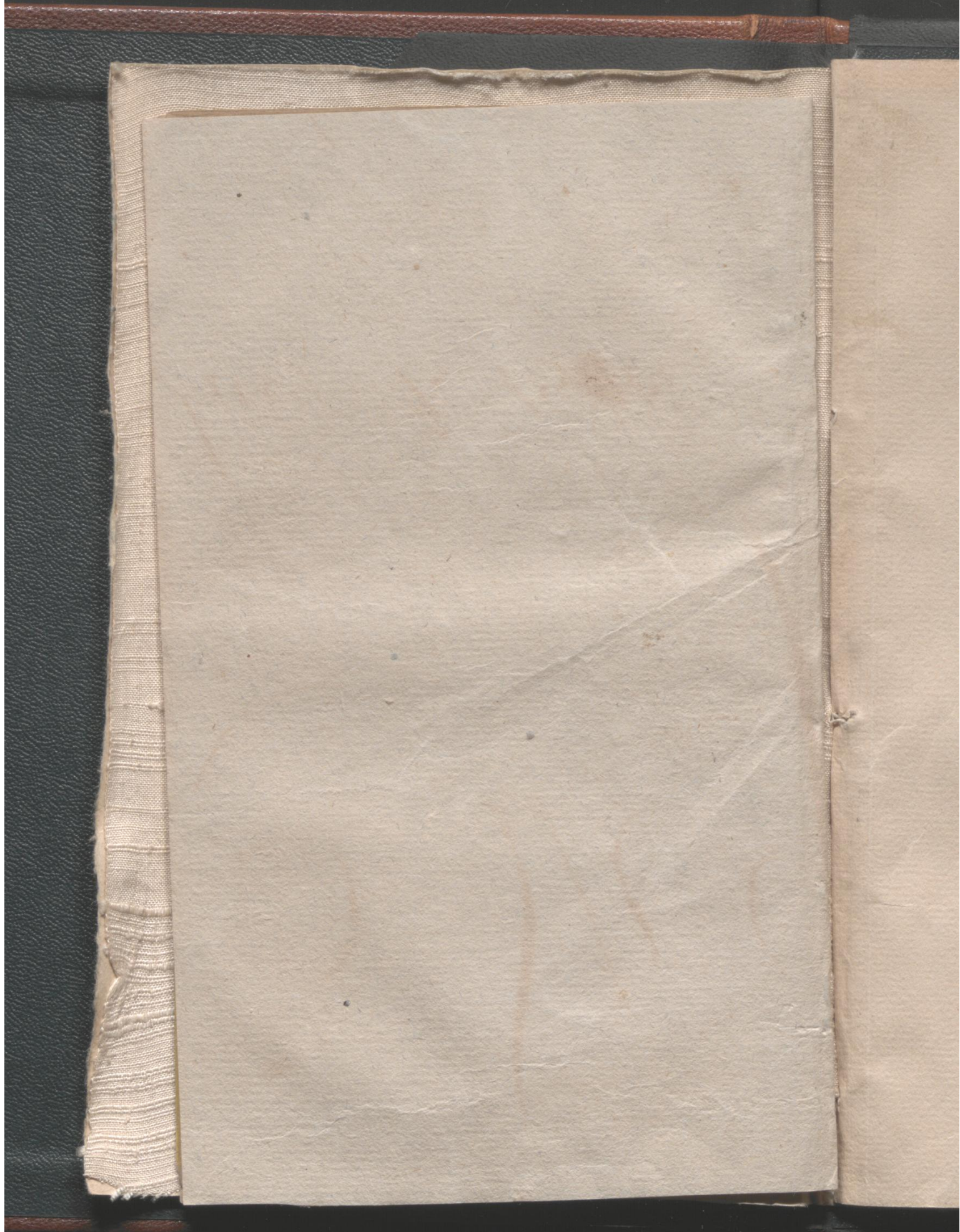
DANIEL DRAKE.

Cincinnati, Ohio, July 10th, 1818.









## TO DR. DRAKE.



SIR—

I HAVE ever been taught, that in all controversies, the first trait of the scholar and the gentleman is delicate, chaste, yet strong and appropriate language. Permit me, therefore, to observe, in reply to your Pamphlet, that I shall scrupulously avoid all retaliation in the way of scurrility, and should I fail in the contest, I shall cheerfully yield the palm, and submit to the disgrace of a vanquished foe. But should it appear, as I trust it will on this occasion, that your position is as untenable as your style is remarkable for its grossness, then I presume you will be content to return from the field of controversy, and stand the convicted culprit of merited degradation.

From doctor Drake, I had reason to expect much more. A lofty, generous and magnanimous course, qualified by language the most chaste and elegant, rivetted on public sentiment by great force and energy of style, was what I had reason to expect. This is what your Kentucky acquaintances looked for—nothing less should satisfy the citizens of Cincinnati. But, sir, what will the learned say, on being told that Daniel Drake, author of the “Picture of Cincinnati;” he, whose name is already enrolled on the proud list of American literati, is also the author of a pamphlet, unprecedented for its low vulgarity, unequalled for its abuse of individual character. Surely Botany, Mineralogy and Geology, those high departments of Science, to which you have invited public attention, acknowledge no alliance with that low art, of

which the grovelling technicality consists in Liar, Scoundrel, and Villain.

