

A letter to Dr. James Gregory of Edinburgh in consequence of certain printed papers intituled, "The viper and file"; "There is wisdom in silence"; "An old story"; &c., which have lately been distributed by him / by Andrew Duncan senior, M.D. & P. and senior censor of the Royal College of Physicians, Edinburgh.

Contributors

Duncan, Andrew, 1744-1828.
Gregory, James, 1753-1821.
University of Glasgow. Library

Publication/Creation

Edinburgh, 1811.

Persistent URL

<https://wellcomecollection.org/works/c2z2h52r>

Provider

University of Glasgow

License and attribution

This material has been provided by This material has been provided by The University of Glasgow Library. The original may be consulted at The University of Glasgow Library. where the originals may be consulted. This work has been identified as being free of known restrictions under copyright law, including all related and neighbouring rights and is being made available under the Creative Commons, Public Domain Mark.

You can copy, modify, distribute and perform the work, even for commercial purposes, without asking permission.



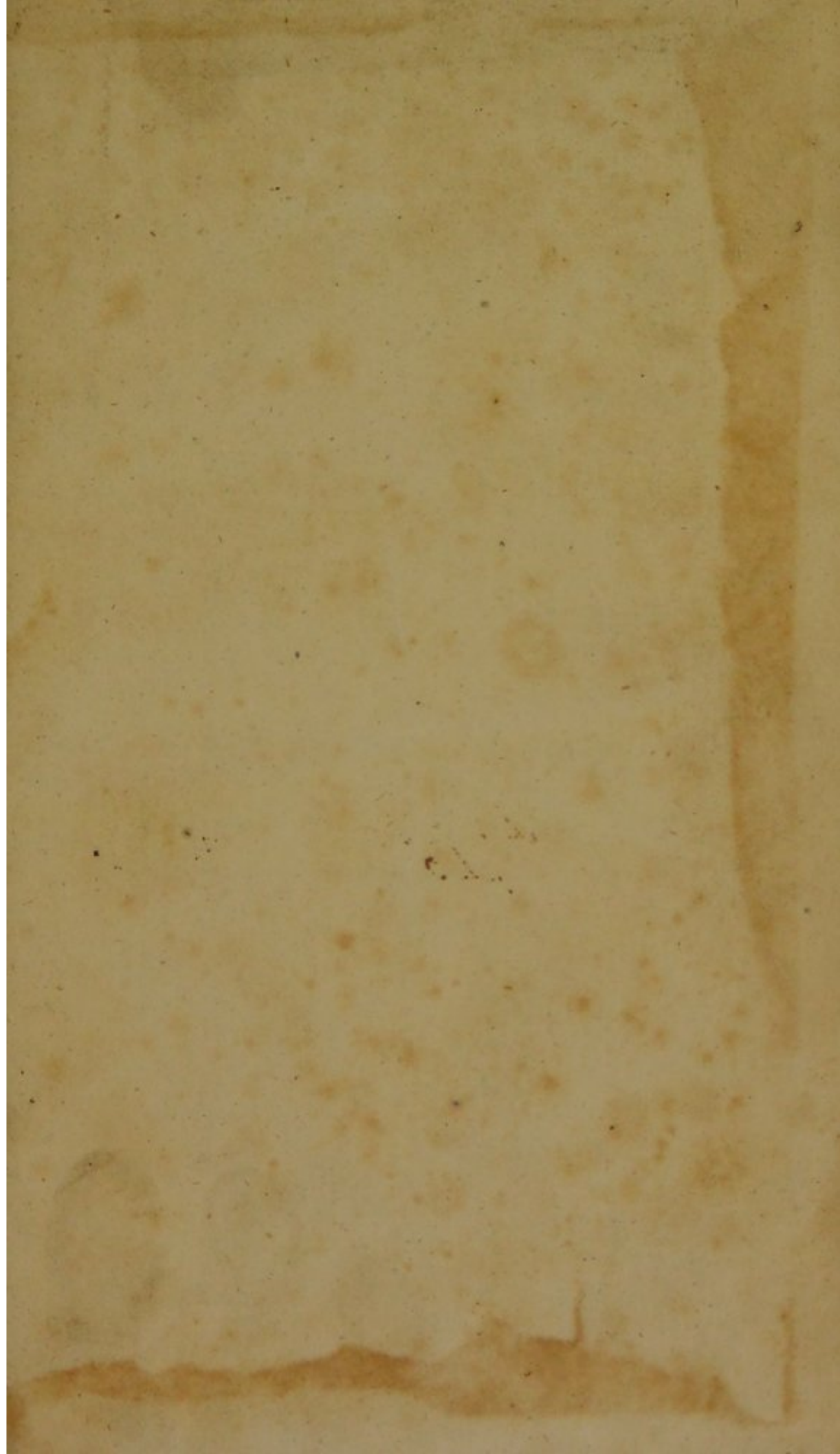
Wellcome Collection
183 Euston Road
London NW1 2BE UK
T +44 (0)20 7611 8722
E library@wellcomecollection.org
<https://wellcomecollection.org>

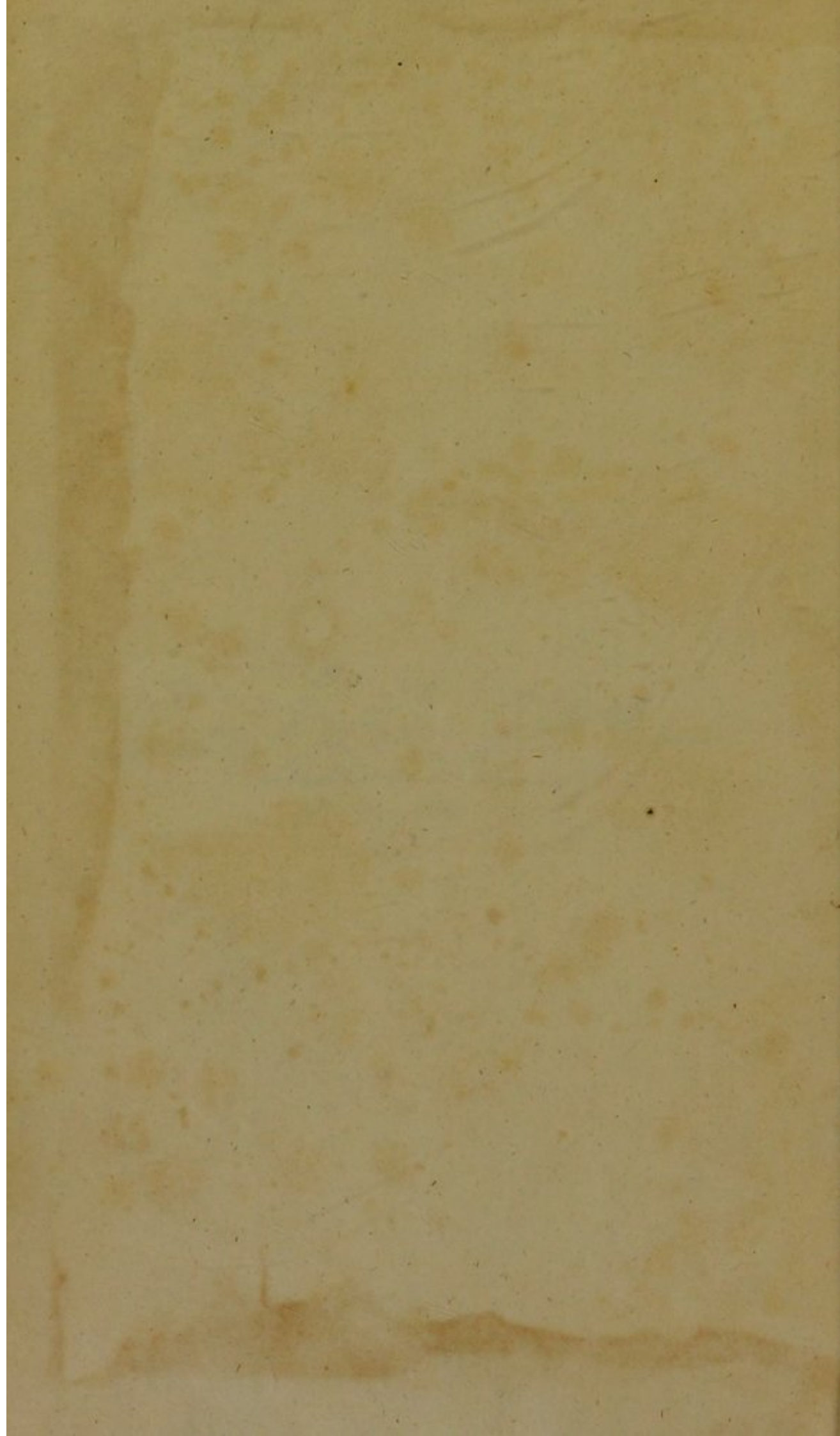


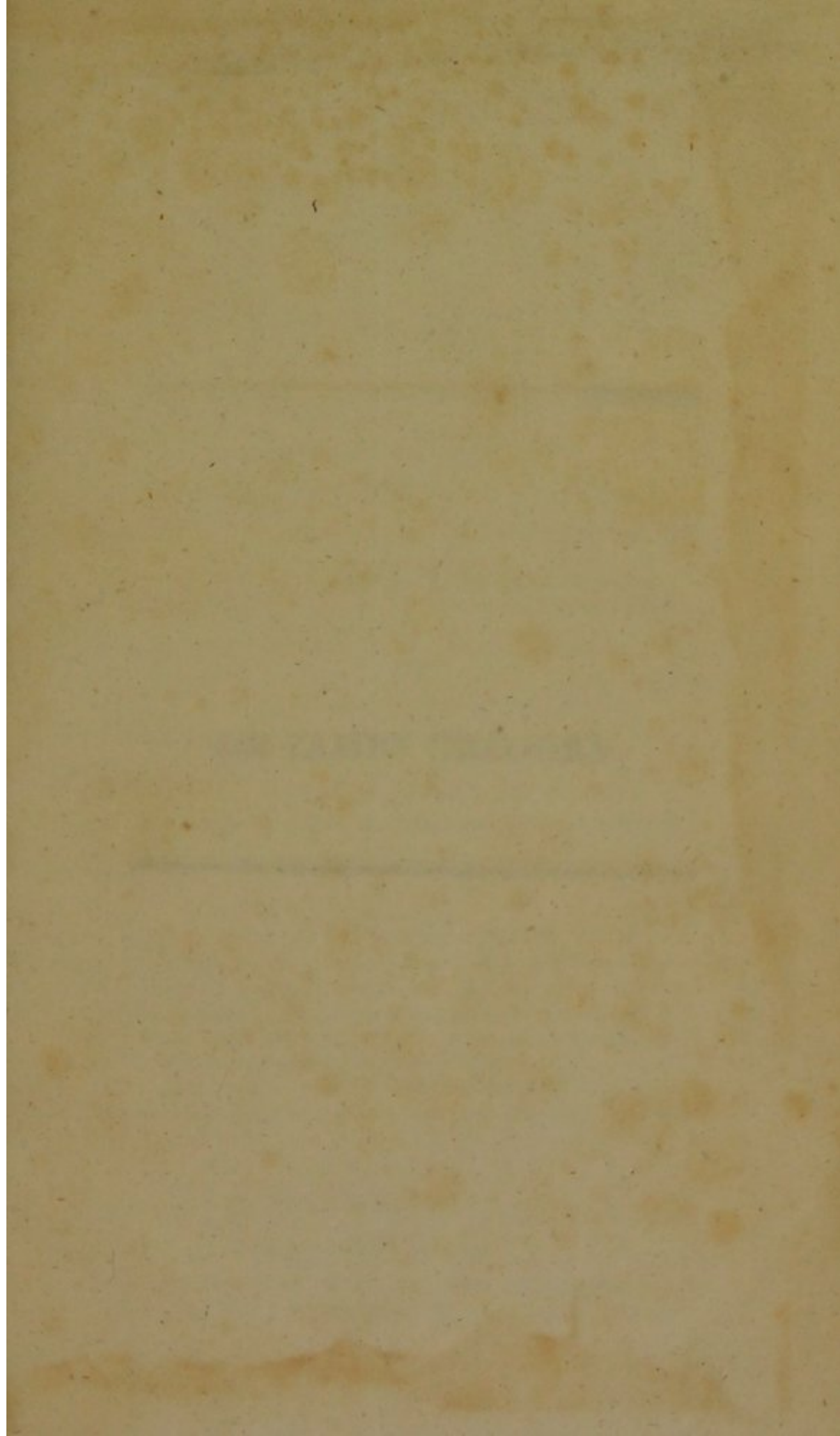


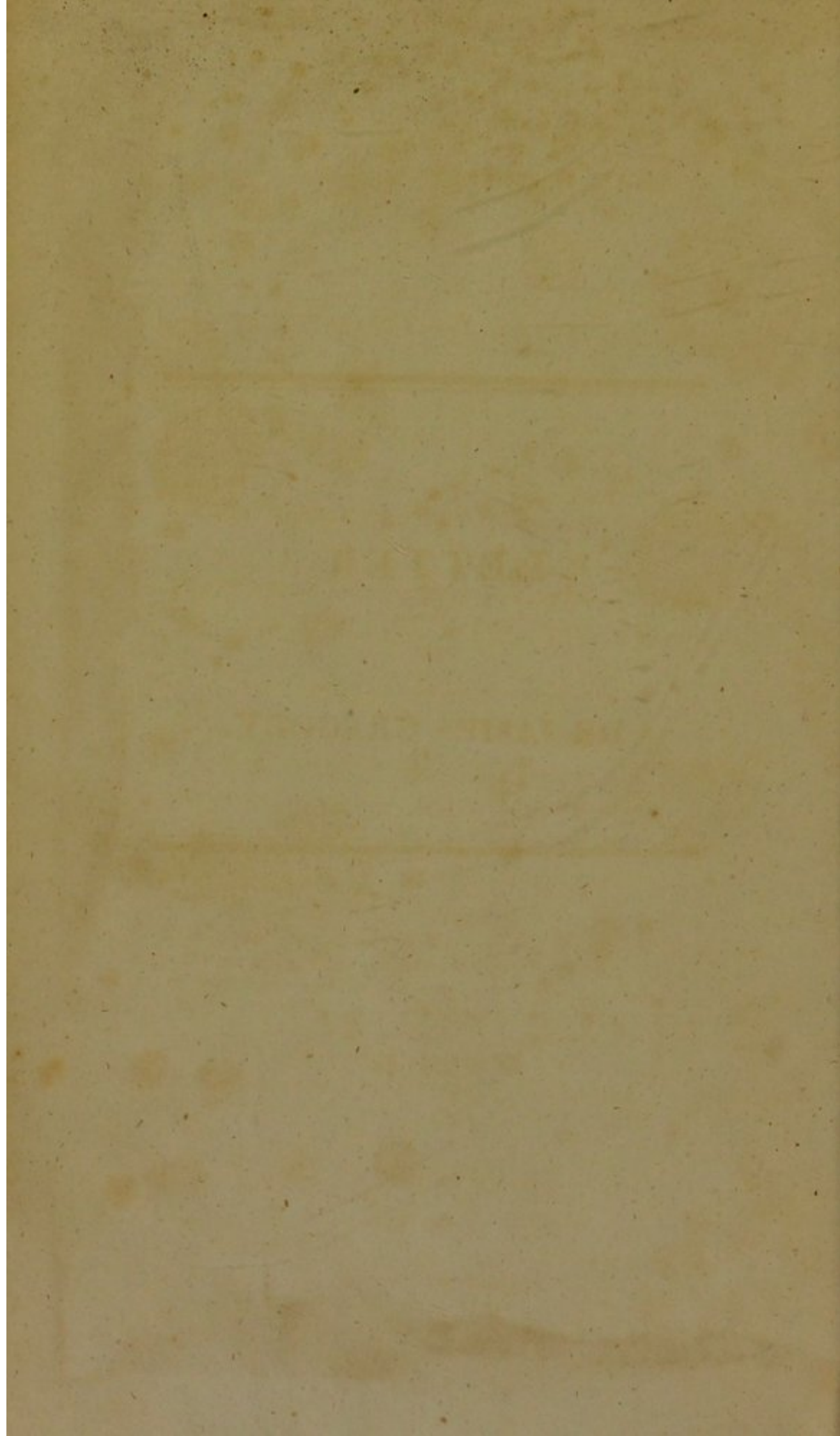


Glasg. Coll. Liby
d. 7. 13.









LETTER

70

DR JAMES GREGORY

LETTER

TO

DR JAMES GREGORY.

EDINBURGH

Printed by A. & C. Black

and all a constant and all other orders

received

1811.

LETTER

TO

DR JAMES GREGORY.

A
LETTER

TO

DR JAMES GREGORY

OF EDINBURGH,

IN CONSEQUENCE OF CERTAIN PRINTED PAPERS

INTITULED,—“THE VIPER AND FILE;”—“THERE IS
WISDOM IN SILENCE;”—“AN OLD STORY,” &c.

*Which have lately been distributed by him, and which are evidently intended
to propagate and support groundless and malevolent calumnies
against innocent men.*

BY

ANDREW DUNCAN SENIOR, M. D. & P.

AND SENIOR CENSOR OF THE ROYAL COLLEGE OF PHYSICIANS, EDINBURGH.

To discover anxiety on account of trifling insinuations, that may tend in some measure to affect character, is no indication of sense, or of a consciousness of integrity. But when malignant lies are invented and seriously told in presence of respectable people, a man must have lost all respect for reputation, if he takes not the proper steps to contradict them.

Memoirs of W. SMELLIE.—Vol. i. p. 438.

EDINBURGH:

Printed by A. Neill and Company.

SOLD BY A. CONSTABLE AND CO. AND OTHER BOOKSELLERS,

1811.

LETTER

DR JAMES GREGORY

OF EDINBURGH

IN CONSEQUENCE OF CERTAIN UNLAWFUL

ENTRUSTED TO THE VICE AND FIDELITY OF THESE

*Revised by Counsel, entered in Stationers' Hall, and
sold for the benefit of a Public Charity.*

AT

ANDREW DUNCAN SENIOR, M.D. & P.

AND SENIOR SURGEON OF THE ROYAL COLLEGE OF PHYSICIANS, EDINBURGH.

To the Editor of the Edinburgh Review, I have the honor to acknowledge the receipt of your issue of the 1st of January, and to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Your obedient servant,
Andrew Duncan Senior, M.D. & P.

EDINBURGH:

Printed by A. Millar and Co.

Sold at A. Constable and Co. and other Booksellers.

1811.

PREFACE.

DR JAMES GREGORY, more than twelve months ago, distributed different printed papers, which clearly implied an accusation of Theft against me. It may be thought surprising, that I did not immediately repel that charge. But it may, perhaps, be thought still more surprising, that, after so long a period has elapsed, I should now deem it necessary to refute a groundless accusation, which hardly for a moment gained credit even with the most malevolent.

In explanation of these particulars, I may observe, that both the former delay, and the present publication of this letter, have

have arisen from different circumstances, some of which it would not only be unnecessary but even improper to mention. I shall only add, that my conduct in this business has been regulated, not more by my own feelings than by the advice of men, on whose judgment, integrity and friendship, I place the highest confidence.

Dr GREGORY, I am well assured, has distributed far and wide, printed copies of his *Fables* and *Old Story*, which gave rise to a *fama clamosa* highly injurious to my character. And although very soon after these papers of his were printed, he received information which might have convinced him that I was perfectly innocent of the charge which originated from his *Fables*, yet he has never taken one step to vindicate my character from a foul and groundless calumny, produced by printed papers which were distributed by him.

On the contrary, although many opportunities

tunities have been afforded to him of doing justice to me, yet he has never, as far as I can learn, made the slightest acknowledgment of his error ; while the insinuations of some of the abettors of his slanders still tend, in an artful manner, to give countenance, even in Edinburgh, to most injurious falsehoods. Among other particulars it has been observed, that *if Dr Gregory were convinced of Dr Duncan's innocence, such is his candour, that he would immediately have published it to the world.* It is now, therefore, my intention to appeal, both to HIS candour and to the tribunal of the Public.

To these circumstances, I can also add, that Dr GREGORY himself has urged, nay, I may, perhaps, even say, has dared me, to the publication of this letter. A copy of it was sent him, in manuscript, on the 12th of March 1811 ; and in place of giving any reply to my Queries, he returned an
b answer

answer in his usual style of sarcastic irony. In that answer, among other particulars, he has these remarkable words, “ *Imprimatur quamprimum.*—J. GREGORY.—12th March 1811.”