Now, in proving you, in the most unqualified manner, to be all these, I shall politely decline making the application. Your friends must feel the responsibility of guarding you against such thoughtless ebullitions of your nature—otherwise you will betray yourself; and while you are erecting your great temple of literary fame, you will experience the mortification of having it deeply engraven with insinua, that may convert your fair prospects for reputation into a disgusting monument of turpitude and folly. Let us now go into a candid review of our case, and thus enable the public to direct the finger of odium to the guilty heart. Early in April last, I received the following letter through Mr. Bain:

CINCINNATI, AP'IL 2d, 1818.

SIR—In a letter I received this morning from Dr. Richardson, he informs me you say, my conduct in resigning my Professorship was unaccountable, "inasmuch as I pledged myself at "George's tavern, when the faculty met last fall, to hold it for "two years." This is incorrect. 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. In regard to a resignation, I remarked, that I should always consider it my duty to resign under circumstances that would enable the Trustees to fill my place in time to prevent the institution from sustaining any injury; and this I have done. I trust, sir, you will appreciate the propriety of correcting your statement on this subject, and thus prevent any impression on the minds of the people of Lexington unfavorable to my veracity. Any explanation that may satisfy my friend, captain Bain, will be sufficient for me.

Yr. obt. svt.

DAN'L. DRAKE.

Early after the above letter was placed in my hands, I made it my business to see doctor Overton; and finding we entertained the same sentiments in relation to the conduct of doctor Drake on the evening alluded to, I proceeded to address captain Bain the following note:

SIR—The last sentence in the letter from doctor Drake, directs me to address to you any remarks I may be prepared to make, and that whatever may "satisfy you, will be sufficient for him." I have only to observe, that the whole course pursued by doctor Drake on the evening of the organization of the faculty, was of a character to afford us every assurance that he felt himself pledged to the school for two years at least. And in addition to this, doctor Drake observed on that occasion, that

he felt himself, with us, enlisted in the fortune of the school, and that his reputation must rise or sink with it.

I have the honor to be, very respectf<sup>l</sup>y. yr. friend and serv<sup>t</sup>.  
B. W. DUDLEY.

14<sup>th</sup> April, 1818.

I would now ask, what were the circumstances which elicited from you this remark—"I observed on that occasion, that my impression then was, that I should return to Lexington a second time, after which I should decide on my ultimate destination."

The answer is easy. It was designed to be offered doctor Overton and myself, in exchange for what we had yielded to you for the purpose of organizing the school. Unless you felt yourself pledged to the school for two seasons, it would be difficult for you to find an apology for your conduct in relation to the 3d resolution of the faculty on the evening of its organization, which makes provision for the absence of doctor Richardson during the winter of 1818 and 1819, while his absence was to have no effect on candidates for degrees.

In your attempt to obtain proof of a negative, the public perceive the discordance between your admission, and the certificates you have published. The injustice with which you have treated those friends of yours, scarcely admits of limitation to censure. Your letter of the 2d April acknowledges that it was your impression that you would be here a second season, after which you would decide on your ultimate destination; while the two letters you have published as certificates of your innocence, contain no admission of this kind. On the 10th July you published your pamphlet, and instead of treating your friends, who it may be presumed have forgotten your pledge, with the liberality characteristic of a gentleman, you have most criminally exposed their negative testimony, by associating it with your positive acknowledgment to the contrary, on this subject.

You should recollect, sir, that while positive testimony is conclusive in the establishment of a point, it is moral turpitude in the extreme, to use the negative evidence of a friend, which has lost all its force by your own admission.

As a man, and a gentleman, you should have declined to publish those letters, under the impression that

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the authors had forgotten your expressions on the evening of the organization of the faculty. In the 5th page of your pamphlet, you have accused me of addressing you, through captain Bain, an abusive and prevaricating note. It is strange, indeed, that you should have discovered either abuse or prevarication in that letter; but should you be able to get one intelligent friend to agree with you, then upon this point I am ready to plead guilty. If a candid and faithful recital of the substance of an interview, be consistent with abuse and prevarication, then I am justly charged with this offence.

After having dissected my second communication, and made up from it, and other quarters, fourteen points; as containing this number of charges alleged against you, let us see how far you have gone in the way of general, as well as particular refutation.

Do not suppose, sir, that public attention is to be diverted from truth, by announcing my declarations to be those of a "petit maitre;" and, be assured, it would not be sufficient to prove your innocence, to deny them "en masse," even "were you a citizen of Lexington." Whatever the character may be, which you and I individually support in Lexington, I am apprehensive the result might be fatal to you, were you to risk the issue upon a "general declaration of your innocence."

I sincerely believe that, although "comparatively a stranger," your domestic virtues, your feelings of sympathy, affection, and humanity for those with whom you stand in close relationship, are more highly estimated even in Lexington, than in Cincinnati.

But, sir, let us go on to the proofs in point between us. To prove that you did not pledge yourself to our school for two years, and that you did not at last contemplate its destruction by instituting a rival establishment in Cincinnati, the public are referred to the letters of your friends, and to your address to the trustees of our University. Strange refutation, indeed: certificates are adduced to prove a negative, and these are previously rendered a nullity by your own confession.

But what can you say in reply to the positive testimony of doctor Overton on this subject?

NASHVILLE, SEPT'R. 15TH, 1818.

DEAR SIR—I have received several letters from you, in relation to certain facts, about which it seems that some controver-

exists, between yourself and doctor Drake of Cincinnati. Some of these letters have been received by me some weeks ago; but I have never been able to see the pamphlet of doctor Drake, nor that letter of yours to me, in which you ask my statement in respect to certain facts, said by you to have transpired at Lexington, during the last winter. It was not my intention to have given a statement on this subject, unless impelled to the task by considerations of duty; nor under any circumstances, until I had been furnished with the inspection of the entire ground of controversy between you; so that I might have discharged the obligation as directly as the nature of the duty imposed, would allow me to perform. It appears, however, that you deem it necessary to respond to the charges made in doctor Drake's pamphlet; and that my statement is thought essential to enable you to shew to the public the grounds which have dictated your conduct, respecting the points in controversy between doctor Drake and yourself. I am informed that the points upon which doctor Drake and yourself disagree, are in regard to the nature of the assurances which doctor Drake gave to the Medical Faculty at their first meeting, in the commencement of the last session, of his intention to continue in the office which he then held in the Transylvania University. This, sir, I shall endeavor to do, with as much precision as my recollection of the facts will allow me.

Anterior to the commencement of the last session, professors, by the Trustees, had been appointed in the Medical College attached to the University, consisting of five individuals; which are ascertainable by reference to the journals. No organization of the Faculty had, however, so far as I believe, ever taken place; nor had any of the individuals holding appointments from the University, ever, as I am informed, considered themselves as under the superintendence or control of its Trustees, anterior to the commencement of the last session; when the arrival of doctor Drake in Lexington from Cincinnati, induced the Trustees to order a meeting of the medical professors, for the adoption of such regulations as they might deem necessary for the permanent management of the school. Accordingly, the Medical Faculty had a meeting; and were engaged about the best method of effecting the objects of the Trustees in their appointment. Doctor Dudley and myself had objected before the Trustees, to lecturing in the University, if associated with doctor Richardson, who, not being a graduate in medicine himself, we deemed incompetent to form any part of a school, the ostensible object of which was, to graduate others in the healing art. This objection, together with others, we stated before the Trustees, and repeated them at the first meeting of the Faculty, before alluded to; never having, anterior to that time, concluded to lecture under the appointment of the Trustees, but disposed rather to continue our exertions as we had before done for the

winter preceding. At the meeting of the Faculty, doctor Drake heard all these facts plainly, as I think, stated; about few, or any of which, he entertained opinions similar to myself, or so far as I was informed, in conformity with those of doctor Dudley. He stated that he had come to Lexington, in conformity with a resolution of the Board of Trustees, and that he could not think of giving lectures in his individual capacity; and that therefore, upon the adoption of the idea of lecturing in our individual capacities, he would feel it his duty to return home. Under these circumstances, doctor Dudley and myself were induced to wave our objections in relation to doctor Richardson, for the purpose of securing the exertions of doctor Drake in the establishment of the school. From circumstances which had transpired, we did not expect a large class the first winter; and as doctor Drake was understood to have come to Lexington for the purpose of ascertaining the prospect of a Medical School at that place, we deemed that the experiment made the first winter, under the adjustment which did obtain, would not be a fair one; and that doctor Drake, deterred by the smallness of the class, would not return a second winter: and hence, that the object of our concession in favor of doctor Richardson, would be productive of no advantage to the school. These facts were stated to doctor Drake, and their influence upon the determination of Dudley and myself were obviated by doctor Drake remarking, that he would not suffer the result of our first winter's exertion to fix his resolution in relation to holding his appointment; but that after the second winter, when the impediments now existing to the advancement of the school were removed, that he would finally determine—and if in the affirmative, remove to Lexington. Under these circumstances, doctor Dudley and myself were induced to enter upon the duties of our appointment, in concert with the other gentlemen holding offices in the University; expecting to supply the disadvantages of the first winter's attempt, by the subsequent effects of a permanent establishment. This I believe to be the substance of what took place at the first meeting of the Faculty, in Lexington, in relation to the assurances given by doctor Drake to continue in his appointment.

Doctor B. W. Dudley, }  
Lexington, Ky. }

J. OVERTON.

Let us raise the veil a little farther, and behold how ingeniously we perceive you skulking to avoid the charge, that your design was inimical to our school.—What possible bearing have your two certificates, with your address to our board of trustees, in extricating you from the charge of hostility to our school?—But let us follow you a little farther. Page 13, you observe—  
“When I accepted the appointment, it was not a con-



dition that after resigning it I should never hold another of the same kind ; and, therefore, were there a medical school in Cincinnati, and were I to join it, such an act ought not, and among candid, honorable and high-minded men, would not, be alleged against me as an impropriety." Very true : under such circumstances you would stand acquitted.

But let us come to the fact. When was the medical school in Cincinnati established ? Since doctor Drake returned to Cincinnati last spring.—When was the project of that school first contemplated ? Immediately after doctor Drake's ambition was disappointed in Lexington.—When did doctor Drake first agitate the subject of a medical school in Cincinnati ? Last winter, in a conversation with doctor Overton, at the time he was professor in the Lexington school. Thus your conduct is exposed to the true light ; we perceive distinctly the difference between your attempt at sophistry, in saying "were there a medical school, and were I to join," &c. and your real character, as projector and advocate of that institution—consequently, the charge I have made against you, of hostility to our school, cannot be questioned.