If Dr GREGORY had returned a serious and fair answer to the few questions with which my Letter to him is concluded, the probability is, that, notwithstanding my advertisement in the newspapers, it would never have been sent to the press. But although a manuscript copy of it has now been in his possession for more than three months, he has not deigned to transmit to me even the slightest acknowledgment of his mistakes, or to make even the smallest reparation for the injury he has committed.

In these circumstances, I trust, I shall stand excused with every impartial and discerning reader, when I thus publicly call upon Dr GREGORY to furnish me with
an

an incontrovertible refutation of the vile insinuations of interested malevolence. And I am not singular in opinion, when I say, that, if he do not give an explicit, direct and conscientious reply to those Queries with which I have concluded the following Letter to him, he must forfeit, with every unprejudiced person, who bestows an attentive perusal on this publication, all pretensions to the character of a candid, an honest, or an honourable man.

APPENDIX.

ADAM'S SQUARE, EDIN. }
12th June 1811. }

CONTENTS

CONTENTS.

LETTER to Dr James Gregory, by Dr A. Duncan senior, Page 1—51

APPENDIX,

CONTAINING DOCUMENTS.

No. I. *Opinion delivered by Dr Duncan senior in the College of Physicians of Edinburgh, on the 13th of September 1808, upon a charge against Dr James Gregory for wilful and deliberate violation of truth, 55*

II. *Sentence of the College on that charge, . . 158*

III.

- No. III. *Protest by Dr William Cullen, Alexander Monro, John Gregory, &c. against an act of the College of Physicians restricting their Members from the practice of Surgery, Page 160*
- IV. *The Viper and File, a Fable; There is Wisdom in Silence, and other printed papers which were distributed by Dr James Gregory, and which gave origin to a groundless calumny against Dr Duncan senior, 177*
- V. *Review of an intended publication by Dr Gregory, which he says was never composed, extracted from the Annual Medical Register for 1809, published in London, 185*
- VI. *Letter from Mr John Murray, bookseller in London, to Dr Gregory, respecting that Review, 208*
- VII. *Advertisements by Dr Gregory and Dr Duncan, which appeared in the*

the Edinburgh Newspapers respecting intended publications, Page 217

VIII. *Printed Letter, in which Dr Gregory for some time inclosed the advice which he sent to Patients at a distance from Edinburgh, and which pointed out to them the peculiar advantages which they derived from consulting him, 222*

IX. *Sentence of the College of Physicians, stigmatising Dr Gregory's conduct, by excluding him from the privilege of attending their meetings, till he shall make a proper apology for his conduct, 226*

X. *Conclusion of this publication, with Dr Duncan's resolution respecting his future conduct to Dr Gregory, 230*

A

LETTER

TO

DR JAMES GREGORY.

SIR,

IT is not without great uneasiness, that I feel myself again impelled, to have recourse to the press, for vindicating my own character, against your calumnies.

More than six years have now elapsed, since, in two printed works, which you distributed extensively in the city of Edinburgh, you accused me, and some other Physicians, with whom you

A

were

were then living, apparently at least, in terms of the most intimate friendship, of *fraud, chicanery, and falsification of laws*, in the business of the *College of Physicians*. Conscious of the most perfect innocence, for a long time I trusted the defence of my character, to the absurdity of your accusations, and to the unanimous vote of the Royal College of Physicians, declaring, *that the President and Committee*, of which I was one, *had acted from the purest motives, and in the most honourable manner* :—A declaration, Sir, which you well know, was intended for the express purpose of contradicting your groundless aspersions.

I was told, by some of your most intimate friends, that, among them, there was but one opinion, respecting your Review and Censorian Letter; that “you would soon become sensible
“ of the impropriety of your conduct, and would
“ make ample reparation for the unprovoked in-
“ jury you had done to several of your col-
“ leagues.” But, in place of making any acknowledgment of error, you continued, for several years, to add insult to injury. You exulted over the silence of those, whom you had loaded
with

with groundless abuse. And you at length compelled me, much contrary to my inclination, to defend myself at the tribunal of the Public, before which you had dragged me in the most unexpected manner.

I submitted to the Public, more than twelve months ago, some printed papers, which, I trusted, would afford to every unprejudiced and discerning reader, a complete vindication of my conduct, against your calumnies. And, I confess, I expected, that, long ere now, you would either have publicly acknowledged your error, or endeavoured to defend your veracity.

You have done neither. But you have attempted to inflict still deeper wounds. And, as if *fraud* and *chicanery* had not been transgressions of a sufficiently deep dye, you have now accused me of *theft*.

This accusation, indeed, has not, like the former, been sanctioned by your name. It has not been brought forward in explicit or direct terms ; but it has been stated to the Public in the most
insidious,

insidious, and, in my opinion, in the most dishonourable manner. It has been brought forward in print, in anonymous poems*, in which you have attempted to turn me into ridicule, and which you have distributed in Edinburgh, chiefly among the abettors of your slanders.

The object of the present Letter, Sir, is to defend myself against this new, this cruel, this groundless calumny. And if it shall have the effect of bringing down, on the head of a false accuser, the indignation and contempt of honest and honourable men, you have yourself alone to blame. But whatever its effects may be, I sincerely hope it will be the last letter I shall ever think it necessary to write to you. And I trust, that it will afford to the impartial and discerning reader abundant evidence of my innocence, and of the vileness of the insinuations by which I have been attempted to be robbed of my good name.

My

* Vide Appendix, to this Letter, where these Poems are Reprinted from copies in my possession, which were given by Dr GREGORY himself to persons with whom he at present lives in habits of intimacy.

My defence, Sir, against your accusation, that I was guilty of *theft*, by surreptitiously abstracting from a printing-house, a work of yours not yet published, might be very short indeed. For in a very few days after your accusation appeared in print, you received from London such information, as might have convinced any candid or reasonable man, that your cruel charge was completely erroneous. Nay, I can have no doubt, that before you had distributed many copies of your "Fable and Old Story," you was yourself convinced of my innocence. But, since I have resolved once more, to answer your calumnies before the tribunal of the Public, and since I am now to defend my character, not only with our contemporaries, but with posterity, (for, I own, I am anxious that my good name should survive me), I think it necessary to premise such a narrative, as may make that defence intelligible to those who are at present strangers both to your real character and to mine.

This account, Sir, may perhaps lead you to form an opinion of me, very different from what you have formerly professed to entertain. You
have

have often said to me, that “ I was too good-natured.” Nay, you have repeatedly told me, that “ I was good nature itself.” You will now, perhaps, think that this letter affords evidence of a very contrary temper ; and I am very conscious, that I am not justly entitled to the high eulogium you bestowed upon me. But it is not, Sir, inconsistent with good nature to feel, and to resent, a deep and unprovoked injury. And the best-natured man, when forced to defend what he holds to be most dear to him, will not be the least tenacious of his purpose.

I must therefore tell you, Sir, that, after having lived more than sixty years in this world, and, after having practised for more than forty of these as a Physician in Edinburgh, I have never, in the whole course of my life, met with any man of whom I have changed my sentiments so much as of you. This may, perhaps, indeed, argue in me a want of discernment. For, although I once considered you, notwithstanding your keenness for controversial publication, as an open, candid, and disinterested man, there were circumstances in your conduct which might have created reasonable

sonable doubts. At a very early period after you settled in Edinburgh, you made a public attack on one of my most intimate friends, the late Dr Alexander Hamilton. That you were much in the wrong, appeared from the decision of the Commissary Court, where able and upright Judges imposed upon you a considerable fine for defamation, and sentenced you to pay all the expences incurred by the prosecution. And although it was currently said, that you had declared your intention of carrying the cause to the House of Peers, yet you quietly submitted to the sentence of the Commissaries, and thus avoided farther litigation, which, in all probability, would have had no other effect but that of making what was already bad, much worse.

This decision, Sir, might naturally have been supposed to render you more cautious in future. And it probably had that effect. But it did not deter you from communicating in print to the public, injurious insinuations against respectable characters; and that, too, where any inuendoes respecting them could hardly have been expected. In 1792, you published, under the title of "Philosophical
" losophical

“ Philosophical and Literary Essays,” a large metaphysical work, on the obscure and abstruse doctrine of Liberty and Necessity, which had puzzled the acute understandings of LOCKE, HUME, and many others. In that work, it was not perhaps wonderful, that you accused the venerable PRIESTLEY of want of sincerity, and of *mala fides*, because you might have thought such an accusation necessary for establishing your doctrine. But who would have expected to have found in it* several severe sarcasms, plainly directed against the late Mr ALEXANDER WOOD, surgeon in Edinburgh, who, although an excellent operator, and most worthy man, never published a single page, either on metaphysics or any other subject. Mr ALEXANDER WOOD, with whom I had the happiness of living in terms of the most intimate friendship, from the period when I first settled in Edinburgh, till the day of his death, was, for a considerable time, both your own friend and your father’s friend. With him, however, you had an unexpected and irreconcilable

* Vide GREGORY’S Philosophical Essays, vol. i. Introduction, p. 187, &c.

able difference. Whether your allusions in that work to the effects of wine on the human judgment, were intended against him or not, yet certain it is, your difference was such, that you repeatedly declared your firm determination of never afterwards meeting with him in practice ; and that into some families in which he had long been employed, another surgeon was, by your influence, introduced. On your conduct, Sir, which Mr Wood considered as marked with base ingratitude, he often expressed himself to me in very strong terms. He often told me, that I was much mistaken with regard to your heart ; that the cloven-foot would at last appear. And after your unprovoked attack on Dr SPENS, Dr HOPE, myself, and others, he said, with some degree of exultation, that his prediction was now fulfilled.

Notwithstanding the conclusions which I might have drawn from these facts, I still continued to think favourably of you. At least, I did not consider you as a black-hearted, although I often viewed you as a wrong-headed man, who allowed precipitate passion, and a suspicious temper, to overcome his judgment. I formed the same con-

B

clusion

clusion, also, respecting your conduct in the business of the Royal Infirmary, when, by writing large volumes, stuffed with ridiculous wit, and scurrilous abuse, you threw great difficulties in the way of an important business, which might otherwise have been easily accomplished.

On these occasions, Sir, although I blamed your conduct, yet I considered your intentions as good ; and, trusting to your own positive and repeated declarations, I concluded that your motives were fair and honourable. Now, however, I must own I am of a very different opinion. Time, Sir, has brought to light what I never suspected. And I think it is impossible for any candid and discerning man to read with attention the Narrative lately published by the College, and afterwards to vindicate either your conduct towards your once intimate friends, or those motives from which that conduct could alone proceed. Notwithstanding all your boasted professions of honour and candour, it will be impossible for any impartial person not to conclude, that your actions were cruel and unjust, and that the motives from which they proceeded

proceeded must have been base, interested, and dishonourable.

But although the public be already in possession of a fair exposition of your conduct in that business, yet there are some facts, respecting myself in particular, which could not properly enter the narrative of the College, and which are yet materially connected with my defence against your groundless accusations. And permit me, in the first place, Sir, to recall to your memory a conversation which took place in the house of Dr MONRO *senior*, in April 1796, a few days before Dr SPENS's first motion respecting Pharmacy came under the consideration of the College of Physicians. At that meeting, about the business, not of the College of Physicians, but of the University, Dr MONRO took an opportunity of stating to us his objections against Dr SPENS's motion. You then observed, that, although you had no intention of compounding medicines yourself, yet you saw no good reason for preventing others from doing so, when they inclined. In short, Sir, in that conversation you spoke more in favour of Dr SPENS's motion, than I have ever done at any period

riod of my life. You then, Sir, seemed to have been influenced by the same liberal principles respecting the true dignity of the profession, which animated your worthy father. I need not tell you, Sir, how strongly he recommended these liberal principles, in his Lectures on the Duties and Offices of a Physician. And it is probable I need not inform you, how strenuously he maintained these principles in the College of Physicians, with respect both to Surgery and Pharmacy*. Had you inherited his spirit, your Censorian Letter would never have seen the light. But examples of unworthy sons born to worthy fathers, are no rare occurrences.

Some years before you was admitted into the College of Physicians, your father was dead. But I was his fellow-member; and I can venture to assert, that those restrictions,—those illiberal corporation principles for which you now contend, as being necessary for supporting the dignity of the

* Vide in the Appendix, Protest by Doctors JOHN GREGORY, WILLIAM CULLEN, ALEXANDER MONRO, &c.

the College, were totally contrary to those sentiments he possessed.

I readily acknowledge, that at one period I was more averse to the removal of any restrictions respecting Pharmacy than I am now. Arrived at the evening of life, it is not very probable that I shall think of commencing Apothecary, yet I can now see no danger to the dignity of the College, from allowing such of our members as may incline, to furnish medicines to their own patients. I am even satisfied, that such a practice might, on some occasions, particularly where the most active and most expensive medicines are employed, be attended with the best consequences.

It is indeed true, Sir, that, when the question came before the College, you, as well as Dr MONRO, Dr RUTHERFORD and others, spoke decidedly against Dr SPENS's motion. And it is well known to you, that the conduct of Dr SPENS on that occasion was highly creditable to him. For, in place of pushing a vote, (which I firmly believe he would at that time have carried), he
agreed

agreed that the consideration of the motion should be put off *sine die*. I have no doubt, that, as he has since declared, his motive was a desire of preserving unanimity in the College.

That unanimity for some years afterwards continued uninterrupted. And, when Dr SPENS was elected President, as successor to Dr WRIGHT, I do not believe there was a more harmonious body in the kingdom.

That a Committee should have been appointed for revising the laws, certainly could not surprise you. The reasons for that appointment are detailed in the Narrative of the College. Besides, you well know, that you had yourself often complained of imperfections, both in our laws and in our charter. Need I remind you of the account you have often given, of a conversation you had with *Dr Brodum*, when he waited upon you, as President of the College, and intimated to you his wish of becoming one of our number? Or need I call to your recollection the sentiments which you expressed on that occasion? No man, Sir, could be more convinced than you was, of
the

the necessity of revising our laws, and reconsidering our charter. A Committee was accordingly, without the smallest objection, appointed for that purpose, consisting chiefly of official members; the President, the Secretary, the Fiscal, and the Librarian. With these gentlemen I was conjoined, probably as having been, along with the late Dr HOPE and Dr BLACK, a member of the former Committee in 1788, for extracting the laws from our minutes, for arranging, and for printing them.

Although I took an active share in the business at that time, yet few members were more sensible of the necessity of a revised edition. During the course of several years, many laws had been altered, others repealed, and not a few added. The fee payable for obtaining a licence had, among other particulars, been increased. Those, therefore, who trusted for information to the printed copy of the laws, would have been much deceived. Accordingly, although two-thirds of the former impression still remained in our library, no member had the slightest doubt as to the propriety of printing a corrected edition. No member made
the

the slightest objection to a Committee being appointed for that purpose. And I think I may, with confidence, venture to affirm, that no member, not even yourself, had at that time the most distant suspicion, that it was in the smallest degree a packed Committee.

When that supposition first entered into your imagination, I will not pretend to conjecture. But it was cruelly unjust in you to publish it to the world, and in print, before you allowed yourself an opportunity of inquiring into the truth of it. Had you, Sir, favoured me with the perusal of your Censorian Letter, before you either printed or distributed it, I could have afforded you the most certain testimony, that your allegation that Dr SPENS had appointed a packed Committee, to accomplish a dishonourable object, was entirely groundless.

I have already asserted, (and I again repeat the assertion,) that this heavy accusation against Dr SPENS had no other foundation but in your jealous imagination. To my certain knowledge, your assertion, that Dr SPENS appointed on the
Committee

Committee, those men only who would join him in endeavouring to obtain a repeal of the act respecting Pharmacy, in a clandestine manner, is contrary to truth. For, at the time when I was appointed a member of the Committee, my opinion was decidedly against any change in that law. This can be attested by many members of the College. But, without allowing yourself an opportunity of being undeceived, by submitting your Censorian Letter to the examination of those who could have corrected your mistakes in point of fact, you precipitately published to the whole world this groundless calumny against Dr SPENS. Is it possible for you, Sir,—is it possible for the most servile of your flatterers, to reconcile this conduct of yours to the principles of honour or of justice?

The Committee, Sir, for revising the laws, fairly and honestly appointed, bestowed much attention on the task they had undertaken. We entered on the consideration of the laws, in the precise order of the printed copy. The first question which engaged our attention was, Whether we should advise the College to apply for a new

charter or not? We well knew, that several members, and you among others, thought that some alterations were necessary. This subject was repeatedly considered, after careful perusal of the charter: And it was at last resolved, that we should not at that time recommend to the College any application to the Crown for a new charter.

The law respecting Pharmacy soon came under the consideration of the Committee, following the order of the printed laws. On this subject we had much reasoning; and three of the five members were at first for the continuance of the act as it originally stood. But before we came to a final decision, it was suggested, that the procedure of the College, and the opinions of the lawyers, given at the time when the enactment passed, should be carefully considered.

On this subject Dr BUCHAN bestowed a great deal of attention: And the result of his investigation was, that he not only changed his own opinion, but also led Dr HOPE and me, in some degree,

gree, to change ours *. The consequence was, that the Committee unanimously agreed to recommend to the College to pass an enactment explaining the act respecting Pharmacy, in a manner somewhat different from what had before been understood by many of our members.

This clause explaining, or, as you have thought proper to assert, violating and falsifying the former act, we agreed to propose to the College in the following words: "As doubts have been entertained respecting the purport and extent of the act of the College, of date 11th of April 1774, it is hereby declared, that the restrictions therein mentioned, apply solely to such persons as keep, or may set up apothecaries or druggists shops, for the purpose of selling medicines by retail."

The words of this declaration were, to the best of my recollection, brought forward by Dr BUCHAN;

* Vide Appendix to the Narrative of the College, No. 2., entitled Grounds of Doubt respecting the purport and extent of the By-Law 1754.

CHAN ; and they were adopted by the Committee without the slightest supposition, that it could ever enter into the head of any human being, to accuse them of a violation of law, for submitting such a declaratory clause to the consideration of the College. Have not the British Legislature, Sir, long discussions about acts for explaining and amending former acts? Would it not be the height of absurdity, Sir, to suppose that these discussions are a violation of laws? How then, could you allow yourself to assert, that the Committee, by subjecting this proposal to the consideration of the College, were guilty of a violation of their law?

The Committee, Sir, went afterwards through every other part of the laws with great attention ; and, if you will take the trouble of comparing the present printed copy of the laws, with the former one printed in 1788, you must be sensible, that many alterations in different parts were suggested by them, and afterwards adopted by the College.

After the Committee had, with much attention,
completed

completed the task imposed upon them, a full report from them, in writing, was submitted to the consideration of the College. And, notwithstanding your cruel assertions, this report was brought forward in the most regular manner. By our regulations, every motion for enacting, repealing or altering laws, must be submitted to three several meetings; and, when they are to be the subject of dispute, the discussion, as you well know, is, in general, referred to the third meeting, at which the College decide on the propriety of the motion by a vote.

When this report came, for the first time, before the College, Dr JAMES HAMILTON *senior* made some objections to the intended explanation of the law respecting Pharmacy. The President then observed, that on this point the College would not probably be unanimous; but that he thought it would be better to delay any discussion respecting it till the third meeting, when a decision by the College could alone take place.

I then observed, that I agreed with the President, in thinking it would be better not to debate
this

this point oftener than once, and that, therefore, a delay till the third reading was the most advisable measure. I at the same time added, that, as Dr HAMILTON had stated some objections to the explanation proposed, I should only beg leave at present to say, that, since the question respecting Pharmacy was last agitated in the College, I had, to a certain extent, changed my sentiments ; and that I was now persuaded it would be proper in the College to allow such of their members as might incline, to furnish medicines to their own patients, in the manner which had been strongly recommended by the late Dr JOHN GREGORY, in his excellent work on the Duties and Qualifications of a Physician.

With my remark, this question was at that time terminated, and the President proceeded to the other business before the College, which was concluded with the most perfect harmony.

At that time, to the best of my recollection, you said nothing upon the subject ; and I had not even the most distant idea that a single word had dropt from my lips, which could give you the slightest

slightest ground for offence. Without attempting to quote his words, I had merely paid a compliment to a work which he had published. On that occasion, I said nothing of your father, but what a son might have heard with pleasure. Accordingly, we afterwards met in our usual familiar manner; and you never gave me even the most distant hint, that, in your opinion, I had quoted your father's book improperly.

A few days after this, we had to visit a patient in Frederick Street. On that occasion, I went into your carriage at your own door, little imagining that you had prepared, or was capable of preparing a dilemma for your unsuspecting colleague,—a dilemma, by which it was your wish to lead him to condemn an innocent and an absent friend.

As we passed the Physicians' Hall, you interrupted some observations of mine, respecting our patient, by putting a question to me in the following words: "Oh Doctor! the College of Physicians brings to my recollection our business of last day. I do not ask you *how* you got the *New*
" *Light*;

“*Light*; but will you tell me *when* you got it?” To this I immediately and freely replied, that I really could not precisely tell when I changed my sentiments, but that it was chiefly in consequence of the discussions which took place in the Committee, and particularly from what Dr BUCHAN had discovered in the old minutes respecting the transactions of the College, when the act respecting Pharmacy was passed.

With this answer, you seemed to me to be perfectly satisfied; and you immediately afterwards asked me another question: “When did Dr SPENS “bring the subject under the consideration of the “Committee? Was it at an early period?”

I answered, “It was at an early period, for “the Committee followed regularly the order of “our printed laws, beginning with the charter.” By the time I had finished this reply, we had reached the door of our patient, which necessarily terminated the conversation.

This, Sir, to the best of my recollection, is what
passed

passed between us at the time. And I do not remember that I had ever afterwards any farther conversation with you on the subject. You will not therefore wonder, that I read with astonishment the erroneous and unfair conclusion which you have drawn from this conversation in your Review and Censorian Letter.

After this conversation, we had frequently occasion to meet, and we always met, for the space of three months, with the utmost apparent cordiality. From your conduct, it was impossible for me to suspect, that you in the slightest degree disapproved of any thing I had said respecting the act regarding Pharmacy, or any thing I had said respecting your Father's sentiments on the subject of a physician furnishing medicines to his own patients.

The opinion which I had adopted, (the *new light*, as you were pleased to call it), was merely what your father had recommended in print to the whole world, many years before; and what you had yourself strongly recommended in Dr MONRO's house a few years before.

D

From

From the terms on which we continued to live, I could not entertain the least doubt that you considered me as an honest and an honourable man, and as totally incapable of that fraud, chicanery and falsification, of which it since appears you had at that time, in your own mind, resolved to accuse me before the tribunal of the public, without affording me the smallest opportunity of rectifying your mistake.

We were living together, Sir, on the most friendly terms, till the evening of the 29th of January 1805. On that night, Sir, about nine o'clock, your Review and Censorian Letter were delivered at my door by your own servant, and immediately brought to me. Of these works I had never heard from any person whatever the most distant surmise. Judge, then, of my astonishment, after I had perused them.

Had you on that occasion, Sir, come into my room in your usual manner, and, as soon as the door was shut, presented a pistol to my breast, demanding my purse, it would not have astonished or hurt me so much. All the money you could
have

have obtained from me by such an action, I should have considered as no loss, compared with that treasure of which you have attempted to rob me,—my good name.

Who could have imagined, that such a robbery should have been attempted by one, who, but the day before, had been smiling in my face? but who in reality, for the space of several months, had been preparing a weapon to stab my reputation to the heart!

But, Sir, great as my surprise was on the evening when I received your Censorian Letter, it was even increased by a circumstance which came to my knowledge next morning.

I did not conceive it possible, that your Review and Censorian Letter could be intended for the public. Though put in print, I concluded that they were designed only for the College of Physicians; that, not forgetful of the solemn obligation you had come under, never to divulge the transactions of the College, to the prejudice of its members, you would have confined your attacks within our own walls. I thought, Sir, that

it

it was merely your intention to bring the matter before the College; that you would soon be convinced of your error; and would gladly make that apology, for the offer of which you take so much credit to yourself.

I soon found, however, that this supposition of mine was much more favourable to you than the truth. I was informed next morning, that, although I had been perfectly ignorant of your intended publication, Drs SPENS and HOPE had received some intimation of it; that they had written you a friendly letter, reminding you of your solemn obligation on your admission into the College, and requesting that your intended publication might be delayed.

Judge, then, of my astonishment, when I read your answer to their letter. In the very first sentence of this answer, addressed to Dr SPENS, your words are: "Your request cannot now be complied with. Many copies of my printed papers were distributed before I received your letter. The rest must follow."

Is it possible, Sir, to conceive any rational apology for this precipitancy? Is it possible to believe, that it could proceed from a pure or honourable motive? Why was any copy distributed, before you had allowed your friends an opportunity of vindicating themselves? Where was the necessity for the rest following? Would any apology you could afterwards have made, afford a reparation for the injury you had done, by publishing groundless defamation?

Had you been attending any lady, whom you suspected of infidelity to her husband's bed, would it be consistent with the character of an honest man to print and distribute a pamphlet, publishing that suspicion, and asserting it for a truth to the whole world, without allowing her an opportunity to explain circumstances, perhaps somewhat suspicious? Would it be any alleviation of your transgression, if, in this cruel attack, you should declare, that you would publicly retract your error, if she could prove herself to be innocent to your satisfaction? No apology you could possibly make, Sir, could afford a vindication for such rash calumny.

But

But, when you published to the whole world, that your innocent brethren were guilty of fraud and chicanery, and had acted from sordid and dishonourable motives, was not this defamation equally unjustifiable, and your conditional offer of an apology equally futile and ridiculous?

Be assured, Sir, that, notwithstanding all your metaphysical subtleties, ninety-nine out of the hundred of those who read the plain Narrative of the College, will be satisfied that you wilfully and obstinately violated the solemn obligation which you came under when you was admitted into that body.

After having read your Review and Censorian Letter, and after having seen this letter from Drs SPENS and HOPE, and your answer, I must own that these particulars gave me, to use your own language, *a new light* indeed.

I then, Sir, became fully sensible, that Mr WOOD and Dr HAMILTON had formed a more just opinion of your real disposition than I had done. And I immediately determined to drop all connection

connection with a man whom I now considered as a most dangerous member of society ;—as one, who, actuated by motives neither pure nor honourable, obstinately persisted in attempting to fix infamy on the character of some of his most intimate friends, and in holding them up to public view as dishonourable men, before he allowed them an opportunity of demonstrating to him that his suppositions were altogether groundless.

Of this extraordinary conduct of yours, I complained bitterly to some of our mutual friends. Among them I found but one opinion respecting your conduct. All of them agreed, that, whether you were right or wrong in these most uncharitable conclusions, respecting fraud and chicanery, which you had drawn from circumstances of a nature altogether ambiguous, yet, that in publishing them to the world, you had acted with an inexcusable precipitancy. And I think it would be injustice to you, not to inform you on the present occasion, of the opinion which was delivered to me of your Censorian Letter, by one of the first medical practitioners in Edinburgh.

When

When I complained to him of your precipitate conduct, and told him, that the grossly erroneous conclusions in your publication had given me very great uneasiness, he replied, that he thought I need not give myself the smallest uneasiness on that account; for he was sure nobody who knew me would think worse of me for all you had said: And, he added, that he considered your Review and Censorian Letter in no other light than as *quack bills*, intended to promote your own pecuniary interest.

In this opinion, Sir, to my certain knowledge, he is by no means singular. Many other Edinburgh practitioners, who know you well, have expressed the same opinion; and by some of them,—men of no inconsiderable discernment,—all your professions of openness, candour, and contempt of the *humbug*, as you call it, are now viewed in no other light but as mere *hypocritical quackery*.

This opinion they deduce, not merely from your controversial writings, respecting the Infirmary and College of Physicians, but from other printed
papers

papers which you have communicated extensively to the public. They have been particularly led to draw this conclusion, from the singular printed letter in which you inclosed your consultations, when you formed a hitherto unheard of species of partnership with Dr THOMAS BROWN. That letter, Sir, which holds forth to those who may consult you, the unparralleled advantage of the advice of two physicians for the fee they had voluntarily sent to one, and which assures them of singular dispatch, by means of your coadjutor Dr BROWN, speaks for itself*. And if any reader can allow himself to believe, that, during your absence from Edinburgh, your assistant Dr BROWN, (for I am told you have repeatedly declared he was no partner of yours), can, when an intricate case is put into his hands, discover every view which would have occurred to you, and direct the precise same mode of treatment which you would have proposed, he is much more credulous than I am.

The consultations from Dr BROWN, in your absence

* Vide in the Appendix, Letter from Dr JAMES GREGORY to Dr ———, dated 1st December 1806.

sence from Edinburgh, are perhaps as good as if they had been dictated by your own most serious reflections. But they are not your consultations. And in my opinion, every physician consulted by patients at a distance, should leave nothing to others, excepting mere transcription, and even that only on very particular occasions. This, at least, is the line of conduct which I have thought it my duty to follow.

I believe, that among those who know me best, I will not be accused of boasting of my consultations. But perhaps I can produce more written evidence of my attention than some of my brethren. I am now, Sir, in the middle of the seventh folio volume of Consultations, every word of which is written by my own hand. And with a very few exceptions, the copies sent to my patients have also been written with my own hand. These registers of consultations, I have preserved for my own use, and for the good of my patients; and die when I may, I have given directions that the whole be committed to the flames; for in consultations, many things are communicated in confidence, intended only for his information whose opinion is asked,

asked. In my mode of conducting this part of my business, there is certainly nothing peculiar. It is, I believe, the plan adopted by almost every conscientious physician, unless when he is consulted in conjunction with others; for, in that case, the writing is commonly understood to devolve upon the youngest.

But your printed letter, Sir, inclosing your consultations, has communicated to your correspondents a new and peculiarly ingenious mode of procedure on this subject. It has, however, done you no credit with some of the most respectable of the profession in Edinburgh; for by them, it is considered as another example of ostentatious quackery.

But whether your Review and Censorian Letter were really intended as *quack-bills* or not, certain it is, that they were much condemned by many of your acquaintance. And it requires, I must think, no small effrontery in any one to defend your precipitate publication of them to the world. Among those, however, of our mutual friends, who blamed the impetuosity of your conduct, there were some who expressed a belief that you would soon become
sensible

sensible of the impropriety of your conduct, and would make ample acknowledgments for the injustice which you had, unguardedly, done to innocent men.

I confess I was myself of opinion, that an unanimous vote of the College of Physicians, declaring, that the Committee whom you had accused of fraud, chicanery, and falsification of laws, had acted from the purest motives, and in the most honourable manner, would have been sufficient to draw from you some apology, or at least some regret, for the singularity of your opinion.

But of this vote, Sir, you either wilfully remained ignorant, or at least pretended to remain ignorant, for many months. And even after you were fully informed of that declaration of the College, I have seen nothing like marks of repentance. On the contrary, your conduct in the College, on many different occasions, has been outrageous in the extreme: In so much, that they were at last reduced to the necessity of suspending you from your privileges as a Fellow of the College, till you shall make a proper apology!

If

If they have unjustly deprived you of your privileges, I need not tell you, that nothing is more easy for you than to apply for redress to the laws of your country. But, wonderful to tell! you, Sir, who publicly threatened in print that you would bring the College before a court of justice, if they should dare to make any alterations in their law respecting the practice of Pharmacy, have now, for more than a year, submitted to this public stigma, without having taken any step to obtain redress from those who you well know can give it.

But of your conduct in the College, a concise and faithful account is already in the possession of the public. The College thought it their duty to publish a Narrative of your conduct towards them, in hopes that those who had listened to your misrepresentations, and were impressed with a sense of the sacred obligation of justice, would consider it as a duty incumbent upon them, to hear the truth.

To that Narrative, Sir, I may refer every candid reader for a true account of your conduct to
the

the College. The principal reason which induces me to address this letter to you, is your conduct to myself, particularly by some late poetical publications * of yours, distributed in Edinburgh, and intended to amuse your friends at the expence of my character, by taxing me with no less a crime than *theft*.

It is not now necessary for me to say much, with the view of clearing myself of this groundless charge. For I do not believe there is one inhabitant of Edinburgh, who knows any thing about the matter, that is not perfectly convinced of my innocence. Nay, within the space of a very few days after you had printed and distributed your "*Old Story*," from which you inferred that I had convicted myself, you received from London such evidence as must have convinced any reasonable man, that my alleged theft of your work from the printing-house, never had the slightest shadow of foundation, excepting in
your

* Vide Appendix, "The Viper and File," "Old Story," &c.

your own wild imagination. In short Sir, to those who know less of your real character than I now do, it may appear almost incredible that you could hazard such an accusation.

But that you did bring it forward is undeniable. You have, indeed, with due caution, withheld my name. But the allusions are so strong, that it is impossible there can be any doubt. And a very brief statement will be sufficient to demonstrate your meaning.

Some months after the Narrative of the College of Physicians had been publicly advertised for sale, both in the London and Edinburgh newspapers, the Annual Medical Review for 1809 was published at London; and it contained, among other articles, a "Review of Publications on the Disputes in the Edinburgh College of Physicians." In that review, your conduct is treated with great severity, although, in my opinion, with less severity than it deserves.

Soon after this review came to Edinburgh, I happened to be present at a meeting of the *Royal Company*

Company of Scottish Archers, which, from a particular circumstance highly honourable to Dr NATHANIEL SPENS, whose son's character you have so unjustly traduced and abused, was attended by many medical practitioners, as well as many other gentlemen of the first respectability. At that meeting, during a private conversation before dinner, Dr THOMAS HAY shewed to Dr HOPE and myself a printed paper, entitled, "The Viper and File," which he had received from you.

It was perfectly new to both of us; and we found it very difficult to understand some parts of it, particularly the concluding sentence, which is in the following words: "Written on perusing a
" smart review of two works,—never published,
" — never distributed, — never printed,—never
" composed,—and not likely to be soon so; of
" which works only a few sheets had been print-
" ed."

When

When Dr HOPE asked Dr HAY for some explanation of this mysterious paragraph, Dr HAY answered, that “ Dr GREGORY was printing a
“ work against the College of Physicians; but
“ upon finding that some sheets of it had been
“ abstracted from the printing-house, he had
“ stopped the work.” After some remarks by Dr HOPE on Dr GREGORY’s practice of uttering groundless assertions, our conversation ended on that subject, and was turned to some more pleasant topic.

The very next day, Sir, I found that the Fable you had been distributing, was known to almost every medical man whom I met; and that it was currently reported in Edinburgh, that *I* was the person who had stolen your sheets from the printing-house, and who had written the smart review on the book which was never composed.

Conscious of my own innocence,—for, indeed, I had never written one word for the London Medical Review, and had never seen one word of your printed sheets,—I thought it might be right

to contradict this groundless report; and, by the advice of a respectable friend, I inserted an advertisement in the newspaper, intimating an intention of publishing a refutation of this calumny*.

That intimation appeared in the Edinburgh Advertiser, 5th June 1810; and the very next morning I received information from what I reckon good authority, that you were exulting over this advertisement; and that, among other things you said, You had now discovered the thief: He had convicted himself. But whether you really made this speech or not, that you either considered me, or at least wished that the Public should consider me, as a thief, was immediately proved beyond all doubt by another particular.

In a day or two after this, you began to distribute a second printed paper, entitled, "There is
" Wisdom in Silence*." This publication of
yours

* Vide Appendix, where both Dr DUNCAN's Advertisement and Dr GREGORY's *Old Story* are reprinted.

yours contains an Old Story, from which you evidently infer, that the thief who had stolen your sheets from the printing-house had convicted himself. “ You lie, you damned rascal ! (said the “ looker on,)—I am not reading what you write.” And lest this paragraph, with some persons of dull comprehension, should not be sufficient to fix upon *me* the imputation of being a thief ; you conclude your publication with the following paragraph : “ The *Moral* of this story, if any person shall have sense enough to find it out, will “ be most acceptable to all parties.” Here, Sir, you clearly allude to my advertisement, by employing even the very words of it.

After this publication, Sir, is it possible, that a doubt can remain in the mind of any intelligent reader, that you accused me of theft ? Such, Sir, is my own decided conviction upon this subject, that although you were now to swear before God, that in this paragraph you had no allusion to me, I do not think it would be possible for me to believe you.

I

I have never, indeed, been told by any one, that you have ever mentioned my name as being the person who abstracted your sheets from the printing-house, or to whom you alluded in your "Old Story." On the contrary, I have been informed, that, to a gentleman who asked you to whom you alluded in your Fables, you answered, "I leave you to find out that yourself."

Was this, Sir, a proof of that open, that honourable conduct of which you have often boasted? Would it not have been more open, more honourable, to have mentioned explicitly the name of the person alluded to? This would, at least, have prevented the possibility of mistake in attributing theft to any other innocent man. But among those acquainted with circumstances, and who had read the key you had afforded for unlocking the secret, a mistake was hardly possible. That I was the person to whom you alluded as having stolen your work from the printing-house, cannot admit of doubt. And you have never, as far as I know, to this hour, either printed or said any thing to vindicate my innocence, to wipe off this base, this groundless slander, although you have now been, for many months, possessed

possessed of the most complete proof of your mistake.

But, Sir, are you not now fully convinced, that I am perfectly innocent of this heavy charge which you have brought against me before the tribunal of the public?

To those who know me best, it will be a sufficient vindication of my character, that I solemnly declare I had no concern whatever, either in obtaining your work from the printing-house, or in writing the review of it.

But even to yourself, and to those who are the abettors of your slander, other proofs of my innocence have been afforded, which cannot fail completely to exculpate me with every reasonable man who has heard of your accusation, and of your correspondence on that subject with Mr MURRAY.

Soon after the review of your work was published, you wrote to Mr JOHN MURRAY, bookseller in London, the publisher of that review, to learn how the Reviewers came to be possessed of that

that work. His candid and explicit answer* could not fail to convince you, that, whoever might be culpable, I at least had no share of blame. This letter might, I think, have led a truly honourable man to have taken the earliest opportunity of correcting a false accusation, founded on his former printed papers distributed in Edinburgh. Your conduct, however, was so far contrary to this, that I have reason to believe, you continued to distribute your *poetical squibs*, and your *Old Story*, long after you received Mr MURRAY's letter.

But, although it did not, perhaps, appear to you advisable to publish a recantation of your error, you could not fail to be yourself convinced, that the accusation you had brought against me was groundless.

After you received Mr MURRAY's letter, all doubt respecting the manner in which the Reviewers became possessed of your work, lay entirely between Mr MURRAY and the Messrs BAL-
LANTYNE,

* Vide Mr MURRAY's Letter to Dr GREGORY, in the Appendix.

LANTYNE, who were employed to print your work. And, perhaps, neither the one nor the other were much to be blamed for what they did. I firmly believe, that, in conveying your sheets to the hands of the Reviewers, both of them thought they were serving you: and if the review of your work had been a favourable one, you would never have considered the obtaining it at the printing-house as a theft. But, while Mr MURRAY's letter could not fail to convince you of your mistake with regard to me, I am well assured, that Messrs BALLANTYNE never said any thing to you, which could give you the slightest ground for supposing that I had any concern whatever, either directly or indirectly, in the abstraction of any part of any work of yours from their printing-house.

After these circumstances, Sir, is it possible that you can doubt my innocence? Must you not be sensible, that, when you have accused me of theft, that accusation proceeded only from the operations of a wild imagination, and of uncontrollable jealousy? In such a situation, is it not the duty of a man of honour and of candour,

sincerely

sincerely to repent of what he has rashly done, and to make an ample and a public apology for it?

This, however, you have not yet done; and what you will do, I must not pretend to conjecture. But I trust, that what I have now stated is fully sufficient to vindicate my character, both with my cotemporaries and with posterity; and I now call upon you to confirm this vindication by your own testimony.

You have brought your charges against me before the tribunal of the Public; first by your Censorian Letter; and afterwards by your Fables. If, therefore, you really possess any portion whatever of that candour of which you have so frequently boasted, you cannot refuse to give a public and explicit answer to the following questions.

Has there not, now, Sir, been laid before the Public, in the Narrative of the College of Physicians, and in the declarations of individual

vidual members of that body, evidence sufficient to convince any reasonable man, that your assertion of Dr SPENS having, in connivance with me and others, brought forward the proposition of revising the laws, merely as a blind, and solely with the view of accomplishing a favourite object in a clandestine manner, was a cruel and malevolent falsehood?

Is it not, now, Sir, incontestibly proved, that your assertion of Dr SPENS having appointed, as a Committee for revising the laws, a set of men whom he had previously prevailed upon to join him in a dishonourable project, is totally groundless?

Has it not been declared by an unanimous vote of the Royal College of Physicians, at a meeting from which you alone absented yourself, that the Committee, whom you accused of fraud, chicanery, and falsification of laws, had, in their opinion, acted not only from the purest motives, but in the most honest manner? Has

nourable manner? And will not every honest and discerning man put greater confidence in their declaration than in your malevolent supposition?

Is it not a certain fact, that, when it was cruelly and unjustly insinuated that I had stolen part of an intended publication of yours from a printing-house, and that I had written a review of it, in a periodical work published at London, you distributed a printed paper, entitled, "There is wisdom in Silence," the manifest tendency of which was to support that groundless calumny?