In relation to your holding your appointment for a "specified time," you observe, that in order to elude the force of your certificates, I have intimated that the pledge was given "at another time and place ;" you pretend "this prevarication to be directly in character," and after a long string of inferences, you come to the conclusion, and pronounce upon me your favorite epithets of falsehood and scoundrel. I thank you for this piece of liberality, inasmuch as it is altogether an imagined case. On that part of my letter to which you refer, I challenge you or any of your friends ; and I am willing to be pronounced any thing within the limits of your fertile powers in the art of detraction, so soon as it can be made to appear by any construction, however remote, that I was in that particular guilty of prevarication, or that I wished to elude the force of your certificates. No, sir ; my course has been dictated by feelings of honor : I am supported by the strong arm of substantial truth ; while your attempt to divert public attention from yourself, by directing it to an ideal attack

on the reputation of your friends, is a piece of subterfuge which recoils upon its author, and cannot fail to impress on public sentiment the fruitless efforts of an impure heart. In regard to the fourth point, that you were not sincere in announcing your expectation of resigning in the spring, it only becomes necessary to explain the conduct of yourself and your friends. You acknowledge that you did, on different occasions, express the probability that you would resign. The certificate of doctor John Todd, here introduced, together with the reiterated observations of your friends, all go to prove, that you wished to supercede doctor Overton in his professorship.

Early in the month of March last, when riding in company with doctor Dudley, I told him I had heard doctor Drake would be pleased to have the appointment of doctor Overton, as professor of the theory and practice of physic.

(Signed)

JOHN TODD.

The above certificate was grounded on a communication coming directly from one of your confidential friends, before your departure from Lexington. Let us now see how far you are correct in your statement in relation to the medical society. You observe—"I attended the meetings of the medical society regularly, and was the only professor that attempted to meet and encourage the young men in that mode of prosecuting their studies. This can be testified by the whole society." In this statement you should have been more cautious; you should have recollected that the society held its meetings in my room, nor did it meet any where else. But as you have given the invitation for proof, I call on you to read the following certificates, handed me by the members of the society.

WE, the undersigned, members of the Lexington Medical Society, do certify, that doctor 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 doctor Dudley and doctor 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

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of doctors Dudley and Drake at the said society during last winter—state, that we recollect to have seen doctor Dudley at four, and doctor Drake at eight meetings. We further certify, that we recollect once to have heard doctors Dudley and Drake discuss the same subject.

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

*Lexington, July 25th, 1818,*

I would have passed in silence your remarks in relation to the influence you brought with you into our school; but as this might be seized by you as a triumph, I have only to repeat, that in yielding a principle to you for the purpose of conciliation, we injured ourselves at home, and lost the opportunity of conferring a diploma on one of the brightest young men of your state; 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, for your influence gave us no support from Ohio. In your 8th division of my letter, you present yourself in full character, and charge me, with all the promptitude of a well educated blackguard, with telling "two lies."—"It is false," you observe, "that I decided on doctor Dudley's lectures without hearing one of them; and it is false that I ever pronounced him incompetent, in the unqualified manner in which it is stated." Let us now examine your course, and see how far it is in unison with the above assertions.

Recollect, sir, that on this occasion we shall not permit you to qualify your expressions to suit your purposes; we take your language and your conduct as common coin. In your pamphlet you go on to observe—"I always entertained the opinion that no professor, who is also a practitioner of physic, can teach with success both anatomy and surgery. In this opinion I was so much strengthened by my residence in Lexington, that it became one of the causes of my resignation, and in my various conversations with the friends of the college, I never hesitated to express it. But I always admitted that doctor Dudley would do very well for either professorship alone." Now permit us to ask how it happened that your residence in Lexington strengthened you in the opinion, that a practitioner can-

not teach with success both anatomy and surgery? You did not hear me lecture, and the class bear witness that I was the most regular professor in the discharge of my duties, even in comparison with yourself. Doctor Post, of New-York, teaches anatomy, surgery and physiology, and yet doctor Post is a practitioner of physic. If we cross the Atlantic, we find anatomy and surgery generally associated; and yet these teachers are all practitioners. What then does your observation amount to? A mere expression of hostility to me, with a desire to have me superceded.

But let us examine this subject a little farther: you were opposed to me because of my monopoly of anatomy and surgery. In the school which you have instituted in Cincinnati since you retired from the Lexington school, I perceive you are to teach botany, materia medica, physiology, the theory and practice of physic, and midwifery; while your associate teaches anatomy, surgery, and is joint teacher in midwifery: and yet you are both practitioners of physic. This specimen of your character must prepare the public to believe, that you have no respect for consistency of conduct, and that you are as insensible of your duty to yourself, as of your obligations to society. While you object to my filling two branches in the Lexington school, in their nature inseparable, you institute a school in Cincinnati, wherein you are engaged to teach five or more different departments; and your associate three others, including the two branches confided to me in Lexington.

Thus, to use your own language, we are presented "with the magnificent and affecting specacle of one young backwoodsman engaged in teaching what, in the University of Pennsylvania," now occupies "the time and powers of" Chapman, Coxe, Barton and James.