Are you not now convinced, that I had no hand whatever, either in abstracting any part of your work from the printing-house, or in writing the severe criticism upon it which appeared in the London Medical Review?

To each of these questions you may easily give an explicit answer, in a single word, either in the affirmative or negative. But such an explicit answer will, indeed, reduce you to a perplexing dilemma. If you answer these questions in the affirmative,

affirmative, you must condemn yourself as an infamous slanderer. If you answer them in the negative, you will demonstrate to the world, that you have even a blacker heart than the vile calumniator. For every honest man of ordinary understanding, who bestows an attentive consideration on the Narrative of the College of Physicians, and on this Letter, must then conclude, that you have no regard to truth.

That ALMIGHTY GOD, before whom all of us must soon answer for every action of our lives, may bring you to a due sense of the impropriety of your conduct, and may lead you to a sincere repentance of that unjustifiable behaviour by which you have disturbed the peace both of societies and individuals, is the earnest prayer of

ANDREW DUNCAN.

[55]

No. I.

OPINION

DELIVERED BY

DR. DUNCAN

IN THE

COLLEGE OF PHYSICIANS OF EDINBURGH.

On the **APPENDIX.** 1883.

BY A. STACE, M.D.

FOR WHOLE AND DELIBERATE VIOLATION OF TRUST.

Reprinted with some Additional Notes.

APPENDIX.

No. I.

OPINION

DELIVERED BY

DR DUNCAN *SENIOR*,

IN THE

COLLEGE OF PHYSICIANS OF EDINBURGH,

On the 13th of September 1808,

UPON A CHARGE AGAINST

DR JAMES GREGORY,

FOR WILFUL AND DELIBERATE VIOLATION OF TRUTH.

Reprinted with some Additional Notes.

[55]

No. 1.

OPINION

DELIVERED BY

DR DUNCAN & ASSOCIATES

IN THE

COLLEGE OF PHYSICIANS OF EDINBURGH.

On the 13th of September 1808.

AGAINST

DR JAMES GREGORY.

FOR WILFUL AND DELIBERATE VIOLATION OF TRUTH.

Reprinted with some additional Notes.

PREFACE

TO THE FIRST EDITION.

I HAVE long had reason to believe, that it was Dr Gregory's earnest wish to force me, either into a paper war, or into a law-suit. He has repeatedly called upon me, in print, to answer numerous charges, which he has brought against me, before the tribunal of the Public. He has repeatedly told me in print, that if he has in any degree calumniated my character, the laws of my country will afford me protection.

I have, however, a strong aversion, both to courts of justice, and to literary warfare. I have long adopted the opinion of his venerable Father: "The quarrels of
" Physicians, when they end in appeals to the Public,
" generally hurt the contending parties; but what is of
" more consequence, they discredit the Profession, and
" expose the Faculty itself to ridicule and contempt *." The salutary admonition which this sentence conveys, has always had much weight with me. But Dr James
H Gregory

* Duties of a Physician.

Gregory has neglected and despised it, perhaps more than any medical practitioner in Edinburgh. His outrageous *virtue*, or some less pure motive, has frequently led him to attack others before the tribunal of the Public, even upon the slightest supposition of delinquency*.

But, notwithstanding the disagreeable consequences resulting from appeals to the Public, there are cases in which both paper war and law-suits become necessary evils. Dr Gregory has at length succeeded in drawing me into the former; and he may now, when he pleases, drag me also into the latter. I have repeatedly said, in delivering my opinion in the College, that his Review and Censorian Letter are false and scandalous libels. If this assertion be not true, I may be subjected to punishment, and may smart under the lash of the Commissary Court, (of which he has already had some experience, †) for

* *Vide* his attack on the venerable Dr Priestley, and his severe sarcasms on the late worthy Mr Alexander Wood, which he published in the two large volumes of metaphysical jargon, to which he gave the imposing title of Philosophical and Literary Essays; his attack on the late respectable Dr Alexander Hamilton, for which he was severely punished, by the sentence of a court of justice; and many other similar publications.

† In an action brought against him, for defamation, by Dr Alexander Hamilton, he was not only severely fined,

for groundless defamation. But if he shall commence a law-suit against me, whether in the end I be acquitted or condemned by the courts of justice, I can at least plead before the Tribunal of the Public, that I was not the assaulter ;—that I have had recourse to the press only in vindication of my own character, and in vindication of other innocent men, who were cruelly and injuriously calumniated by Dr Gregory. But whether this controversy between us shall terminate in a law-suit or not, now depends not so much upon me as upon him.

He has at length, however, succeeded in dragging me, much contrary to my inclination, into an open paper-war. I have, indeed, before this, put some things in print, in answer to his injurious aspersions ;—but they have been printed only for the use of my fellow Members of the College of Physicians, and to save the expence of much writing. If these have already gone beyond the College, it is not from me.

I am now, however adopting a different plan. By the advice of one, to whose steady friendship I have been much indebted for more than fifty years, I lay before the Public an Opinion, which was written for the College of Physicians, and which was read at their meeting on the 13th of September 1808, when a charge against Dr Gregory

fined, but was sentenced to pay Dr Hamilton's expences as well as his own.

gory came under their consideration. I shall briefly state some of my reasons for now publishing this Opinion.

Dr Gregory, in the beginning of his Defence, p. 2. *, represents an unanimous declaration of the College of Physicians, on the 5th of February 1805, as being void of truth and honesty. His words are: "From the nature and terms of the accusation, and from the manner in which it has been preferred, it is plain, that either I or my accusers must have been lying abominably. But this obvious dilemma comprehends and expresses only a very small part of the truth. It is equally certain, that either I or my accusers, and a large portion of my Brethren, who are of course to be my Judges on this occasion, must have been lying abominably, and acting most knavishly for more than three years past."

After attacking the whole College of Physicians, in different parts of his Defence, in equally opprobrious and ungentlemanlike language, and representing their virtual decision against him † on the 5th of February 1805, as an instance

* This Defence, extending in print to upwards of 500 quarto pages, Dr Gregory not only sent to every Member of the College, but also put into the hands of several of his abettors in scandal; so that it has been extensively read in the city of Edinburgh.

† Or rather their vote of thanks to Dr Spens.

instance of "*unexampled baseness*," he concludes his large volume, p 493. with the following story :

" The general principle which my Brethren seem to
 " have had in view in their most honourable attempt to
 " take exemplary vengeance on me, appears to great ad-
 " vantage in their proceedings. But I can hardly give
 " them the credit of having originally contrived it. I do
 " not think it is quite new, and I shrewdly suspect they
 " have taken the hint from a story that is told of a Qua-
 " ker, who was grievously annoyed by a dog that bark-
 " ed at him. Dog, said the Quaker, I will not kill thee,
 " but I will give thee a bad name; and immediately be-
 " gan to bawl out, A mad dog, a mad dog; the conse-
 " quence was, that the poor cur was dispatched before
 " he could say Jack Robinson.

" If the sentiments, intentions and wishes of my Bre-
 " thren with respect to me were to be as plainly expres-
 " sed in words, I presume they would run thus : ' Dog,
 " we will not kill you, lest we be hanged for it; we will
 " not strike you, lest you kill us; we will not attempt to
 " vindicate ourselves, lest we make bad worse; we will
 " not attempt to reason with you, lest we catch a Tar-
 " tar! But we will give you a bad name, Dog, and a
 " vote for it."

" Of their most hearty good will to give me a bad
 " name, and of their admirable talent for voting, I can
 " have no doubt, having had ample experience of both.
 " But on the present occasion they shall soon be convin-

" ced

“ ced, that their own probity and veracity are in ques-
 “ tion much more than mine ; and that the question must
 “ be decided, not by their votes, but by just evidence,
 “ and by the common sense of mankind *.”

From an attentive perusal of these passages, the discerning reader must evidently see, that Dr Gregory represents the College of Physicians as being an unprincipled

* In what manner has Dr Gregory fulfilled this threatening? *A narrative of the conduct of Dr James Gregory towards the Royal College of Physicians in Edinburgh*, was drawn up and published by the College in the year 1809. It is, I think, impossible for any candid man to read that narrative without condemning Dr Gregory. It contains incontrovertible evidence of his numerous misrepresentations and slanders. It is an appeal not only to the Public, but to posterity ; for it is deposited in the principal public libraries in Britain, and will afford materials for future biographers.

But Dr Gregory, notwithstanding his boasting language in the above paragraph, and on many other occasions, (for I am well assured, that soon after the narrative was published, he repeatedly said, *The College have laid themselves open : I'll give it them,*) has yet made no appeal to the Public against the sentences of the College, unless, perhaps, he may consider as such different printed papers which he has distributed in a private, and, in some respects, in a clandestine manner, chiefly among those who have been the abettors of his malevolent and groundless slanders.

ciplined set of men, voting severe censure without any reasoning; and it is also evident, that his Defence is written and printed, not so much for the College of Physicians as for the Public.

The following pages will, I flatter myself, vindicate me from his calumny on this occasion; and afford also some defence of my calumniated Brethren.

From an attentive perusal of the Opinion which is now presented to the Public, and which is printed from the manuscript which I read in the College on the 13th of September 1808, when the President called upon me to deliver my sentiments, the candid reader will, I trust, be convinced, that I did not give my vote, censuring Dr Gregory, without what appeared to myself to be satisfactory reasons; and that when I gave my vote, I had God and a good conscience before my eyes.

How far this opinion of mine, will in any degree vindicate my conduct with readers previously under the influence of prejudice, I will not pretend to conjecture. I well know there are some who have said, "Nothing on earth will convince them that Dr Gregory is capable of a wilful and deliberate violation of truth." With such, I can hardly expect, that any thing I have urged will have the smallest influence. But I may tell them, that both the discerning few, and the unthinking mob, have sometimes been miserably mistaken with regard to the real character of particular persons. Without travelling back to Lord Bacon, one of the greatest Philosophers
that

that ever lived, I may truly say, that even the City of Edinburgh, in our own days, has afforded striking examples, among its distinguished Divines, Lawyers, and Physicians, of men long eminent for their judgment, their learning, and their piety, who, overcome by a predominant passion, avarice, lust, pride, or the like, have been justly consigned to deserved infamy.

When an unbridled passion has once overcome the judgment, it is impossible to say to what meanness and baseness it may lead those who are its slaves. Man is certainly the glory, but it is no less true, that he is the jest and riddle of the world.

Dr Gregory, indeed, I am told, treats the whole of this matter as a subject of merriment. And, alluding to his voluminous Defence, he has told some respectable citizens, that he would send them a book which would give them a good laugh. On my mind this controversy has had a very opposite effect; and I may affirm, that, in the short space of three years, it has done more to interrupt my happiness, than all the other occurrences of my life for thirty years before*.

I

* By some of my friends I have been taxed with weakness for feeling any uneasiness on this subject. They tell me, my character cannot be hurt by Dr Gregory's calumnies. But I must confess, that, after two years more have now elapsed, my uneasiness, in place of being diminished, is rather increased. In the necessary discharge

I have felt on this occasion for the Profession of Medicine, and for a respectable body of men, the Royal College of Physicians of Edinburgh; for, by the misconduct of one of their number, Dr James Gregory, they have been much injured in the eyes of the Public.—I have felt for some of my best friends, particularly Dr Thomas Spens, a man of the strictest honour, who, in return for assiduous exertions for the public good, has been cruelly and injuriously calumniated.—I have felt for myself, accused before the tribunal of the public, of fraud, chicanery, and falsification of laws, when I am perfectly conscious of being as innocent of all these charges as the child that is yet unborn.—I have felt for Dr Gregory, but still more for his near connexions; for I am convinced that some of them will blush for him: and notwithstanding his present proud affected superiority, the development of his conduct may, in the opinion of impartial and discerning men, hurl him to contempt with a fatal precipitation.

But I do not pretend to foretel, whether the majority of readers will view this controversy in a ludicrous or in
serious

charge of my academical duty, I am obliged to be frequently under his roof, and he in a similar manner is as often under mine. What my feelings are on these occasions, it is impossible for me to describe. But the reader will readily conclude that they are not pleasant.—*June*
1811. [H]

serious light. Not a few may view it in both lights.
And perhaps I may conclude with observing, nearly in
the words of a celebrated Poet,

"Who would not laugh if such a man there be?"

"Who would not weep, if" Gregory "were he?"

ADAM'S SQUARE, }
10th October 1808. }

PREFACE

TO THE SECOND EDITION.

OF the first edition of this opinion, only 250 copies were thrown off. Of these only 100 were put into the shops of the booksellers, and the whole were sold off in a few days. I however trusted, that even these would have afforded a sufficient antidote to the poison which Dr Gregory's Defence had instilled into the minds of some; and it was the opinion of many that his Defence was a sufficient antidote to itself. The probability, therefore, is, that my Opinion would never again have been put into the hands of the Public, had it not been called for, by a fresh and groundless calumny on the part of Dr Gregory. It is true, he has neither published this attack to the world at large, nor sanctioned it with his name. But he has distributed it among his associates and coadjutors in slander in the City of Edinburgh, in a manner which every candid man will, I am persuaded, consider as both insidious and dishonourable.

EDINBURGH, }
10th May 1811. }

PREFACE

Of the first edition of this opinion, only a few copies were
 shown off. Of these only two were put into the shops
 of the booksellers, and the whole was sold off in a few
 days. I however trusted, that even these would have
 attracted a sufficient number to the point which Dr. Gre-
 gory's discourse had inserted into the minds of some;
 and it was the opinion of many that his Discourse was a
 sufficient answer to itself. The probability, therefore,
 is, that my opinion would never again have been put
 into the hands of the public, had it not been called for
 by a fresh and groundless calumny on the part of Dr.
 Gregory. It is true, he has neither published this at-
 tack to the world at large, nor mentioned it with his
 name. But he has distributed it among his associates
 and confidants in London in the City of Edinburgh, in
 a manner which every candid man will, I am persuaded,
 consider as both insidious and dishonest.

Edinburgh
 1791

OPINION, &c.

MR PRESIDENT,

MANY months have now elapsed since a very serious accusation was brought against Dr Gregory. He has been charged with a wilful and deliberate violation of truth in this room, and in the presence of the College.

We need not, therefore, be surprised at the long time and great pains he has bestowed in his defence, even although it has extended to a much greater length, than, from different letters which he has sent to you, we had reason to expect.

I have read Dr Gregory's long and elaborate Defence, which forms a large printed Quarto Volume, with very minute attention ; and I can, without hesitation, affirm, that in the whole course of my life, now extended beyond sixty years, I have seldom read a more extraordinary production.

Such abuse as it contains, of the College of Physicians, as a body, has, I believe, rarely been poured out, upon any court, even by the most worthless pannel. In my
opinion,

opinion, it ought afterwards to be the subject of serious and deliberate consideration with the College, how this transgression should be punished, and how similar transgressions may hereafter be prevented; and directions should I think be given by the College to our Fiscal on this subject.—But I shall at present say nothing more respecting it.

With other accused persons, it has been a common device to endeavour to conciliate the favour of their judges. Dr Gregory has followed a perfectly opposite plan. He has accused the whole body of his Judges, (excepting two, Dr Brown and Dr Barclay, who have only been Fellows for a few months), of the basest and meanest crimes. For, to use his own words, an unanimous vote of the College passed at a regular Quarterly Meeting on the 5th of February 1805, is “a most wonderful mass of falsehood, absurdity, inconsistency, and withal, most foul injustice” to him.

Knowing, as I do, Mr President, all the circumstances leading to this heavy charge, I can with confidence venture to affirm that it is totally groundless. And although I am now disposed to believe that Dr Gregory will, without hesitation, assert almost any thing which he thinks will answer his purpose; yet I must own I am surprised that he should have vented such an assertion, as that which I have just read from his Defence. That, indeed, he should have cruelly accused many innocent members of this College, of the meanest crimes, does

not

not at all surprise me. This is not the first time he has done so. That he should have included among the victims of his wrath, his intimate friend Dr Wright, and also Dr Yule, who has, of late, abetted and supported him in his abuse of other members, I do not think wonderful. They have of late been his assistants in groundless calumny, and justice requires that they too should smart under his lash. But that he should have charged with "gross absurdity, mean craft, and base injustice," Dr Monro *senior*, Dr Hamilton *senior*, Dr Rutherford, and some other names of unimpeached integrity and judgment, I at first considered as somewhat extraordinary.

Upon mature consideration, however, even this perhaps is not wonderful. For, in my opinion, Mr President, this large volume is not intended as a defence of Dr Gregory's conduct to the College, but is entirely designed to mislead and bewilder the public.

From many paragraphs, particularly the concluding ones, he seems to take it for granted that the College are to give a decision against him; and the defence which he has now put into our hands, to me appears to be intended as an appeal from the dreaded sentence of the College, to another tribunal,—the tea-tables of Edinburgh. It was, therefore, perhaps no bad policy, to vilify those, who he suspected would condemn him.

I have no doubt, that, with some, his bold, though groundless abuse, will gain him reputation. Wise ladies,
when

when they have read all the Logic, and all the Metaphysics, which he has artfully introduced,—when they pay due regard to his dilemmas, his trilemmas, and polylemmas,—will pronounce him, as some of them have done on former occasions, “the cleverest fellow that ever was born!” But for my own part, Mr President, I do not envy him any reputation which he may derive from this work: For I firmly believe, that the candid and discerning part of mankind will think it nothing to his honour.

The ground on which he has taxed the whole College, with “foul injustice to himself,” is truly singular. It is founded on a vote of thanks to Dr Spens, which, to use his own words, he has “dissected and anatomized *“secundum artem.”*”

He has attempted, at great length, to prove, that this vote of thanks is a “most wonderful mass of falsehood and inconsistency.” Yet, strange to tell, he has repeatedly declared, that, if six words which it contains had been omitted, (the words, viz. “and in the most honourable manner,”) he himself would have joined in that vote of thanks *.

The

* A zealous apologist for Dr Gregory, who contends, not only for the candour, but even for the prudence and politeness of the Doctor's conduct, to all his brethren of the College of Physicians, has employed this paragraph

The College, according to Dr Gregory's own admission, might, with the greatest regularity, have returned thanks to Dr Spens for his exertions, and even testified, that he had acted from the purest motives. "Had that been all," Dr Gregory says, "I myself would have joined with them." But when, in their vote of thanks, they went so far as to say, (what they firmly believed to be true,) that Dr Spens had acted in the most honourable manner, they were guilty, according to Dr Gregory, "of the grossest injustice."

On what, Mr President, does Dr Gregory found the baseness and injustice of this declaration? On a most extraordinary basis indeed. Dr Gregory had circulated extensively, in a private and artful manner, false and

I

scandalous

as a text for displaying his own wit. He has observed, and certainly with great truth, that the omission, even of a single word, may completely alter the meaning of a sentence; and, as evidence of this, he refers to the omission of the word *not* in the Sixth, Seventh, or Eighth Commandments. With great sagacity, he remarks, that in these, the omission even of a single monosyllable would lead to a very fine system of morality for robbers, rakes, or physicians.

But this truly ingenious advocate for Dr Gregory, chooses to forget, that, in the commandments to which he refers, the omission of the word *not*, completely alters the sense, by converting a prohibition into an injunction. With those who are weak enough, or worthless enough, to argue as he has done, it is in vain to reason.

scandalous libels, under the title of " a Censorian Letter " and Review of the conduct of the College." I call them *false* ; because he has asserted, that Dr Spens appointed a packed committee, to accomplish a dishonourable object in a clandestine manner. This, from my own personal knowledge, having been one of the members of the committee, I can positively declare is not true. I call them *scandalous* libels, because they basely calumniate the character of honest and honourable men, particularly of Dr Spens.

In these libels, giving full indulgence to a wild imagination, and unbounded jealousy, Dr Gregory represented the conduct of Dr Spens as highly dishonourable ; and therefore, according to his logic, any man, or body of men, who held a different opinion, and who could venture to declare that Dr Spens had acted honourably, were guilty of the basest injustice. Why ? Because their opinion virtually contradicted Dr Gregory's falsehoods.

Dr Gregory's two printed papers, his *private publications*, as they may justly be called, were not printed solely, or even principally for the use of the Members of this College. Though extensively circulated in Edinburgh, and in other parts of the British dominions, they were never laid by Dr Gregory on the table of the College, or presented to you as a body. Copies of them were not even sent to all our attending Fellows : And Dr Gregory, though one of our Censors at the time
when

when his Censorian Letter was distributed, never once brought any charge whatever in this College against Dr Spens, or the Committee for Revising the Laws.

This being the case, Sir, it was the opinion of some of the most respectable of our number, that the College would act in the most dignified manner, by treating Dr Gregory's groundless calumnies with that contempt which they deserved. They thought, that the character of Dr Spens would be fully vindicated, by returning him thanks for those very transactions for which he had been cruelly defamed, and by declaring his motives to be pure, and his conduct to be honourable, without taking the smallest notice of Dr Gregory's libels.

What different motives may have led them to adopt this opinion, I cannot pretend to say : But I am inclined to think, that some of them were influenced by an earnest desire to preserve the peace of the College as much as possible ; others, by lenity to Dr Gregory, who, in their opinion, had allowed impetuous passion to mislead his judgment. I know it was the opinion of some, that he would soon become sensible of the impropriety of his conduct in this business, and would sincerely repent it.

It was their earnest wish, that his Review and Censorian Letter, which he had never ventured to send to the College as a body, should never be mentioned within these walls. I must own I was of a different opinion. This appeared to me to be too much lenity to a great offender.

offender. I thought, that his private publications should have been brought before our Court, by our Fiscal; that his false assertion, of the President having appointed a packed committee, for a sinister purpose, and many other falsehoods, should have been publicly contradicted; and that he himself should have been severely reprimanded, for the cruelty and injustice of his conduct.

But I yielded my own opinion to the judgment of others. Some of them, generally allowed by the world to be men of great discernment, thought, that Dr Gregory's private publications were meant merely as quack bills; that the great object he had in view, was, not to injure Dr Spens, but to benefit himself; to attract public notice, and to produce paper war, in which he might display his classical knowledge, his wit, and his talent for disputation. And they imagined, that, by silent contempt, his sinister purpose would be most effectually frustrated, and his wild effusions soonest buried in deserved oblivion.

These few observations, Mr President, are in my opinion, sufficient to explain the procedure of the College in their vindication of Dr Spens, and in their decision, virtually pronouncing Dr Gregory's Censorian Letter to be a scandalous libel, without deigning to mention his name. They afford, in my opinion, a complete vindication of the College, from the ridiculous charge of foul injustice which Dr Gregory has brought against some of the most respectable characters in Edinburgh.

But,

But, although this point occupies a large portion of Dr Gregory's Defence, yet it is entirely foreign to the question at present before us. Though Dr Gregory should be able to point out many real irregularities on the part of the College, yet it may still be true, that, in this room, he has been guilty of a wilful and deliberate violation of truth. It is on that question, Has he or has he not been guilty? that we are now to pronounce judgment: For, were we to follow Dr Gregory through all the extraneous matters which he has artfully foisted into his defence, the question before us would never, I believe, be determined. The irrelevant matter introduced, the pitiful wit about Justice Holt's wife, Bishop Sharp's asparagus, Humphry Hocus, John o' Nokes, and many other fine stories, are evidently written, not for a court that is to sit in judgment on a serious transgression, but for gossiping scandal. Erroneous conclusions, under the mask of strict logical reasoning, and gross misrepresentation of facts, constitute a large portion of Dr Gregory's Defence. It contains numerous assertions, which, from my own personal knowledge, I am convinced are not well founded. I do not indeed suppose, that Dr Gregory knew all these to be false when he sent them to the press. But when he boldly affirms, which he has not done, though not in express terms, yet in the strongest language, that Dr *Monro senior*, Dr *Hamilton senior*, and Dr *Rutherford*, were guilty of "base injustice," it is suprising to me, that he did not pause; that he did not suspect he was mistaken.

He has, indeed, bestowed much pains to demonstrate,
that

that Dr Hamilton *senior*, although present at the College on the 5th of February 1805, could not possibly consider the conduct of Dr Spens as honourable; and he has ingeniously endeavoured to explain Dr Hamilton's apparent assent to the vote of approbation of the conduct of Dr Spens, on the supposition, that he gave his assent to the measure from not having heard what was said. But unfortunately, Sir, for this hypothesis, it is incumbent on Dr Gregory to prove, not only that Dr Hamilton is remarkably deaf, but that he can neither read what is written, or even printed, in plain English: For it is a certain fact, that Dr Hamilton had the vote of approbation in his hand, at first in writing, and afterwards in print, and that in both states it met with his approbation.

Dr Hamilton indeed agreed with Dr Gregory in thinking, that the act 1754, respecting apothecaries shops, ought neither to have been repealed nor altered. But does it follow from this, that Dr Hamilton adopted the unjust and cruel opinion of Dr Gregory, that Dr Spens had acted from impure motives, and in a dishonourable manner? No, Mr President, I know from Dr Hamilton himself, that his sentiments on this subject were were perfectly opposite to those of Dr Gregory. Dr Hamilton has publicly joined the other Members of the College, in declaring, that Dr Spens acted from the purest motives, and in the most honourable manner; and he has privately spoken with great indignation of Dr Gregory's cruel and scandalous abuse of his Fellow Members.

bers. What different motives may have led Dr Hamilton lately to absent himself from the meetings of the College, particularly when strongly urged to attend as an evidence in the present cause, I cannot pretend to say. But, from several different circumstances, it is my firm belief, that his absence has principally arisen from the outrageous conduct of Dr Gregory since the publication of his Censorian Letter.

To point out all the inconsistencies and contradictions which Dr Gregory's Defence contains, would be a tedious and unnecessary task. There are, however, two points, in which I am myself particularly attacked. With regard to these, though foreign to the present question, the College will, I trust, indulge me with a few words.

The first, Sir, is with respect to the Opinions of the Lawyers *, whom I consulted for my own private satisfaction, my Honourable Friends, Mr Henry Erskine, and Mr John Clerk. In consequence of the misrepresentations of Dr Gregory, I printed, some time ago, and sent a copy to every attending Member of the College, of a Memorial and Queries, respecting the conduct of Dr Gregory, which I had previously submitted to these Gentlemen. This, Sir, was not like Dr Gregory's Censorian Letter, a private publication, extensively circulated, even among Ladies. It was merely printed for the
use

See Opinions by Counsel, in this Appendix.

use of our own Members, to save much time in transcribing. I had presented two different Memorials to these Counsel. But as one of them only concerned Dr Gregory's conduct, I thought it at first sufficient to print it alone, with all the Queries subjoined to it, and without the answers which I received from the Lawyers.

To this step of consulting counsel, I was led by Dr Gregory's very singular conduct, and particularly by his still continuing to distribute his infamous libels against Dr Spens, after he well knew, that the College had unanimously returned thanks to Dr Spens, for that conduct which he had so strongly reprobated. I wished to know, from the highest legal authorities, what punishment could be inflicted upon him for that transgression, and how he could best be prevented from repeating the offence. This Memorial, Sir, I sent to Dr Gregory as soon as it was printed. It was no sooner put into his hands, than he introduced it into the first part of his Defence, presented to the College. In that part, Sir, he accuses me of fraud. His words are, "that I had dexterously suppressed one
" of my Queries." But not contented with this falsehood, he pretends also to give the answers which I received from the Lawyers; and these, he affirms, he had obtained on good information. In these answers, he contends, that even my own Counsel severely reprimanded me, and demonstrated a thorough contempt for the chicanery and trick which they were expected to sanction.

After

After Dr Gregory sent to the College this part of his printed Defence ; to demonstrate how much he had been misinformed of the real fact, I printed, for the information of the College, not only my Memorial respecting Dr Gregory's conduct, but also the other Memorial which I had submitted to the same counsel, and with which he had no particular concern. To each of these was subjoined an authentic copy both of my Queries and of the Answers of the Lawyers.

Had Dr Gregory been a man open to conviction, this must have satisfied him, that he had not only been egregiously misinformed with regard to the answers of my Counsel, but that he had most unjustly accused me of suppressing a query. But, notwithstanding all that candour and honour, of which he so frequently boasts, no acknowledgment of any misinformation has appeared. On the contrary, (though he either did not know any thing of my two distinct Memorials, or artfully concealed his knowledge of this circumstance,) in a part of his Defence lately given in, he piques himself on the accuracy of his first information ; he offers not even the slightest correction of his mistake, with regard to my having, as he asserted, artfully suppressed a query ; and he still persists in maintaining, that I was severely reprimanded by my Counsel for chicanery. I shall not follow his irreligious wit upon this subject, with regard to five hundred of my patients rising from the dead ; but I can establish the injustice of his assertions by incontes-

tible living evidence, which will not be disputed. I hold in my hand, Sir, letters both from Mr Erskine and Mr Clerk *, which will convince any man of common sense and common honesty, that the entertaining romance which he has founded on the particle *if*, (which he prefaces by saying, that as one *if* is as good as another, it would have been just as easy for the Lawyers to have been explicit, and to have given me that very acute and candid advice which he has given for them, and which he concludes with the following remarkable words: " All this, and much of the same kind, I firmly believe " to have been intended by the learned and witty Coun- " sel, to have been understood by their clients, and to " be *bonâ fide* implied in, and logically deducible from " the monosyllable *if*,")—that this romance is not their opinion, but entirely his own.

Notwithstanding Dr Gregory's superior logical knowledge, notwithstanding his *firm belief*, it now appears *, that his very ingenious advice, and his allegation, that my Counsel had reprimanded me for chicanery, are entirely the children of his own imagination.

On this subject I shall only further observe, that one of my Memorials consisted merely of a copy of our enactment 1754, and of an extract from his own Father's Lectures on the duties and offices of a Physician. The
only

* Vide Letters subjoined, in which these Gentlemen expressly contradict the meaning put by Dr Gregory on the opinions given by them.

only query subjoined to that Memorial was, Whether any one of our number, who might supply his own patients with medicines, in the manner so strongly recommended by Dr John Gregory, would thereby transgress our act 1754 or not? Mr Erskine was of opinion, that, by following the plan Dr John Gregory proposed, there would be no transgression of the law. Mr Clerk was of a contrary opinion. In Dr Gregory's comments on the answer of Mr Clerk to this question, he contends, that the mode of practice strongly recommended by his own father, would reduce medicine to a miserable and infamous state of degradation. To any candid man who reads the Memorial and Query alluded to, it must appear perfectly evident, that, upon the supposition that Mr Clerk's opinion was seasoned with that hyper-oxygenated salt which Dr Gregory alleges, the sarcasm could strike only against his own Father. But, as I have already said, Mr Clerk's letter to me abundantly demonstrates, that the sarcastic wit here attributed to him is a mere chimera.

The second point, Sir, on which I beg leave to make a few observations, is with regard to a difference between Dr Wright's recollection and mine, respecting what passed in a meeting of the Counsel, in August 1806, when Dr Stuart suggested that admonition, the origin of which he has already explained to the College.

That

That Dr Wright's recollection and mine were different, with regard to what passed at that meeting of the Council, is certainly true. And on this subject, Dr Gregory, in his usual ungentlemanlike language, has used this rude expression, "One or other of them must have been lying." Without any lie on the part of either of us, my memory may have been inaccurate, or Dr Wright's memory may have been inaccurate, yet each of us may have said what he firmly believed to be true.

That Dr Wright's memory has been inaccurate on many other occasions, since this disagreeable business took place in the College, is well known to all of us; and has been repeatedly acknowledged, even in writing, by himself. That it was inaccurate on the present occasion, I can demonstrate by the most incontrovertible evidence: It is demonstrated by a letter to me from Dr Wright, now put in print by Dr Gregory, as part of his Defence. In that letter, Dr Wright states our conversation according to his own recollection. In the very first sentence of that letter, Dr Wright says, "When Dr Stuart read the admonition of secrecy." Now, Mr President, it is an undeniable fact, that you * did not read one word on that occasion. Indeed, from the account which you have repeatedly given respecting the origin of the admonition, it was almost impossible that you could read any thing upon the subject; for the idea only occurred to you, as you have repeatedly told us, in consequence

* Dr Stuart, who sat as President at the time.

consequence of an accidental conversation in your way to the Hall.

On that occasion, Mr President, the only paper read in the Council, was a proposal from me, respecting the superintendence of the Practice of Pharmacy in Edinburgh, which superintendence is required from the College of Physicians by act of Parliament. As soon as my proposal was read, you observed, that it ought not to be spoken of till the College should come to some decision on the subject, as it would probably be much misrepresented out of doors : And you added, that you really thought a general admonition with regard to secrecy should be given by the College to all its Members, as you had heard from gentlemen who were not Members, very erroneous accounts of some of our transactions.

I observed, that I thought a recommendation to secrecy, while matters were only in dependence, would be very proper ; and, addressing myself to Dr Wright, I added, “ I hope, Doctor, if the College agree to this recommendation, Dr Gregory will not hereafter publish any private conversations, either with you or with me.” Dr Wright answered, “ That he had only told to Dr Gregory what passed in the College ; and he did not think that in this he had done any thing wrong.” I replied, “ That I was very far from meaning to blame Dr Wright for what he told Dr Gregory ; but that I blamed Dr Gregory very much for publishing private
“ conversations

“ conversations about College business.” You expressed yourself to be nearly of the same opinion ; and the matter ended with my agreeing to withdraw my motion, that it might be brought forward under a different form, and with the Council agreeing unanimously to recommend to the consideration of the College, that admonition with respect to secrecy, which, in consequence of Dr Gregory’s misconstructions and insidious queries, has since been the subject of so much unpleasant discussion.

At a future meeting of the Council in November 1806, I again brought forward a motion, in a different form, respecting the duty of the College in visiting the Shops of Apothecaries. On that occasion, Dr Spens observed, “ That what was said in Council, should never go beyond the walls of that room.” It was at that meeting, Sir, Dr Wright put to Dr Spens, what Dr Gregory has called his pithy question. His words, to the best of my recollection, were, “ Pray, Dr Spens, may I not tell Dr Gregory what passes in the Council? “ Is not Dr Gregory a Fellow of the College ?”

This, Sir, to the best of my recollection, is an accurate account of the conversations in the meetings of Council in August and November 1806, on which Dr Gregory has founded some of his wild conjectures. That Dr Wright’s recollection of what passed was inaccurate, is, as I have already said, demonstratively proved by his own letter. But, even supposing it to have been in eve-

my respect accurate, as detailed by Dr Wright in his own letter to me ; in my opinion, whether my logic and my morals differ essentially from those of Dr Gregory or not, Dr Wright's letter and mine, now printed by Dr Gregory, by no means warrant those conclusions which he has drawn from them.

Dr Gregory has concluded, that I evidently shewed a strong desire of keeping the admonition a secret from him. But, Mr President, was not the admonition to be publicly proposed to the consideration of the College the very next day ? Was it not to be presumed, that Dr Gregory would be present at that meeting ? Would he not then have heard it as well as other Members ? Till they heard it from the Chair, it was as much unknown to all who were not Members of the Council as to him. Whatever Dr Gregory's fertile imagination may have led him to conjecture, it is impossible for me to conceive that any important purpose could have been served, by concealing the admonition from him for the space of twenty-four hours. This, however, is the whole foundation from which he has drawn his very decided and injurious conclusion, and that either Dr Wright or I must be lying.

But, as I have already said, Mr President, this and many other heavy charges, are foreign to the question before us. Much extraneous matter is, in my opinion, introduced into Dr Gregory's Defence, with no other view but that of producing prolixity and obscurity.

But

But I hope I shall be excused for having spoken of two points, on which I have been very rudely attacked.—I shall now confine myself to the question before us.

Dr Gregory stands accused by Dr Hope, of no slight transgression,—a wilful and deliberate violation of truth, in the business of this Society. The principal part of the evidence against Dr Gregory arises from what he has said in this room, at different regular meetings of the College, and from what he has written to our President. Although many months have now elapsed, since the crime charged against Dr Gregory was brought forward, yet I dare say the circumstances are still fresh in the recollection of almost every one of us. On this subject, therefore, I shall only observe, that, on the 5th of November 1806, after Dr Gregory, under the pretence of obtaining information respecting a very simple admonition, had read a set of very obnoxious queries, in which he accused your office-bearers of endeavouring to bespeak the secrecy, and enforce the connivance of their fellow-members, to things notoriously dishonourable; and after he had asserted, that the College had consulted Lawyers, with the view of getting him expelled, I stood up to correct a material mistake which he had committed. I affirmed, Sir, that Lawyers never were consulted by the College on the subject mentioned by Dr Gregory; and, at the same time, I had no hesitation in avowing, that I myself, as an individual, had consulted Lawyers with regard to Dr Gregory's conduct in the College.

lege. I observed, Sir, that the College, by an unanimous vote of thanks to Dr Spens, had in reality long since pronounced a decision on Dr Gregory's Review and Censorian Letter : that they had virtually declared these publications of his to be false and scandalous libels. It is well known to all of us, that in these he had accused Dr Spens, without the shadow of proof, of having proposed a revision of our laws, merely as a blind to accomplish a dishonourable object, and of having appointed a packed Committee to obtain his end by fraud and chicanery. This heavy charge, Sir, I firmly believe, Dr Gregory well knew to be a falsehood, when he wrote it. From my own personal knowledge, I knew it to be groundless ; for I was one of the Committee whom Dr Gregory had most unjustly accused of being previously brought over by Dr Spens, to join him in chicanery and fraud. This to my certain knowledge was not true. Every Member of the College, excepting Dr Gregory himself, was, I firmly believe, convinced of my innocence. It was the opinion of every other Member, that the charge of appointing a packed Committee was totally groundless. Hence, almost immediately on the publication of Dr Gregory's Censorian Letter, the College came to an unanimous declaration, that Dr Spens had acted from the purest motives, and in the most honourable manner. This vote was indeed passed in the absence of Dr Gregory : But, according to his own confession, he was intentionally absent, because he suspected some strong

measure would be taken against him, and in support of Dr Spens. To this vote of approbation of Dr Spens's conduct, I alluded, when I asserted, that the College had already virtually pronounced Dr Gregory's Censorian Letter to be a false and scandalous libel.

I had no sooner made this assertion, at the Meeting in November 1806, than Dr Gregory stood up, and, with a violence which, in this College, is almost peculiar to himself, declared in the most explicit terms, that, till that instant, he had never heard of any exculpation of the conduct of Dr Spens. This, he asserted, Sir, in the most positive and unlimited terms. Had he been disposed to speak truth on that occasion, was he not bound in duty to have said, that he had indeed heard something of a vote of thanks to Dr Spens, but did not imagine that it contained any vindication from the charge of having acted dishonourably. That a vote of thanks was given to Dr Spens, Dr Gregory is now obliged to acknowledge he well recollected at that time. But at this meeting not a word respecting that vote dropt from his lips; and in my opinion, it was impossible for any body who then heard him, not to consider him as asserting, that till the hour when I put our records into his hands, the vote of thanks to Dr Spens was entirely unknown to him *.

I

* It is the opinion of several Members who were present at that Meeting, that Dr Gregory made this assertion

I must own, Mr President, even then, I found it difficult to believe he was speaking truth. To me, it seemed almost impossible, that a man of Dr Gregory's temper, much under the influence both of jealousy and curiosity, should, for many months, remain altogether ignorant of a matter in which he was so deeply concerned, especially when he had so many and so easy opportunities, for obtaining information.

It soon appeared, Mr President, that my belief upon this subject was not without foundation. It soon became no secret, that information of the vote of thanks to Dr Spens had been given to Dr Gregory by two different gentlemen, whose testimony could not be doubted, by Dr Hamilton *senior* and by Dr Wright.

Of the particulars of the conversation, indeed, which passed between Dr Gregory and Dr Hamilton, we have

no

tion before he even allowed himself time to read the vote of thanks to Dr Spens, which was put into his hands. He no sooner found, that such a vote really was contained in our minutes, than he instantly asserted that he knew nothing of it, before it was possible for him to discover the particular compliments to Dr Spens which it contained. And if it had not been for the discovery which was afterwards made of the information previously given him in private, both by Dr Wright and Dr Hamilton, I firmly believe he would have uniformly persisted in his assertion of *total ignorance*, which at that meeting he affirmed in the most positive terms.

no evidence before us, excepting what Dr Gregory's own confession now affords. Dr Hamilton, according to the information which I have received, takes it for granted, that he will be examined upon this subject, if it should come, which it perhaps may do, before the Court of Session; and till then he is, I have been told, determined to give no evidence whatever.

But, whether this report be well founded or not, certain it is, that he has not of late attended any of our meetings, though duly summoned. I regret very much the absence of Dr Hamilton. But his evidence is not now necessary to establish the fact, of his having had a conversation with Dr Gregory respecting the vote of thanks to Dr Spens. This, Dr Gregory himself is obliged to acknowledge, and admits in his own printed Defence. When, therefore, many months after that conversation with Dr Hamilton, Dr Gregory asserted in this room, that he knew nothing of the exculpation of Dr Spens, till the hour when I put the records into his hand, he certainly asserted what was not true.