Suffer me to congratulate you on the latter part of your 18th page, wherein you have been so honest as to make a tacit acknowledgment of the charge against you in relation to doctor Overton. Immediately after, however, with your usual facility in the language of vulgarity, you proceed to say—"That (in the 10th place) I ever intrigued for his professorship," meaning doctor Overton, "or would have accepted it, had it been offered to me, is a wilful lie, fabricated merely to prejudice

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"the public mind. I should be glad to see an attempt made to prove it." On this occasion I am surprised at your want of respect for the feelings of your friends, because it is from that quarter only that we have had any intimation of your willingness to supercede doctor Overton. I grant you, sir, on the subject of your intrigue and desire to supercede doctor Overton, I cannot adduce positive proof; yet I am sure a criminal at the bar of justice would have fatal sentence passed upon him, from evidence of the character with which we are furnished.

Before your departure from Lexington, you expressed your dissatisfaction with doctor Overton, of which we have abundant proof; and by doctor John Todd's certificate, we learn that you would be pleased to supercede him in his professorship. Ever since your departure from Lexington, it has been reiterated by your friends, that you could be brought back by giving you doctor Overton's appointment; and only a few days before the arrival of your pamphlet, your friend, doctor Blythe, propagated the same opinion in our streets.

In addition to all this, I have been officially requested to consider doctor Overton's appointment vacated by his absence, and to concur in giving it to you; and I had every assurance that you would, under such an arrangement, return to Lexington.

Under these circumstances, I ask you, sir, what will be the impression on the part of the public? Can it be supposed your friends were so stupidly insensible to their duty, as to jeopardize the existence of the Medical School by displacing doctor Overton, without any promise of an equivalent? No, sir; your services were the pledge offered by your friends in the event of doctor Overton's removal from office. The attitude in which you place those devoted to you, is humiliating indeed. Like the master workman, you would have it understood that you project the plan, while those devoted to you execute the work, without regard to consequences. In relation to your attempt at a refutation of my remarks concerning your partial and unfriendly proceeding towards the school and some of the professors, I trust it is in my power to expose its weakness, and to bring home conviction to the minds of the public, of the feel-

ings of malice and detraction which have marked your deportment. That I did not treat you with the friendly feeling which I would have extended to a stranger under different circumstances, is true; yet to prove your supreme regard for detraction and misrepresentation, I refer you and the public to the statements of doctors Pindell and Ridgely. LEXINGTON, JULY 22, 1818.

Sir—In answer to your letter of the 20th inst. I beg leave to state, that some days previous to the operation on Owens for stone in the bladder, doctor Ridgely and myself visited him with you, for the purpose of sounding him. While at Owens's, you observed that you should operate in a few days, but in consequence of the room being so small, you would be under the necessity of taking him down to the house you occupied. On my suggesting whether there would not be some risque in carrying him back after the operation, and enquiring whether a room could not be procured in the houses more adjacent, you replied that you had examined, and could find no room suitably large, for that you intended your class should witness the operation, and that you designed to ask a few friends—among those enumerated, I am positive you mentioned doctor Drake. At the time appointed for the operation, we received a message by one of your students to attend; and either after we arrived at your door, or thereabout, we saw doctor Drake approaching. On his stopping, however, a door below, I mentioned to doctor Ridgely that I presumed he had mistaken the place. Doctor Ridgely, I think, replied, "Perhaps doctor Dudley has neglected to invite him." Doctor Ridgely then walked to doctor Dudley, and I saw doctor Drake ushered into his apartments immediately after, and my impression is that he was handed in by doctor Dudley: in this, however, I may be mistaken.

I am, with great respect, your obt. svt.

R. PINDELL.

To Dr. DUDLEY.

Doctor Drake having mentioned me as an agent in introducing him to see an operation performed by doctor Dudley, I do not consider it as improper that I should state the circumstances, so far as I now recollect them, and my own impressions at the time.

A few days previous to the operation, doctor Pindell and myself were together with doctor Dudley, to see Mr. Owens, when in the course of conversation he said he should invite some friends, and the students—doctor Drake's name was mentioned, in particular.

On the day of the operation, and when on my way to it, I met doctor Drake, and remarked to him that it was time to go to the operation, or words to that effect;—to which he replied, he had not been notified of it. My knowing from doctor Dudley he was to have been invited to it, and supposing, in the hurry of making arrangements preparatory for it, he had forgotten it, or that some one of his young gentlemen might have been commis-

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sioned to do it, and had omitted it, I felt myself justified in urging him to go with me. We passed up the street near to the house, when I saw doctor Dudley at the door, and advanced to him and said there was doctor Drake; he immediately and unhesitatingly advanced to him and led him in, or he joined me and went in with me. So confident was I of doctor Dudley's intention to invite him, that I did not hesitate to press doctor Drake to go with me, which I certainly should not have done, could I have had a suspicion of insincerity in the expressions of doctor Dudley, when he had used the name of doctor Drake particularly, in company with doctor Pindell and myself.

## F. RIDGELY.

On the occasion above alluded to, it was not known that the operation would be performed until late on the morning of its execution. Doctors Pindell and Ridgely had just been invited the moment before I called you and conducted you into my apartments; and yet, to answer a base design, you have placed yourself in the contemptible attitude of being smuggled into my apartments.

You should have recollected, that in this misrepresentation you have involved the feelings of doctor Ridgely, a man who is as incapable of smuggling you into a gentleman's apartment, as you have been base in the recital of that affair.

I now proceed to detail my reasons for declining that cordial intimacy with you, which, under proper circumstances, would have been congenial with my nature. It was quickly understood after your arrival in Lexington, your professions to the contrary notwithstanding, that you entertained all the rancor of party feeling, and that you were hostile to any change in the condition and regulation of the University.