As to the evidence of Dr Wright, every Member has been long possessed of a copy of it in print. I have considered it with attention, and, in my opinion, it is decisive against Dr Gregory. I am, indeed, truly sorry to observe, that Dr Wright's recollection should, on different occasions, have failed so much, as to lead him to some remarkable contradictions.

OR

On the 5th of February 1805, Dr Wright, as Vice-President, from the very Chair which you now fill, in a public meeting of the College, and in the most regular manner, returned thanks to Dr Spens for his exertions; with a declaration, that he had acted from the purest motives, and in the most honourable manner. But notwithstanding this public declaration, Dr Gregory dares to affirm, that Dr Wright's sentiments were at that time diametrically opposite to what he delivered from that Chair, as the unanimous sentiments of the whole College at that meeting. Thus, Dr Gregory contends, that Dr Wright, when he sat as your President, acted the part of a mean hypocrite, and a base liar.

In proof of this, he published a private letter from Dr Wright to him, dated the 29th of January 1805. In that letter, I must own, I sincerely wish Dr Wright, for the sake of his own character, had been more explicit. His first sentence is, " I have, with great satisfaction, " read the two papers which you kindly gave me. Had " you not known my sentiments before, I would, on " perusal, have told you, *Me tuum facias*."

What might be Dr Wright's precise meaning in this sentence, it is perhaps difficult to say. Whether, as Dr Gregory alleges, his meaning was; " You know my sentiments before. I agree perfectly with you in thinking, that Dr Spens has acted from the basest motives, " and in the most dishonourable manner, that he has attempted to accomplish a favourite object, by fraud, " chicanery,

“ chicanery, and falsification of laws; and that he appointed a packed committee, whom he had previously engaged to join him in his dishonourable purpose. “ *Me tuum facias*. I am entirely of your opinion, and “ I will now abet and support you in all the abuse you “ can pour out against Dr Spens and his Committee.” That such a meaning may be put upon his letter, I will not pretend to deny; and that Dr Gregory has put this meaning upon it, is very evident. But perhaps Dr Wright meant merely to say, “ I have read with satisfaction the two papers you kindly gave me, because “ you have treated, with sarcastic irony, the idea of a “ Physician having any thing to do with the composition “ of medicines. Had you not known my sentiments “ before, that I was a determined enemy to any attempt “ to amend our law respecting Pharmacy, I should have “ told you, *Me tuum facias*. I am now determined to “ support you in opposing every amendment of that “ law.”

If the last was all that Dr Wright meant, the letter may be honourably reconciled to his conduct on the 5th of February 1805. But if the first was his meaning, and if he then agreed with Dr Gregory in thinking that Dr Spens had acted dishonourably, he must either have very soon repented of what he had written, or he must be a hypocrite indeed. For even making every allowance for the inaccuracy of his memory, I find it almost impossible to suppose that he could have completely forgotten

gotten, on the 5th of February, when he returned thanks to Dr Spens for his honourable conduct, the letter he had written to Dr Gregory only a few days before.

But, Sir, whether Dr Wright's memory failed him on this occasion or not, it certainly failed him very much on another occasion, which I shall next mention, as it may be thought a very material part of the proof.

After it was known for certain, that a conversation had taken place between Dr Wright and Dr Gregory respecting the vote of thanks to Dr Spens, at the time that vote of thanks was passed; and after Dr Gregory had positively denied in the College, that he knew any thing of that vote, till I put the record into his hands; three of our number, Dr Stuart, Dr Spens and Dr Hope, applied to Dr Wright, to know from himself the real import of the conversation he had with Dr Gregory in February 1805. After deliberate consideration, Sir, for a whole day, Dr Wright gave these gentlemen a declaration in writing, certified by his own hand, of his having informed Dr Gregory, that the College had completely acquitted the Committee, and had declared that they had acted quite honourably.

If Dr Wright gave this information to Dr Gregory, he informed him of no more than was strictly true: For the College had unanimously declared their opinion, that Dr Spens had acted from the purest motives, and in the most honourable manner. But Dr Gregory has bestowed much laboured ingenuity to prove, that it was highly improbable that Dr Wright could tell him so disagree-
able.

able a truth : That it would have been as bad as coming into his house, to give him a slap in the face. And Dr Wright, from some notes which he has lately discovered, has declared that statement, to be incorrect, although, after mature consideration, he had certified it with his own handwriting. Dr Wright now informs us, that it appears from these notes, lately discovered, that when he informed Dr Gregory of the declaration of the College, that Dr Spens had acted from the purest motives, he said nothing to Dr Gregory concerning the declaration of honourable conduct. He was, he tells us, apprehensive, that if he had informed Dr Gregory of the whole truth, it would have excited him to further and violent discussion with the College.

The first document to which I have alluded, under Dr Wright's hand, is in the possession of the College, and upon your table. It would, therefore, be sustained as good evidence before any court. But the second document, from which Dr Wright wishes to correct his former written declaration, he either will not, or cannot produce. In my opinion, however, it is by no means necessary to produce it : For, even admitting the correction to its fullest extent, it affords no exculpation whatever of Dr Gregory. Even Dr Gregory himself now allows, that soon after the Meeting of the College on the 5th of February 1805, Dr Wright informed him that the College had returned thanks to Dr Spens, and had declared their belief that he had acted from the purest motives.

tives. Let us then take it for granted, as Dr Wright now asserts, that there he stopt. In that case, Dr Gregory's whole defence is now rested on his never having been informed, that the College had declared Dr Spens to have acted in the most honourable manner.

In my opinion, Mr President, it is a matter of no consequence whatever, whether this last part of the vote of approbation was communicated to him or not. It is now proved and admitted, that Dr Wright informed Dr Gregory of the unanimous declaration of the College, that, in their opinion, Dr Spens had acted from the purest motives. Dr Gregory, however, in his Censorian Letter, had accused Dr Spens of acting from the basest and meanest motives. If Dr Gregory's assertions be true, what could be more base than Dr Spens's motive for appointing a packed Committee? or than his motive for appointing a revisal of the Laws, merely as a blind, to accomplish a favourite object in a clandestine manner? In the action itself, of appointing a Committee to revise the Laws, there was nothing dishonourable. It became dishonourable only if the motive was a base one. Dr Gregory boasts, in his Censorian Letter, that he has proved every thing he has said from our own records. I will confidently venture to assert, Mr President, that every one particular act which he has proved from our minutes, is in itself perfectly innocent, if not meritorious. The acts to which he refers are only culpable, if they proceeded from bad motives. In short, Mr President,

throughout the whole both of the Review and Censorian Letter, the allegation of base motives on the part of Dr Spens is the great foundation of Dr Gregory's false and scandalous abuse.

When, therefore, the College declared their opinion, that Dr Spens had acted from the purest motives; although they had said no more, and although they, too, had stopt there, as well as Dr Wright in his conversation with Dr Gregory, yet, by declaring Dr Spens's motives to be pure, they gave a virtual decision, acquitting him, and condemning Dr Gregory: For I think it is impossible for any man to doubt, that, by the "purest motives" introduced into a vote of thanks, the College could only mean the "most honourable motives."

Dr Gregory, indeed, has taken a different view of the sense of the word *purest*. He affects to believe, that, by the purest motives, the College might mean the pure love of gain; and that the vote of thanks which Dr Spens received was in reality a reprimand. Much, Mr President, as I have of late changed my opinion of Dr Gregory, I could hardly have supposed it possible, that a man who so frequently takes to himself the merit of acting in the most candid and honourable manner, would have attempted to shelter himself under such a mean, such a pitiful subterfuge. It is impossible for me to suppose, that Dr Gregory could even for a moment imagine, that the College annexed any other meaning to pure motives, than

than honourable motives. That this was their meaning, is now proved to him beyond all possibility of contradiction, from the next clause of the sentence, which declares their belief, that Dr Spens had acted in the most honourable manner.

But of this confirmation Dr Gregory tells us he was long entirely ignorant. And why, Mr President, was he ignorant of it? He has taken great merit to himself for his honourable and liberal conduct, as he terms it, of absenting himself from our meeting on the 5th of February 1805, because he suspected that his conduct might become the subject of discussion, and was informed that a motion would be made for vindicating the character of Dr Spens. But, Sir, was it candid or honourable conduct in him to remain ignorant of what was done at that meeting?

He has attempted to demonstrate, that Dr Wright could not, without great rudeness, tell him what was really the decision of the College. Was it not, therefore, his duty to have taken some other mode of obtaining information? Why did he absent himself from our meeting in May, when the vote of thanks to Dr Spens was again read and confirmed? Why, Mr President, did he not take the most regular and easy mode, that of consulting our minutes, to which he had at all times free access? To me Mr President, the answer to this question appears to be very obvious. It did not, in my opinion, proceed from any want of curiosity on the part of Dr Gregory,

Gregory, but from an anxious desire of being able to say, that the College had never vindicated Dr Spens from the charges which had been published against him. He had already heard from Dr Wright more, probably, than he wished to know. And, in my judgment, it could hardly be from any other motive, but a wish to be able to plead ignorance of what was done, that he absented himself from our Meeting in May 1805, and cautiously refrained from consulting our minutes, where the real sentence of the College was recorded, for more than a whole year: And at last, consulted them only when he could no longer prevent it; when they were forced into his hands in this room, and in a public Meeting of the College.

But, Mr President, without any explanation drawn from our minutes, no honest man could, in my opinion, mistake the meaning of the words "purest motives," when introduced into a vote of thanks. And the miserable quibble, that it might mean the pure love of gain, will not save Dr Gregory, with any man of common understanding. That, therefore, he was informed of the virtual decision of the College, vindicating Dr Spens from all his false calumnies, very soon after that decision took place, is, in my opinion, undeniable.

In short, Mr President, from the testimony of Dr Wright; from the facts which Dr Gregory has now acknowledged in his printed Defence; and from what I heard from his own mouth in this room, and in the presence

sence of the College, it appears to me, that the charge brought against him, of being guilty of a wilful and deliberate violation of truth, is as certainly proved as that one and two make three. I can, therefore, have no hesitation in agreeing to the motion before us, That such a violation of truth on the part of Dr Gregory, is highly immoral, and deserves the reprobation of the College.

MEMORIAL

*MEMORIAL and QUERIES to Counsel alluded
to in the preceding Opinion.*

IN the year 1788, the Royal College of Physicians of Edinburgh printed a copy of their Laws and Regulations, extracted from their Minutes and Charter. Soon after that period, many changes took place; several new laws were enacted, and several old ones repealed or altered. Among other particulars, a very important alteration was made with respect to the fees paid by Members on their admission. Thus, in many particulars, the printed Laws ceased to be the regulations of the College; and, in many other particulars, they were entirely silent, so that considerable difference of opinion took place among the Members.

Of this, a remarkable instance occurred in 1804, when a Society of Artists applied to the College, to have the use, for the space of a month, of the lower part of the College Library-room, for an exhibition of pictures. A very considerable majority of the Members, (among whom were the President, Dr Gregory, Dr Duncan *senior*, &c.) thought that the College ought to have granted this request; but the measure was strenuously opposed by Dr Monro *senior*, and Dr Rutherford, who contended, That a majority of the College had it not in their power to
grant

grant the use of the Hall, and that this could only be done by unanimity.

On this subject, however, the laws of the College were entirely silent. It was therefore suggested, that, to prevent such disputes in future, a Committee should be appointed to revise the Laws, and to submit to the consideration of the College a new draught of the whole, with such alterations and additions as they might think proper.

This Committee consisted of Dr Spens, the President; Dr Hope, the Secretary; Dr Buchan, the Fiscal; Dr Duncan *junior*, the Librarian; and Dr Duncan *senior*, who had been a Member of the former Committee for revising the Laws, in 1788.

This new Committee, by Dr Duncan's advice, resolved to follow the very same plan that had been adopted by the Committee in 1788. They held, for a considerable time, regular weekly meetings, at which they considered the Laws, section by section, and they re-considered, at every succeeding meeting, what had been determined upon as most proper at the former one, often again making alterations. But they thought it prudent to avoid, as much as they easily could, any conversation with the other Members of the College, respecting the intended alterations, till they should be able, finally, to make up their own minds with respect to these alterations, and to present the College with a connected view of the whole.

From

From this *silence* or *secrecy* (if it may be so called) for a short time, they imagined that many advantages would result. The Members of the College would not be so apt to form erroneous opinions, from partial information, and the Committee would not be distracted in their procedure, by very opposite opinions, from different Members, respecting particular laws. At the same time, they saw no evil whatever which could arise from their silence, as the whole was, in a short time, to be subjected to a full and candid examination.

This resolution of secrecy, however, was not so strictly adhered to, as to prevent certain parts of the intended Report from being the subject of conversation, both among some of the Members of the College, and likewise among some of the Members of the Corporation of Surgeons. This was particularly the case with respect to a clause which the Committee proposed to add to the regulation prohibiting Members of the College of Physicians from keeping Apothecaries Shops. Respecting this Law, the Members of the College had often before differed in opinion; and by the clause now proposed to be added, the Committee were, after much discussion and repeated consideration, unanimously of opinion, not only that future disputes would be avoided, but also that the practice both of Medicine and of Pharmacy, in the City of Edinburgh, would be materially improved.

Respecting the meaning of the former act many Members entertained different opinions. Some thought that

it

it only prevented the Members from keeping open shops for the retail of Medicines, as had formerly been done by some of the most eminent Physicians in Edinburgh, even by the celebrated Pitcairn himself. Others thought, that it prohibited even private shops, but did not prohibit any Member from supplying his patients with all the Medicines he prescribed, provided he was paid only for his attendance. While a third set were of opinion, that the Law, as it at present stands, was daily transgressed by the Professors of Chemistry and of Materia Medica, who teach and practise Pharmacy, both by themselves and their servants. For these reasons, they thought some explanation of the law was necessary: And this subject underwent, in the Committee, much candid discussion.

At one Meeting, they thought of proposing to the College an entire new enactment. At another, it was proposed, that the greatest part of the old enactment should be retained; but that some alterations and additions should be introduced. But, in the end, they agreed that the old enactment should remain, without any alteration, to be signed by the future Members of the College, in the same manner as had been done by former ones; but that an article should be added, explaining the former Law in such a manner as would prevent any future disputes with respect to the meaning of it; and which would so far alter and amend it, as to afford an inducement to the younger Members of the College, to

N

employ

employ their time and talents in the improvement of Pharmacy,— and thus to obtain, not only for the City of Edinburgh, but for the Public at large, the most improved Pharmacopœia in Europe, in the future editions of that published by the College of Physicians of Edinburgh.

These considerations finally led the Committee to adopt into their report the clause alluded to. They did not expect that the Members would be unanimous in their opinion with regard to it. But they well knew, that their sentiments on this subject were afterwards to undergo a full, fair and free discussion among the Members, and to be submitted to consideration at Three separate Meetings, before they obtained the force of Law ; and that they were finally to be adopted, altered or rejected, according to the determination of the majority.

After the Committee had finished the consideration of the laws, and drawn up a full Report, which contained important alterations and additions in almost every section, that Report was presented to a regular Quarterly Meeting. The Meeting directed, that the Report should be deposited on the table of the Library, and should there remain open for the perusal or consideration of the Members, for the space of Three Months, before any further remarks were made upon it.

In all this procedure, both the Committee and the College followed precisely the same plan in 1804, that had been adopted in 1788 ; and no Member of the Committee entertained

entertained even the most distant suspicion, that they could be accused by any human being of fraud or chicanery, or of an attempt to get the laws passed in a surreptitious manner.

Nay, so anxious was the President, in particular, that every Member should be thoroughly acquainted with all the alterations and additions proposed by the Committee, that he directed a copy of the Report to be made out, and circulated among all the Members. By this means, every Member had an opportunity of Reading the Report at his own house ; a measure which was not adopted in 1788. Thus, every Member who remained ignorant of any important change proposed by the Committee, not only had himself alone to blame for his ignorance, but was guilty of a gross neglect of duty to the College.

But notwithstanding this regular and cautious procedure on the part both of the Committee and of the College, (which particularly demonstrated the anxiety of the President, that every thing should be conducted in the most unexceptionable manner), Dr Gregory has printed Two Works, in which he has thrown out the most severe and groundless reflections on the President and Committee, representing them as men void of honour and honesty.

He has, in particular, laboured to persuade his readers, and to render it probable by many gross misrepresentations,

1st, That the President brought forward the proposition

tion of revising the Laws of the College, merely as a blind, and solely with the intention of accomplishing a favourite object in a clandestine manner.

2dly, That the President appointed, as a Committee for revising the Laws, a set of men whom he had previously prevailed upon to join him in his dishonourable project. And,

3dly, That the President, with his Committee, were guilty of fraud, chicanery and falsification in this business; and, that their conduct was highly dishonourable.

Every one of these severe accusations is totally groundless. Dr Gregory well knew, that the printed copy of the Laws was no longer the Regulations of the College in many essential particulars. He well knew, that many other changes were wished for by different Members. Nay, when he himself was President, he repeatedly suggested the propriety of applying for a new Charter. This, among other subjects, was under the consideration of the Committee; but, in the end, they agreed, that an application for a new Charter would, at present, be inexpedient.

So far was the President from having appointed a packed Committee, with the view of accomplishing a favourite object with respect to Pharmacy, that, when the regulation respecting it came under consideration, Three of the Five Members, (viz. Dr Duncan *senior*, Dr Hope, and Dr Buchan), were against any alteration or addition whatever; although, after long reasoning, and repeated

repeated consideration, they were at length induced, in some degree, to alter the opinion they had at first formed on this subject.

The charges of fraud and chicanery are entirely the children of Dr Gregory's imagination. In place of any attempt to get the law passed in a clandestine manner, the Report of the Committee was brought forward with the greatest regularity. It was not only open to the inspection of all the Members, in the Library, for several months, but was also circulated through the whole Members. With what justice could it be alleged, that the Committee had falsified a law, when they merely submitted to the consideration of the Members a clause for explaining and amending it?

And so far were the sentiments of the College in general different from those of Dr Gregory, that, after his two publications appeared, they passed, at a full and regular meeting, an UNANIMOUS RESOLUTION, declaring, That the President and Committee had acted from the purest motives, and in the most honourable manner. The Vote was unanimously confirmed at a subsequent Quarterly Meeting; from which, as well as the former, Dr Gregory alone absented himself. But it can hardly be supposed, that he remained ignorant of what was done at these Meetings; and it was his own fault only, if he did not know that the College had thus virtually declared all his accusations of the President and Committee to be false and groundless.

Notwithstanding

Notwithstanding this declaration of the College, Dr Gregory continued to distribute, in a private manner, his scandalous libels, which have thus fallen into the hands of many who have had no opportunity of hearing the sentiments of the College with respect to them.

Every Member of the College, on his admission as a Fellow, signs an obligation, which contains the following clauses :

“ I shall never divulge any thing that is acted or spoken in any Meeting of the said College, or Council, or Court thereof, which I think may tend to the prejudice or defamation of the same, or any Member thereof.

“ All the foresaid articles I shall keep; and never wittingly and willingly break any one of them, as I desire to be holden and reputed an honest man, and a good Christian.”

Before Dr Gregory had distributed any of his pamphlets, or at least before the President, or any Member of the Committee, had seen a copy, either of his Review or Censorian Letter, the President was informed, upon good authority, that Dr Gregory had printed something; and he was anxious that it should not appear in public, as he thought it would tend to the prejudice and defamation of the College. Dr Spens, therefore, in conjunction with Dr Hope, wrote Dr Gregory a private and friendly letter, earnestly requesting him to suppress his intended publication; and, at the same time, reminding him

him of the obligations which every Fellow of the College comes under, not to divulge what was acted or spoken in the College, when it might tend to the prejudice and defamation of others.

But, in place of complying with this request, Dr Gregory immediately began the distribution of his pamphlets among the Members of the College, and sent them also to many other Gentlemen, not residing in Edinburgh, but at a distance from it, and altogether unconnected with the College of Physicians. Nay, he has even continued to distribute them, after the unanimous vote of the College, which virtually pronounced them to be a false and scandalous libel.

Under these circumstances, the opinion of Counsel is requested, in answer to the following questions :

Q. 1. Has Dr James Gregory, by distributing his Review and Censorian Letter, wittingly and willingly divulged what was acted in the College, to the prejudice or defamation of any of the Members? And has he been guilty of a breach of the solemn obligation which he came under when he was admitted a Fellow of the College?

Q. 2. If he has been guilty of a breach of that obligation, what punishment can the College inflict upon him for his transgression? Can they expel him from their number, as having forfeited the character of an honest man?

man? Or, would it be more advisable to punish him by fine, by reprimand, or otherwise?

Q. 3. As Dr Gregory has long continued, and may probably still continue to distribute his injurious publications, what measures ought the College of Physicians to adopt, with the view of preventing him from distributing any more copies of them?