Early in the winter there was another circumstance, however, which determined my course towards you. A man was accidentally killed at the door of one of our public houses. Yourself, doctor Cloud, doctor Overton, myself and others, were called on to examine the body. 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 prevailed.

We were then sworn to examine, and report according to evidence: we proceeded, and fairly exposed the causes of his death; and then, instead of presenting yourself in an adjoining room before the jury, you eloped. Upon being brought back by the constable, you appeared to be angry, and refused to give evidence—when I replied to you, that your refusal more particularly concerned yourself, as you had taken an oath to give evidence. After a moment's hesitation and choking, you expressed your determination not to give evidence, as you would not lay yourself liable to be called from Cincinnati to attend the trial. Thus, sir, if you were not guilty of perjury, you have at least refused to obey the injunctions of your own oath; and your conduct on that occasion convinced me that your moral faculty was unsound, and that you were unworthy of my confidence and my friendship.

You next proceed to the subject of the Medical Society, and with the effrontery peculiar to those who are regardless of the consequences of assertions, you boldly pronounce—"The constitution was revised, and at my suggestion doctor Dudley was elected president, and then "utterly neglected to attend the meetings." Read the following certificates, and then, provided you have any sensibility remaining, blush for your destitution of moral integrity:

This is to certify, That on the evening of the 22d November last, at a meeting of the Lexington Medical Society, I arose and nominated doctor Dudley as president thereof, and that the ballot was immediately taken, when he was unanimously elected. And further, that my nomination was not made from the suggestion of any person whatsoever.

(Signed)

CHRISTO. GRAHAM

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

(Signed)

CH. GRAHAM,  
JONA. SFOUT,  
S. P. RUSSELL,  
J. H. ROYLE.

Your observations on what you have styled my monopolizing views, present such a perfect picture of your own ambition, that all who read your pamphlet recognize in

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it the disgusting deformity of the original. The five or more branches which you have engaged to teach, speak in a language which reverberates with an unceasing echo, the application of that ignoble epithet to yourself. Your reply to what you have designated as "the three last charges" in my letter, addressed to you on the 30th June, has been shaped by feelings which nothing short of guilt and pusillanimity could have dictated. After publishing that your feelings "require no other, and can have no higher satisfaction, than the favorable award of an impartial public," you have subsequently found it necessary to insinuate, that you would fight, if challenged. This course of yours reminds me of a cowardly boy, who submits tamely to insult, and who can only be brought to defend himself when his adversary strikes a chip from his head. Permit me to ask of you, what has caused this change in the course you had marked out as your line of procedure? First you addressed me a note through captain Bain, requiring of me to correct statements I had made, injurious to your character in Lexington. In my answer to that communication, instead of retracting my statement about you, I gave you additional causes for dissatisfaction; and had you then possessed the lively feelings of a man of honorable pride, that was the time to make it a personal affair—then you should have called on me for satisfaction. Shortly after, it appears, you adopted the idea of defending your conduct by two negative certificates, together with your own statement to the Board of Trustees of this University. Upon the reception of my second letter, notwithstanding you have given it publicity without colon, semicolon, or period, in some places; yet so much of it was intelligible, that you found it absolutely necessary to fight, yourself, or to place your friends between yourself and danger. The latter alternative you preferred: this was more agreeable to your views of personal safety, notwithstanding the sacrifice of the obligations of friendship, of truth, of honor, and of manly firmness—now that you have lost all these, it is said you are willing to fight.

I have now finished the painful task of exposing your conduct to public censure. I have, by your own acknowledgment, together with the evidence of doctea

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Overton, made it appear that you did give us an assurance of being in the Lexington school for two seasons at least. Your sophistry in attempting to evade censure for your hostility to the Lexington school was too shallow—your duplicity is exposed. Your assertion in regard to your being the only professor who attended the meetings of the Medical Society, is controverted by the positive testimony of the members of that body.

By your own confession, I have made it appear that you did pronounce on my incompetency to teach anatomy and surgery. That you have intrigued for, and wished to obtain doctor Overton's appointment, we have the evidence of your friends and advocates. That you have most wilfully perverted the truth, appears clear from the testimony of doctors Pindell and Ridgely. That you have perverted the truth in relation to the presidency of the Medical Society, is clear from the certificate of Mr. Graham. That you have perverted the truth in regard to my attendance on the society, we have ample testimony, in the certificate of different members of the society. What then remains for me to do? Would you have me apply to you your classic language of liar, villain and scoundrel? No; it only becomes necessary for me to adduce the proof; society will award you appropriate names and titles.

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 doctor 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. Unfortunately, however, for him, for myself, and for Lexington, he has not been watchful of his dignity and his honor. When doctor Blythe received your communication, requiring of him such a statement as might impeach my veracity and prostrate my reputation, I ask of you, I ask him, I ask society, what should have been his course? Did not a regard for the interests of the Lexington Medical School render it his duty, as

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an associate professor, to visit me, and correct what he imagined an erroneous impression, before giving his certificate? Did not his residence in Lexington make it his duty to quiet, not to foment, the hostile feeling between his associate in the Medical College, and you, a citizen of Cincinnati? Did not meek Christianity require of him, by every principle of his profession, to guard his fellow being against strife, and to turn with horror from the proposition of being made a servile tool in individual contention? Witness the contrast.—Doctor Blythe forwards his negative certificate to you, couched in the strongest language which this species of testimony can bear. All was secrecy: not a word was whispered to me on this subject; and but a few days before the arrival of your pamphlet, the doctor, whose curiosity could no longer be restrained on the subject of my humiliation, like a timid and guilty animal, ventures to address one of my pupils, and thus gave him the first intimation of a rupture between you and myself.

It is truly a misfortune that such a man should possess any share of public confidence. That he is a preacher of the gospel, is a circumstance of peculiar mortification. For his profession as a minister, the earliest impressions of my infancy are warmly engaged in his favor. The man who is undeviatingly engaged in promoting the cause of humanity, of knowledge and religion, commands from me feelings of approbation and gratitude, which can with difficulty be compared to any thing earthly in character. I am aware that doctor Blythe will attempt to make it appear that the church and religion are subjects of attack: in this, however, he must fail. The veneration with which I behold the devoted Christian—the warm feelings of regard I entertain for those who compose the doctor's audience, would, under any circumstances short of the implication of my own character, have urged me to silence. I should most unwillingly exchange my situation for that of a man who, while a preacher of the gospel, secretly gives negative certificates, which are designed to destroy individual character, to affect the interests of our town, to threaten the existence of a useful school of information, to excite controversy, and finally to urge the parties to the last and most unchristian appeal, to implements of destruction,

in order to settle a dispute. Such has been the successful course of your advocate and friend.

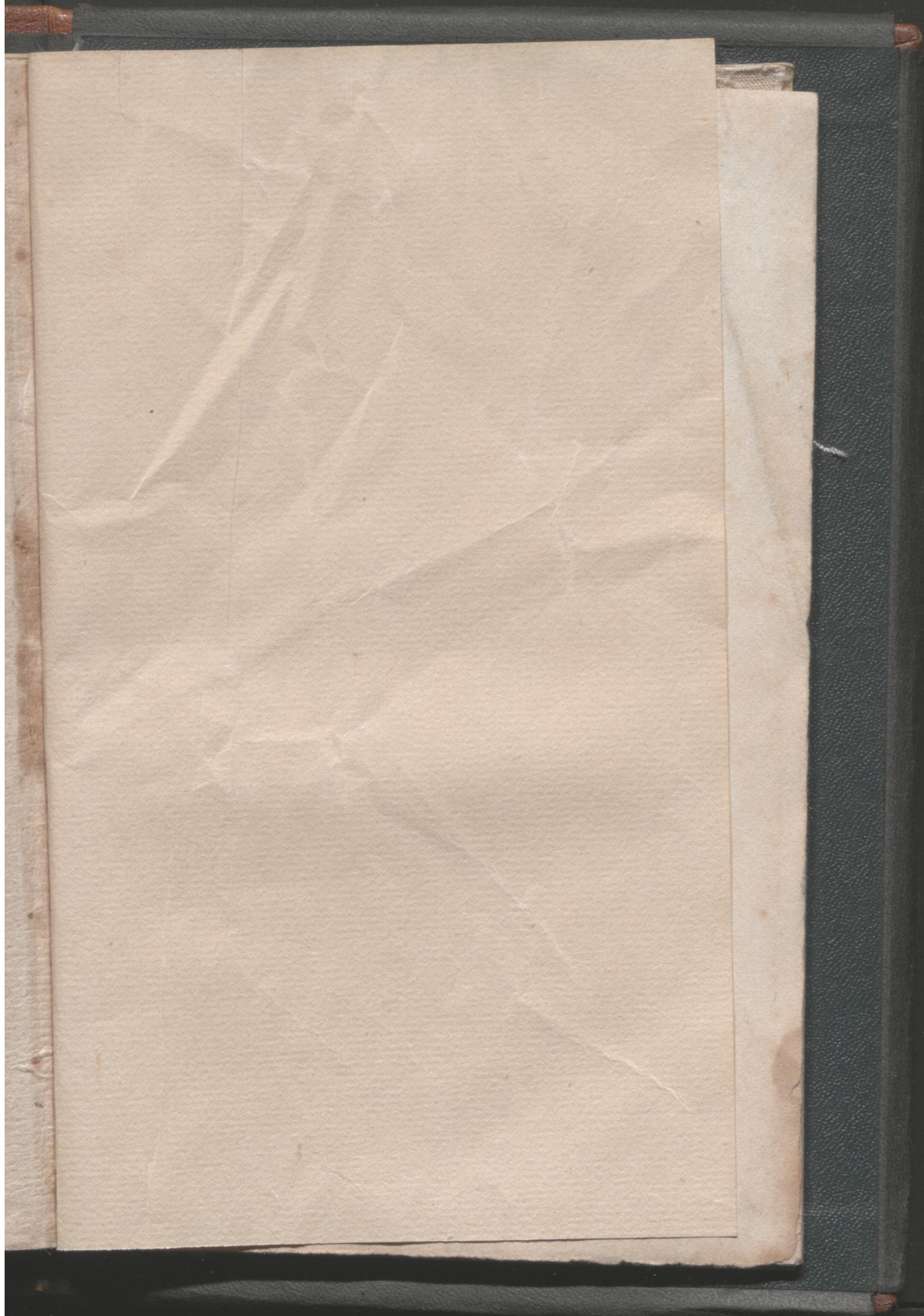
The dilemma into which the certificate above named places the doctor, will appear more clear by reference to the following expression contained in it, coupled with your opposing acknowledgment. Doctor Blythe observes—"But in my hearing, you (doctor Drake) always spoke in great doubt as to your delivering a second course;" while in your letter of the 2d April, we find 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." This took place on the evening of the organization of the faculty, in the presence of doctor Blythe, and must remain a lasting monument of weakness and folly in him, who has been so prompt in supporting you by negative testimony. If we are permitted to judge of the future by the past, we may yet anticipate the time when the doctor will recollect, in its fullest latitude, the obligations which bound you to the Lexington Medical School.