OPINION of the Honourable HENRY ERSKINE.

Q. 1.—“ I am of opinion, that Dr Gregory, by distributing his Review and Censorian Letter, was guilty of a breach of the obligation which he came under when he was admitted a Fellow of the College.

Q. 2.—“ There being no sanction from the obligation itself to inflict the punishment of expulsion upon a Member breaking through the same, or even to fine him, I am of opinion, that he can neither be expelled nor fined. But the College have certainly a right to reprimand him under it, if the majority are of opinion that he deserves to be reprimanded.

Q. 3.—“ There is no legal step which the College can take to prevent Dr Gregory from publishing any work ;
although

although it would be competent for the College to apply for an interdict against the distribution of any particular work already known, and the terms of which could be shewn to be injurious to the College.

(Signed) "HENRY ERSKINE."

Dated, "66. Prince's Street, 2d April 1806."

Together with these Answers to the Queries proposed in the Memorial, Mr Erskine sent Dr Duncan the following Opinion, on a separate paper:

"I am of opinion, that there is matter in Dr Gregory's Review and Censorian Letter for an action of damages at the instance of such of the Members as are either expressly mentioned therein or alluded to. But as every question of the kind, which turns on the freedom of discussion among Members of a society of any description, is of a very delicate nature, I most earnestly beg leave to recommend to the parties concerned, not to make them the subject of judicial discussion.

(Signed) "HENRY ERSKINE."

Dated, "66. Prince's Street, 2d April 1806."

FOR particular reasons, I did not choose to ask Mr CLERK to be at the trouble of reading, on my account, Dr Gregory's Review and Censorian Letter. I therefore put into his hands the Memorial only, which had before been presented to Mr Erskine, and from him I received the following Answers.

Q. 1.—“ I slightly read over, some time ago, the publications here mentioned ; but I do not recollect enough of them to be able to give any precise opinion upon this Query. The statement in the Memorial is too short and general to be applied to the obligations referred to.

Q. 2.—“ I do not think that a breach of the obligation which may be committed through folly, imprudence, or rashness, necessarily infers a forfeiture of the character of an honest man. The words, “ As I desire to be holden “ and reputed an honest man and a good Christian,” are merely *in terrorem*, and I cannot say that I much admire them as being well adapted to the case. As to the punishment of Dr Gregory, I am of opinion, that a corporation has in the common case no powers of expulsion ; and unless the College has some special privilege of that sort, it cannot expel any of its Members on any ground whatever. I take it for granted, that the College has
such

such powers in certain cases, or at least that in certain cases a forfeiture follows. I have no reason, however, to suppose that a forfeiture must be the consequence of Dr Gregory's conduct. I do not know what powers the College has to fine, but I imagine it has none, unless it be to exact such small fines as may be specially provided to enforce the regulations. Reprimand, I suppose, is in the power of the College.

Q. 3.—“ If Dr Gregory's publications are libellous, he may be prevented from any further distribution of them, by an interdict; and the Gentlemen libelled will be well-founded in an action of damages against him.

(Signed) “ JOHN CLERK.”

Dated “ *Edinburgh, 8th August 1806.*”

WHEN I delivered to Mr ERSKINE and Mr CLERK the preceding Memorial and Queries, I put also into the hands of each of them the following

MEMORIAL AND QUERY.

THE Royal College of Physicians of Edinburgh, was established by Royal Charter in the year 1681, and that Charter was ratified by Parliament in 1685. By the Charter,

Charter, the Members of the College were laid under certain restrictions with regard to the practice of Surgery. They were laid under no restriction whatever with regard to the practice of Pharmacy. But in the year 1754, the College passed the following act :

“ The Royal College of Physicians in Edinburgh, taking into their serious consideration the trust reposed in them by their Charter of Erection, to watch over the practice of Physic within the City of Edinburgh and its liberties, and the full powers vested in them by the said Charter, ratified by act of Parliament, of making such acts and regulations as may contribute to promote the knowledge and practice of Medicine, and for the good government of the Fellows of the said College, and of all others practising Physic within the said City and its liberties : And also, considering that an innovation and abuse has been lately introduced into the manner of practising Physic within this City and its liberties, whereby some Physicians, licensed and authorised by the said Royal College to practise Physic, have also acted as Apothecaries, by keeping or setting up Apothecaries Shops, and thereby conjoining the professions of Medicine and Pharmacy in one and the same person : And the said Royal College, further considering that this innovation and abuse tends to hinder the advancement of the knowledge of Medicine, and may prove dangerous to the health of the inhabitants of this City, and of the liberties thereof, they, by these presents, enact and ordain,
That

That from and after the 11th day of April 1754 years, no Member of the College, nor any Physician by them licensed and authorised to practise Physic within the said City and its liberties, shall take upon himself to use the employment of an Apothecary, or to have or keep an Apothecary's shop, by himself, his partners or his servants : And in case any such Physician shall do in the contrary, and shall thereof be lawfully convicted, he shall forfeit from thenceforth his right of Fellowship, and his right and title to practise Physic within the City of Edinburgh and its liberties.

“ And for preventing the like abuse in time coming, it is hereby enacted and ordained, That from and after the said 11th day of April 1754, all and every Physician, whether having received his degrees in Scotland, or in any Foreign University, applying to the said College for a licence to practise Physic in the City of Edinburgh and liberties thereof, shall previously enact and oblige himself not to set up an Apothecary's Shop, nor to practise Pharmacy, by himself, co-partners or servants ; and with the condition, that if at any time thereafter he shall contravene, by taking up an Apothecary's Shop, and practising Pharmacy, by himself, his partners or servants, he shall, *ipso facto*, forfeit his licence aforesaid, and be liable to be prosecuted for such practice without licence from the Royal College, in the same manner as if he had never been licensed ; and that such condition shall be engrossed in all licences to be granted after the said 11th day of April 1754 years.

“ And

“ And it is further enacted and ordained, That from and after the said 11th day of April 1754 years, the said Royal College, and their successors, shall not grant any licence to any Physician, whether graduated in Scotland or elsewhere, to practise Medicine within the said City or liberties, who, at the time of his application for such licence, practises Pharmacy in manner above mentioned, until such Physician give up the practice of Pharmacy, and become bound and enacted not to practise the same in any time thereafter, in manner aforesaid.

“ And the said Royal College ordain this act to be publicly read to every Physician, who shall, after the said 11th day of April 1754, apply to them for a licence to practise Physic within the said City of Edinburgh and its liberties.”

The late Dr John Gregory, who, on his admission into the College of Physicians, March 5. 1765, signed this enactment, did, in his Lectures during the year 1767, and some subsequent years, deliver the following opinion respecting the best mode of practising Medicine with most advantage to the sick, and to the community :

“ If Surgery was to be confined to a set of men who were to be merely operators, it might justly be expected, that the art would be more quickly brought to perfection by such men, than by those who follow a more complicated business, and practise all the branches of Medicine. The same advantage would accrue to Pharmacy, if Apothecaries were to be confined to the mere business of preparing

paring Medicines. But, in reality, this is not the case. In some parts of Europe, Surgeons act as Physicians in ordinary. In others, the Apothecaries do their duty, without a medical education. The consequence is, that, in many places, Physic is practised by low illiterate men, who are a disgrace to the profession.

“ In regard to Pharmacy, it were much to be wished, that those men who make it their business should have no connection with the practice of Physic; or that the Physicians should dispense their own Medicines, and either not charge the expence of them to their patients at all, or charge it at prime-cost. It is only in one or other of these ways, that we can ever hope to see that simplicity of prescription take place in the practice of Medicine, which all who understand its real interests so ardently wish for; and it is only from such an arrangement, that we can expect to see Physicians placed in that honourable independence which subjects them to no attentions, but such as tend to the advancement of their art. But it is a known fact, that in many parts of Europe, Physicians who have the best parts, and the best education, must frequently depend for their success upon Apothecaries, who have no pretensions either to the one or the other; and that the obligation to Apothecaries is too often repaid by what every one concerned for the honour of Medicine must reflect on with indignation.”

The

The Opinion of Counsel is asked on the following Question :

If any Member of the College of Physicians were to furnish medicines to his own patients, either from a medicine-chest kept by himself, or from the shop of an Apothecary, in whose integrity he had confidence, would he, or would he not, be guilty of a transgression of the above act of the College, although he made no charge for these medicines, but was paid only for his advice and attendance ?

OPINION of Mr ERSKINE.

“ I am of opinion, that were a Member of the College of Physicians to furnish medicines to his patients, in the manner mentioned in this Query, he would not be guilty of a transgression of the Act of the College, unless it could be made appear, that, under cover of advice and attendance, he received a consideration for the medicines furnished, or for the medicines purchased by him from an Apothecary.

(Signed) “ HENRY ERSKINE.”

Dated, “ No. 66. *Prince's Street*,
2d April 1806.”

OPINION

OPINION of Mr CLERK.

“ I think that the Act would be violated by the practice here mentioned. A Physician's fee is an honorary, and may be less or more, according to the liberality or means of the patient; from which it seems to follow, that if he gives advice, attendance and medicines, and receives money from his patient, it must be held, that not the whole, but something less than the whole, is the honorary; and the whole being paid for his services without distinction, some part of it is for the medicines. It is not conceivable, that the patient should not recompense him for his medicines in one way or another; and I am not aware of any case in which they could be said to have been given for nothing, unless it were where the Physician takes no fees at all, even for attendance. To evade the act against theatrical entertainments, the players used to advertise music for so much, and the play, *gratis*. But it is well understood, that the money was given for the play, without much regard to the orchestra; and now nothing theatrical can be exhibited in places where liquors are sold; as in paying for such liquors, the audience is understood to pay for the exhibition. Though I highly respect the honourable profession of Physic, yet I cannot shut my eyes to the exact similarity of the two cases. The Physician who professes to give medicines *gratis* to those who employ him, is

paid by his fees both for his attendance and his medicines.

(Signed) "JOHN CLERK."

Dated, "Edinburgh, 8th August 1806."

ON the above Opinions, I shall offer no remarks whatever. But I hope I shall be excused if I call the attention of my Fellow Members and Readers to a very remarkable passage with which Dr Gregory concludes his sarcastical edition of the last Opinion. That passage seems to me to apply much more strongly to his own Father than to any one of the present Members of the College. The passage is expressed in such forcible language, that I think it deserves to be printed in Italics; and I shall subjoin a few words of my own in the ordinary type.

"To that miserable—that infamous state of degradation has this Royal College and the profession of Physic in the City of Edinburgh been reduced by the misconduct of some of our Members ;"—or rather of one Member, who has dared to ask the Opinion of Counsel learned in the law, Whether such of our number as might choose to furnish medicines to their own patients, would be prohibited, by the act 1754, from practising Pharmacy, as well as Physic,

sic, to that extent which was so strongly recommended by the late Dr John Gregory, as one of the most effectual methods of "placing Physicians in that honourable independence which subjects them to no attentions but such as tend to the improvement of their art."

EXTRACT from Dr GREGORY'S Defence. Vide *Documents*, Part 2. p. 23.

AFTERWARDS I heard, but very inaccurately, that some of my brethren had been consulting lawyers, nay, several different lawyers, about the best means of accomplishing that favourite purpose, and also of punishing me, and expelling me from this College, as having forfeited the character of an honest man, by divulging their secrets. I could not learn the names of *all* the lawyers whom they consulted, but I was assured that the Lord-Advocate, (the Hon. Henry Erskine,) and the Solicitor-General, (John Clerk, Esq;), were two of them. At first, I understood that those lawyers had been consulted together, with a view to obtain their *joint opinion* and *counsel* on the weighty matter submitted to their consideration; but afterwards I was told, that they had been consulted *separately*, and in succession; the opinions of some

some of them having been very unsatisfactory to those who consulted them.

I could not learn how many queries, and what kind of queries had been proposed to the lawyers; but I heard of the *three* relating to myself, which Dr Duncan *senior* has thought proper to print and distribute *privately* *. I also heard of some other queries proposed to the lawyers; which queries, as well as the *answers* of the lawyers to *all the queries* proposed to them, Dr Duncan *senior* at that time very wisely suppressed.

I am truly sorry, that it is not in my power to *supply*, *fully*, the *hiatus*, with respect either to the *queries proposed*, or the *answers returned*; but, as far as I can, I will do it. I heard, in general, that the answers of *some* of the *Lawyers* amounted to a *reprimand*, or *admonition* to my brethren, on the impropriety of their conduct, almost as severe as what I had given them in my Censorian Letter. I was assured, that, in answer to their *Queries*, about the expediency of taking the law into their own hands, and punishing me by fine, reprimand, or expulsion, for having published a false and scandalous libel upon them, they were told, very dryly, by *one* or *more* of

* I distributed my Printed Papers only to the Members of the College of Physicians, who were on the roll of attendance. Dr Gregory's were distributed in a very different manner.—A. D.

of their own lawyers, that IF I had *libelled* any of them, the *persons libelled* would have a good action against me ; a most important and oracular truth, which I shall never dispute, and which the coachmen and chambermaids of those great lawyers could have told them as well as the lawyers themselves.

None of my brethren can fail to perceive the *import* and the *severity* of the hypothetical monosyllable IF ; which converts into a bitter sarcasm on them, and a strong condemnation of their proceedings, a proposition so nearly self-evident, that, in point of law and common sense, it cannot admit of any reasonable dispute ; and that the formally declaring of it as a legal opinion, and as an answer to a question, which had *not* been put, has the appearance of childish simplicity. The question proposed to the learned and witty counsel was *not*, whether persons libelled would have a good action against the person who had libelled them ; but whether this College, by its own power and authority, might punish me for publishing my Review, and my Censorian Letter.

The *doubt* * expressed so emphatically by that unlucky monosyllable IF *could not* relate to my having published those pretended libels ; nor yet to the severity of my animadversions

* To any impartial reader, who peruses Mr Clerk's opinion, it must be obvious, that the doubt which he expressed by the monosyllable IF was the consequence, of
his

animadversions on the conduct of some of my brethren : for these things were notorious, and openly avowed by myself ; and I had declared myself ready to answer for them, and to vindicate my conduct in a court of justice.

The doubt, therefore, expressed by the witty counsel, learned in the law, *must* have related to *something else*, and to *something* which their clients *could not fail to understand at once*, without the help of any elaborate explanation or commentary. The doubt of the learned counsel could be only about the *truth* or *falsehood* of what I had asserted, which their clients could not fail to know.

As one IF is as good as another, it would have been just as easy for the Lawyers to have said explicitly, *
“ If what Dr G. has said of you be *false*, you will have a good action against him : you will easily prove him a liar and a knave, and make him infamous in a court of justice ; especially as all those passages, which he professes

his not having a distinct recollection of Dr Gregory's Censorian Letter, which I did not put into his hands, although I had put it into the hands of Mr Erskine.—
A. D.

* This is the ingenious romance, which Dr Gregory has written for my Lawyers, and to which I have formerly alluded.—A. D.

fesses to give as faithful quotations from your Records, and from the Report of your Committee, must be forgeries; and as soon as you shall have fairly convicted him of such *falsehood*, and *knavery*, and *forgery*, you will be well entitled to obtain *swinging damages* from him, and to *expel* him from your College, as a *pest* and a *disgrace* to it."

But such an explicit IF, though very easy, and abundantly effectual for all the good purposes intended, would have been very uncivil; forasmuch as it would have conveyed too strongly, by irresistible implication, some other IF's of a most unpleasant and embarrassing kind; such as,—“If what Dr G. has said of you be *true*, you are in a *very bad scrape*; and the sooner you get out of it, and, in the mean time, the quieter you keep, the better it will be for you.”—“If you attempt to *expel* him from your College, as having *forfeited the character of an honest man*, by *divulging your secrets*, you must consider his plea; that your *obligation of secrecy* does not extend to things *morally wrong* and *dishonourable done deliberately*; you must be prepared to *join issue* with him on that point, which will be thought a *strong thing* with the *common sense* and *common honesty* of mankind *staring you in the face*;—perhaps you will not succeed in it;—and IF you shall succeed in it, perhaps it will be little to the *advantage*, and still less to the *honour*, of your College, as it will be equivalent to proclaiming to the world, that you wish to have the power of doing things *morally wrong* and

and dishonourable, and obliging your brethren, who disapprove of them, to keep them secret ; nay, that, you have actually been attempting some such things, and are very angry with Dr G. for having divulged them. But, at any rate, beware how you take the law into your own hands, and act as judges in your own cause. There can be no doubt what *your decision* will be ; but that will not save you the *trouble* and *expence*, and *vexation*, and *disgrace* of a *law-suit* ; for you may be sure that Dr G. will immediately bring you and your proceedings under the revision of the *Court of Session*. If you wish to proceed effectually against Dr G. and *expel* him from your College, be sure, in the first place, that you have the law on your side. If you wish to prosecute him for a libel on you, consider what *his plea* may be, and on what points of *law* or *fact* it may be advisable for you to *rest your cause*, and *join issue* with him. He will probably invite you to say, whether you dispute those general principles of what is honourable and right in human conduct, which principles he has asserted so explicitly and strongly ; or whether you dispute the truth of what he has asserted so precisely with respect to your own conduct, with exact references to your own record *, and the report of your Committee,

* It will not surely be contended, even by Dr Gregory himself, that either in the Records, or in the Report of the Committee, there is the most distant shadow of proof,

Committee, in proof of what he asserts. If *you will not choose one or other of those pleas*, he will, of course, consider both of them. It will not be advisable for you to try the former and more general plea: for to dispute those general principles, which Dr G. has asserted, would be equivalent to a formal renunciation of all pretensions to probity, veracity and to the use of reason. If you choose to dispute the *truth* of those *particulars*, which Dr G. has *asserted as matters of fact*, with respect to your own conduct, you may have an excellent action against him, for such a scandalous libel, as his Censorian Letter, and his Review of your Proceedings from 1754 to 1804. *He can have no excuse for telling such infamous lies of his own brethren*; and there can be no mistake, either on his part, or on yours. Either he, or you, must stand convicted of deliberate falsehood, and determined knavery. If you are *sure* that what *he has said of you is false*, prosecute him, without mercy, for a libel. We will undertake your cause, and carry you through triumphantly; but, if you are *not* sure that what he has said of you is false, do not meddle with him: for, if you do, you will certainly catch a Tartar. In short, if you wish to be judges in your own cause, we shall allow you to be so in the first stage of it; in which, if your judgment

proof, that Dr Spens appointed a packed Committee.—
A. D.

ment shall be erroneous, we can easily rectify it; but as all the facts, and all the principles, according to which you ought to judge, are well known to yourselves, we have no doubt, that you will judge wisely and honestly*."

All this, and much more of the same kind of *good, sound, legal advice*, as Dr Duncan *senior*, emphatically called it, I firmly believe to have been *intended* by the *learned* and *witty counsel*, to have been *understood* by their *clients*, and to be *bonâ fide implied* in, and *logically deducible from*, the monosyllable *IF*, so dexterously introduced into the *opinion*, given in *answer* to Dr Duncan's *Queries*, about the best mode of proceeding against me. I am sure the Author of it must have been very proud of his apophthegm, which, in its laconic brevity, contains a whole bushel of pure Attic salt, more pungent than the strongest spirit of hartshorn, and almost as agreeable to his clients.

The

* The reader has here an ample specimen of the groundless assertions, which a wild imagination may deduce from the emphatic particle *IF*. Near two years have now elapsed since the College of Physicians excluded Dr Gregory from the power of attending their meetings. In what manner has he fulfilled his threatening, that he would immediately bring them and their proceedings under the revision of the Court of Session? He has not yet commenced any action.—July 1811.—A. D.

The answer of the learned and witty counsel to another of the Queries proposed by Dr Duncan *senior*, I have been assured, was almost as strongly seasoned with a new hyperoxygenated salt till then unknown to any Member of this College. The Query, as I understand, was, *in substance*, and *almost in words*, the same that Dr Duncan *senior*, hath printed in his circular letter, (December 1805), but which he hath very dexterously *suppressed* in his last printed paper, wherein he *publishes, privately, three* of the Queries proposed by him to his Counsel,—something about “whether any of our number would transgress the act 1754, by furnishing medicines to his own patients, without making any charge for them?”