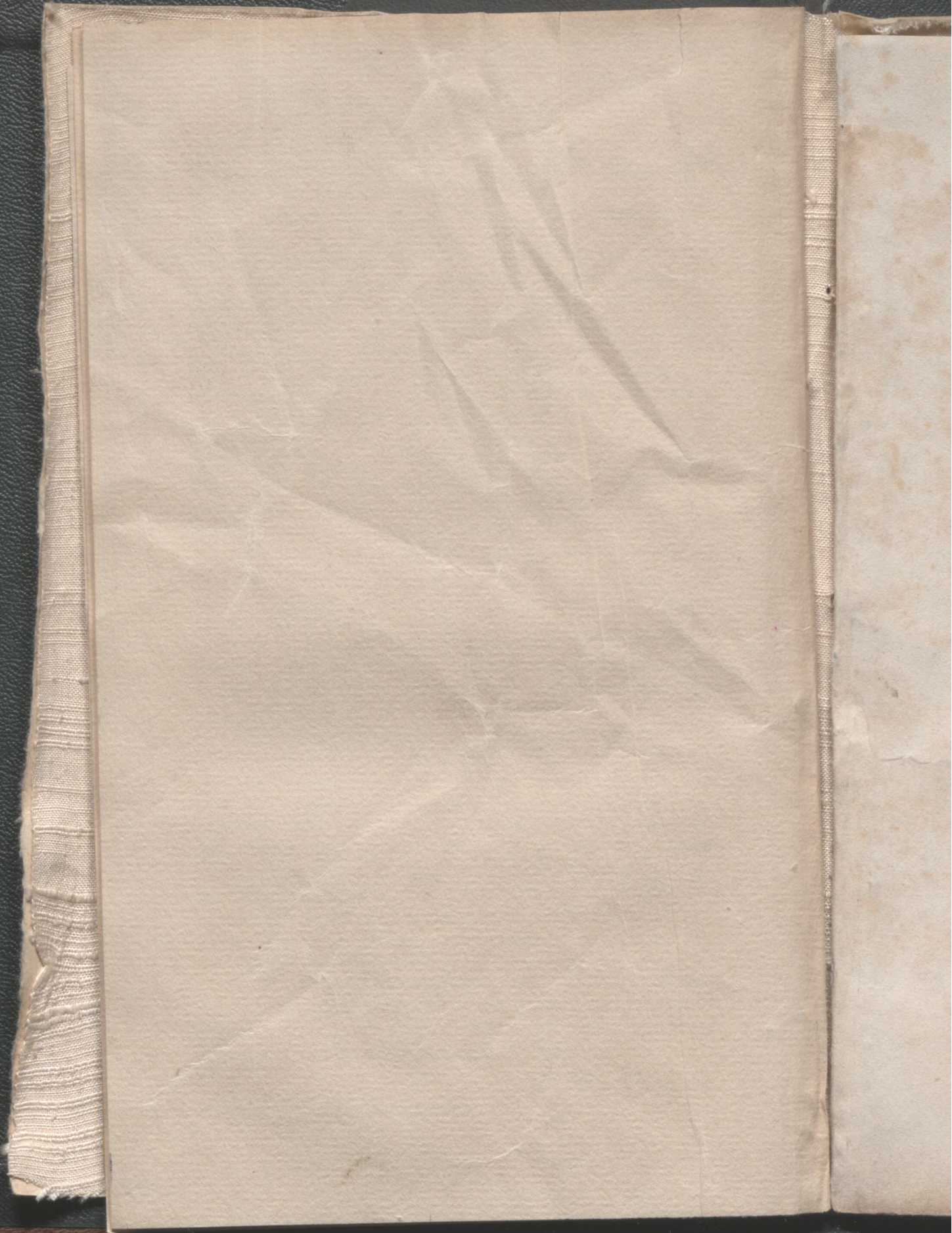
Since he furnished you with his certificate, he recollects that you did say that "you were enlisted in the fortune of the school, and that your reputation must rise or sink with it."

I have thus completed the exposition which circumstances required me to make. Some little apology may be thought necessary for such delay in meeting your expectation. Many disappointments in the mail, together with one in a special messenger, compelled me, from a want of some of the materials, to protract your suspense in relation to the answer which your pamphlet has invited. 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.

**B. W. Dudley.**

*Lexington, K. September 25, 1818.*





A

**SECOND APPEAL**

TO THE JUSTICE

OF THE

**Intelligent and Respectable People**

OF

**LEXINGTON.**

—○○○○○○—

*BY DANIEL DRAKE, M. D.*

—○○○○○○—

CINCINNATI:

Looker, Reynolds & Co. Printers.

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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 reperuse 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 con-

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

conclusion 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'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. S. 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.

C

—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 calumination 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 think 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'œuvre*—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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*[Faint, illegible handwriting, likely bleed-through from the reverse side of the page.]*

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