I have been told, that the answer was very unfavourable;—something to this purpose, that “if they choose to practise *gratis*, without being paid at all, either for their advice or for their medicines, they might do so; but that, if they were to be paid for their advice and attendance, their furnishing medicines to their own patients, without making any charge for them, would be regarded, in a court of justice, as a *violation* or *evasion* of their own act of 1754; that it would be understood in law, that *something more* was given them by their patients, than would have been given merely for their advice and attendance; that *something less* than what they received would have been given them, if they had *not furnished medicines* to their patients; that the difference between *that more* and *less*, in their payment, would be understood to be the
price

price which they received for their medicines ; and that the attempt would be reprobated as mere chicane, just of the same kind with the stale tricks of strolling players, who profess to sell ale, and to be paid for it only, while they treat their good customers with a stage-play, gratis ; or who advertise at a certain price, a concert of music, between the acts of which will be presented, gratis, a tragedy, or a comedy.

To that miserable, that infamous, state of degradation has this Royal College, and the profession of a physician in the city of Edinburgh, been reduced by the misconduct of some of our members.

EXTRACT from Dr GREGORY's Defence, P. 98.

As Dr Duncan *senior* professes not to believe or feel that this opinion of Mr Clerk amounts to an admonition or reprimand, which I *bonâ fide* think it, nay, a very severe reprimand, and says he does not suppose that any honest man of common sense will agree with me in my opinion, I shall not attempt to convert him to it. He has before him the very words of his own lawyer, one of the ablest that ever this country produced. His words amply testify his acute reasoning, his keen wit, his strong, clear, common sense ; and his thorough contempt for the chicane and trick which he was expected to sanction. Though he highly respected the honourable profession of Physic, he could not shut his eyes to the exact similarity

larity of the two cases,—Dr Duncan's proposal *, that Physicians should furnish Medicines to their Patients, without making any charge for them, and the stale trick of strolling players, to evade the law against theatrical entertainments. If Dr Duncan will not believe this, neither will he believe though five hundred of his own patients should rise from the dead.

Copy of a LETTER, sent by Dr DUNCAN to Mr ER-
SKINE, and also to Mr CLERK.

DEAR SIR,

Adam's Square, 25th August 1808.

About two years ago, you favoured me with signed opinions, in answer to some Queries respecting the business of the College of Physicians.

Dr Gregory has introduced some observations on these opinions, into a Defence which he has presented to the
College

* The proposal was not mine. Every candid reader must see from the Memorial, that it was a proposal made by Dr Gregory's own Father. The Memorial consisted merely of an act of the College, and of an extract from a work of Dr John Gregory's. The only query was, Whether the act prohibited the Members of the College, from practising in the manner which Dr John Gregory recommended in that work? What must they think of a Son who could thus vilify the memory of a venerable Parent?

College, on certain charges brought against him by Dr Hope.

Dr Gregory in that Defence has affirmed, that the opinions of my Lawyers were in reality a severe reprimand, and bitter sarcasm on me.

Permit me to request the favour, that you will inform me, in writing, whether the account which he has given of your opinion be just or not; and whether your words warrant Dr Gregory to say, "that they demonstrate your thorough contempt of the chicane and trick which you was expected to sanction."

To enable you to judge how far he has given a fair representation of your opinion, I send you, with this letter, a copy of my two Memorials; of your Answers to the Queries subjoined to these Memorials; and also a copy of Dr Gregory's remarks upon your Answers.

I have the honour to be, your most obedient servant,

(Signed) ANDREW DUNCAN.



Copy of a LETTER from Mr ERSKINE to Dr DUNCAN.

MY DEAR SIR, *Ammondell Lodge, August 29. 1808.*

I have endeavoured, in vain, to discover from Dr Gregory's observations, on what he grounds the supposition, that it was my intention to convey any reprimand or sar-

casm

easm, in the opinions I gave on the two Memorials laid before me by you.

Had any thing in the case required from me any animadversion disapprobatory of your conduct, you know me too well to doubt that I should have expressed it with that freedom which became my professional character, as well as my private regard for you.

I answered the Queries submitted for my opinion, to the best of my judgment, and in the clearest and most direct terms. No observations, therefore, founded on the supposition of the opinions being hypothetical, can at all apply to mine. And nothing could be farther from my mind, than to express or imply either reprimand or sarcasm.

I remain, with the greatest regard, my Dear Sir, yours faithfully,

(Signed) HENRY ERSKINE.

Copy of a LETTER from Mr CLERK to Dr DUNCAN.

DEAR SIR,

Edinburgh, 5th September 1808.

I am sorry to find, that the professional opinion which I gave you two years ago, upon the legal construction of an act of the College of Physicians, should have been misconstrued.

You will observe, that my opinion was not asked upon the expediency of altering the act 1754; and if it had, I
should

should have declined giving any opinion upon that important question, as it is not a question of law.

But I understood, that it it was or had been a question, among the Gentlemen of the College, whether it would be proper to alter or modify the practice, as it had been followed under the act; and that the object of the Memorial in relation to it, was to be advised, whether an alteration of the practice might legally be introduced, without altering the act itself. In this, I did not suppose that there was any intention of resorting to chicanery; although, as I thought the variation of the practice, suggested in your Memorial, was not permitted by the law as it stood, it was my duty to give you that opinion.

It seems to me a great mistake to suppose, that the words of my opinion contain a reprimand or sarcasm on you.

You consulted me upon a difficulty in law, and, if it be said, that my opinion is strongly or decidedly expressed, I hope a Lawyer may give his opinion in a strong or decided manner, without being thought to reprimand his Client, or to answer him with sarcasms, and to demonstrate a thorough contempt of him.

It may be inferred, from my opinion, that I should have disapproved of practising Pharmacy in the way proposed, without directly repealing the act of the College 1754. But I do not see how that opinion can be construed into reprimands, or sarcasms, or contempt of you.

So

So far as I recollect, you did not state to me your own sentiments or particular views in the business, but left me to form my opinion upon the facts contained in the Memorial. Under these circumstances, I had no right to suppose, nor did I in fact suppose, that you intended or approved of any chicane, trick, or disingenuous proceeding; and, so far as I can recollect my own intention in writing the opinions referred to in your Letter, it went no farther than to express my poor judgment upon the different points stated in the Queries, without stepping out of my way, either to praise you or censure you. I am, Dear Sir, your most obedient servant,

(Signed) JOHN CLERK.

These Letters from Mr Erskine and Mr Clerk were published to the world more than two years ago, and must have convinced Dr Gregory, that his allegation of my own Counsel *having reprimanded me for chicane and trick*, was an egregious misrepresentation.

From a man of real candour, it might have been expected, that he would have made some apology to me, for having committed to print his groundless and injurious conjectures. But Dr Gregory has not hitherto made even the slightest acknowledgment of this error.

Was not some apology due, even to the memory of his own Father, whose plan for the improvement of Medicine, he has treated with such irony and contempt? If he cannot blush for himself, I think I may venture to foretel, that his Sons will yet blush for his conduct to their Grandfather.—June 1811.

No. II.

DECISION
OF THE
COLLEGE.

*Copy of MINUTE of an Extraordinary Meeting
of the ROYAL COLLEGE OF PHYSICIANS, held
upon the 13th of September 1808.*

PRESENT :

Dr STUART, President, Dr THOMAS SPENS, Dr DUN-
CAN *senior*, Dr WRIGHT, Dr JAMES HOME, Dr YULE,
Dr HAMILTON *junior*, Dr HOPE, Dr DUNCAN *junior*,
Dr BROWN, and Dr BARCLAY.

Roll called.—Absents fined.—Minutes read.

THE President stated, that the Council transmitted the Resolutions moved by Dr Hope, and Dr Gregory's Defence, *simpliciter*, to be decided by the College. But
whatever

whatever the judgment on these might be, they could not avoid recommending, that the College should express their disapprobation of the manner in which Dr Gregory had endeavoured to obscure the question, by involving it in an immense mass of irrelevant matter, containing misrepresentations of various facts and circumstances well known to the members individually, unfounded insinuations and calumnies, and coarse and grossly indecent language, unknown in the intercourse of polished society.

Dr Hope was then heard at length in support of the resolutions moved by him, when he read and lodged with the Clerk, an amendment, which it became necessary to make upon these Resolutions, in consequence of Dr Wright having departed from the declaration signed by him.

Follows Copy of the Resolutions moved by Dr Hope,
as read 5th December 1807.

Dr Hope moved, That the Royal College of Physicians should declare and resolve as follows :

1st, That at a Quarterly Meeting of the College, on the 5th of February 1805, when every Member on the roll, except Dr Gregory, was present, the following Resolutions, transmitted from the Council, were passed :

“ The College taking into consideration the concern which the President has had in the late revisal of the
Laws,

Laws, and the great trouble and attention he has bestowed on it, are of opinion, however different the sentiments of the different members may be on that subject, that he has acted from the purest motives and in the most honourable manner, and that he well deserves the thanks of the College, which they request the Vice-President to give him; and they appoint this Resolution to be engrossed in the Minutes.

“ The Clerk having then called the roll, the whole members approved of the motion of the Council, with the exception of one member, who objected merely to the form of the motion, but who agreed with all the other members, that the President had acted in an honourable manner.

“ Thereafter a motion respecting the Committee for revising the laws, the same with the preceding, *mutatis mutandis*, was read, put to the vote, and carried in the same manner.” And the same were regularly sanctioned, when the minutes were read at the subsequent meeting of the College in May.

2d, That Dr Gregory, in a letter addressed to the President, dated November 2. 1807, referring to a meeting of of the College in August 1806, from which he had been absent, uses the following words: “ I absented myself from that meeting purposely; and went about my ordinary business at the time of it, because I confidently expected that some very strong measure, with respect to me, was to be proposed in the College: and I thought it
more

more delicate, towards my brethren, to leave them at full liberty to express, without reserve, their sentiments, and take their resolution with respect to me, than to lay them under any restraint by being present at their meeting; and also more prudent, with respect to myself, to avoid, than to engage in, an unavailing debate, or perhaps an angry and disgraceful altercation.

“ On that occasion, I acted exactly in the same manner, and from the same liberal and honourable motives, that I had acted from, on a similar occasion, at the quarterly meeting of the College in February 1805.

3d, That Dr Gregory, in the same letter, uses the following language, in regard to his ignorance of their proceedings on the said 5th of February 1805.

“ From this detail of the nature, and tendency, and purpose, of my reasons of dissent, you may easily perceive that they involve some plain considerations of reason, or rather of common sense, about which I can hardly conceive that my brethren and I should differ, even for a quarter of an hour. They are at least totally different from, and independent of, those principles of moral conduct about which we differ totally, and, I much fear, irreconcilably. This strange difference of opinion, with respect to the principles of moral conduct, I discovered only about a year ago, and that, as you know, by mere accident; for though it had been strongly expressed, by my brethren, in an unanimous resolution, in my absence, at their meeting in February 1805, and had even been

recorded

recorded in our minute-book, nay had been printed and distributed very freely, for a year and a half, it somehow happened that I had not the least intimation of it, till our meeting in November last. From this I infer that neither the Royal College at large, nor any individual member of it, not even yourself, who, if I am rightly informed, first proposed that declaration of your moral sentiments, wished me to know it, or to make it a subject of discussion: for if you had wished this, you would certainly have informed me of it without delay.

“ The first intimation that I had of it was, by Dr Duncan *senior* declaring, vehemently, after hearing me read my queries, that the College must assert its own dignity; that it had shown too great lenity to great offenders (or offences), that my printed paper was a scandalous libel, and that the College had already decided that point. This he repeated; and on my telling him, repeatedly, that I did not understand him, or to what he alluded, he turned up the minute-book, and shewed me the record of the proceedings of the College in February 1805. As that discovery of it was evidently accidental, and as the proceeding of the Royal College was most deliberate, I judge that it was not intended, by my brethren, that I should ever know of our great difference about morals; which I must own was the most likely way to prevent any disputing about them. I judge also that their deliberate proceeding, on that occasion, was strictly consonant with their principles of moral conduct: But I
must

must take the liberty to say, that it was altogether repugnant to mine; which, as my brethren well knew, were explicitly stated in my Censorian Letter.

“ As their sentiments of moral right and wrong were so different from mine, that they all thought those proceedings most honourable, which I thought just the contrary; they must have thought mine completely erroneous, and probably dangerous, or pernicious, in their consequences. They could not surely distrust my sincerity in the sentiments which I professed, and the assertions, with respect to many plain matters of fact which I had stated. But if they had thought so unfavourably and unjustly of me, they ought to have proceeded against me as a criminal; and no doubt they would have done so, for their own sakes individually, as well as for the honour and interest of the Royal College.

“ If they believed me sincere in what I had professed, but miserably mistaken in my notions, and principles, of moral conduct, it would have been rational, and highly proper, nay it would have been a humane and Christian duty, on their part, to have endeavoured to instruct me, and set me right, or at least to have admonished me of the nature and danger of my errors; provided always, and supposing, that they thought me not absolutely insane, but capable of being reasoned with.

“ But if they thought me absolutely insane, incapable of instruction, and unfit to be reasoned with, and were themselves sincere in those sentiments, so different from
mine,

mine, which they professed, then, certainly, they ought to have taken measures to get me confined, and treated as a lunatic.

“ If now, on hearing my reasons of protest, they shall differ from me with respect to the principles of reasoning and common sense, as much as, on reading my Censorian Letter, they did with respect to morals, they cannot hesitate what to do with me.

“ You know, Sir, that more than three months ago, Dr Duncan *senior* distributed among us a printed paper, purporting to be a Memorial and Queries submitted by him to counsel, including a query about the expelling me from this College for having divulged their secrets ; and containing in his own handwriting a very strong hint or intimation that probably he would make a motion to that purpose. He is heartily welcome to try the experiment whenever he pleases.

“ But he is not welcome to say, or to insinuate, as he has done in that printed paper, that I knew of the College having passed that resolution, or declaration, of February 1805, virtually deciding, (as he calls it), that my Censorian Letter was a false and scandalous libel ; implying that I had shrunk from any inquiry into my conduct in that business, that I had not chosen, or had not dared, to vindicate what I had done ; but had in a manner pleaded guilty, by allowing judgment to go against me, by default, in my absence : for the direct contrary of all these insinuations and implications is the truth.

“ It

“ It is possible, however, that Dr Duncan *senior* may not be to blame, but only *bonâ fide* mistaken *, when he said it could not be doubted that I knew of that proceeding.

“ As to the fact, I must repeat my solemn declaration, and oath before God, that I neither knew nor suspected *any thing* of it, nay, that I could not even have thought it possible, till the moment when Dr Duncan *senior* told me of it, and shewed me the record of it in our minute-book last November, just one year and nine months after the resolution had been passed. But measures, which I never heard of, yet well known to Dr Duncan, may have been taken to inform me of it, even from the first; and these measures may have been frustrated by circumstances, of which I have no knowledge or suspicion. His words seem to imply some such meaning: and the fact ought to be ascertained for his vindication and credit. If the College as a body, expressed any wish, or gave any order, to inform me of it; if any individual member of our College expressed such a wish, or undertook to give me

s

such

* It now appears that Dr Duncan was not mistaken. Dr Gregory was at last obliged to confess that he did know *something* of that proceeding. How, then, is it possible to reconcile, with truth, his declaration which follows, in which he voluntarily makes oath of his complete ignorance, without even the most distant allusion to the information which he received from Dr Wright?—
June 1811.

such intimation; if any individual of our College, or not of it, says he gave me such intimation, or says he ever heard me express any knowledge or suspicion of such a proceeding, before it was announced to me by Dr D. in that strange manner, of which you were a witness, at our meeting in November last,—I wish it to be declared explicitly, and publicly: for, in case of need, I have a very different tale to tell, and to establish, as far as a negative proposition can be established, by very competent evidence.”

4th, That on the 24th November 1807, the College met for the purpose of considering that letter from Dr Gregory, and when Dr Hope, in the course of delivering his opinion respecting that letter, and respecting various parts also of Dr Gregory's conduct towards the College, himself, and other members, did strongly represent the improbability of the ignorance which Dr Gregory professed of the proceeding of the College in February 1805; and the little reason the College, or its members, had to believe that he could have continued ignorant of it, or could have entertained no suspicion of it, for one year and nine months; and added, that in spite of all such improbability, he did, in consequence of Dr Gregory's solemn declaration and oath before God, express his belief, that Dr Gregory was really ignorant of that proceeding; Dr Gregory did, in spite of that solemn oath, having been much pressed upon the subject, acknowledge and confess, that he had received information from two of the members, that the College had, on the said 5th February

bruary, come to a resolution, returning their thanks to the President and Committee for their trouble in revising the Laws, and declaring that they had acted from the purest motives ; but denied his being informed that the College had expressed their opinion, that the Committee had acted in an honourable manner ; and that Dr Gregory did publicly repeat this acknowledgment more than once, at the desire of some members of the College, and did afterwards acquiesce in it, when repeated as above by Dr Hope in the same meeting ; and did express his intention to send the same in writing to Dr Hope the next day, which he did not do, and has not since done.

5th, That Dr James Hamilton *senior*, one of the Fellows, has declared, that on the morning of the 5th February 1805, he had informed Dr Gregory, that a vote in support, or in favour of the Committee for revising the laws, was to be moved in the College that day, and that he meant to support it ; and that Dr Wright, another of the Fellows, has declared, that he had informed Dr Gregory of the said resolutions, and that the College had completely acquitted the Committee, and had declared that they had acted quite honourably.

6th, That the College taking into consideration the foregoing statement by Dr Gregory, of the reason of his absence from the meeting of 5th February 1805 ; the solemn declaration and oath before God of his ignorance of that proceeding, and of his having no suspicion of it ; the subsequent acknowledgment or confession of Dr Gregory, so inconsistent with that declaration ; and the testimony

mony of Dr Hamilton, and of Dr Wright, contradictory both of that oath and declaration, and of the avowal which Dr Gregory made on the said 24th November,—Do, in respect that these statements were deliberately made within their own walls, or in writings addressed officially to their President, and in the course of discussion relating to the private business of the College, feel themselves called upon to declare, That they consider such violation of truth, on the part of Dr Gregory, to be highly immoral, and deserving the reprobation of the College; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their body should have acted so as to call forth an animadversion and censure of this nature.

Follows Copy of the Resolutions moved by Dr Hope, with amendment, as lodged with the Clerk this day.

The same as the preceding, the length of the 5th resolution.

5th, That Dr James Hamilton *senior*, one of the Fellows, has declared, that on the morning of the 5th February 1805, he had informed Dr Gregory, that a vote in support, or in favour of the Committee for revising the laws, was to be moved that day in the College, and that he meant to support it.

6th, That Dr Wright, another of the Fellows, declared to Dr Stuart the President, Dr Spens and Dr Hope,

on

on the 1st of December 1807, that he had told Dr Gregory, that the College had, on the 5th of February 1805, completely acquitted the Committee, and had declared that they had acted quite honourably. That Dr Wright, on the 3d of December, in presence of Dr Spens, and Dr Hope, did subscribe and certify as correct, a copy of the said declaration, which is now lodged with the clerk*. That Dr Wright, on the 19th December last, declared to the College, that after he had signed the above statement on the 3d December, he had found notes of the communication he had made to Dr Gregory on the 4th and

* The statement and declaration are in the following terms :

“ On the 1st of December 1807, Drs Stuart, Thomas
“ Spens, and Hope, waited upon Dr Wright at his own
“ house.

“ Dr Stuart asked Dr Wright, if he had not informed
“ Dr Gregory of the Resolutions of the College of the
“ 5th of February 1805.

“ Dr Wright replied, that he had, and that he had
“ told Dr Gregory, that the College had completely ac-
“ quitted the Committee, and had declared that they had
“ acted quite honourably.”

“ I declare that the above statement is, to the best of
“ my recollection, correct.

(Signed)

“ WILLM. WRIGHT.

“ Dec. 3. 1807.”

and 5th of February 1805, from which he discovered, that he had informed Dr Gregory, that the College had voted their thanks to the Committee for their trouble in revising the laws, and had declared their conviction that they had acted from the purest motives ; but that he had not informed Dr Gregory of any thing more.

That Dr Wright, when questioned by the President, at the meeting of the College on the 19th December last, declared, that the said notes were not legible by any person but himself ; refused to produce them ; and declined engaging to preserve them in existence.

7th, That the College, taking into consideration the foregoing statement of Dr Gregory, of the reason of his absence from the meeting of the 5th of February 1805 ; the solemn declaration and oath before God of his ignorance of ' that proceeding,' and of his having no suspicion of it ; the subsequent acknowledgment or confession of Dr Gregory, so inconsistent with that declaration and oath ; and the testimony of Dr Hamilton, and the different statements of Dr Wright, all perfectly contradictory of that solemn declaration and oath, Do, in respect that these statements by Dr Gregory were deliberately made within their own walls, or in writings addressed officially to their President, and in the course of discussion relating to the private business of the College, feel themselves called upon to declare, that they consider such violation of truth, on the part of Dr Gregory,

to be highly immoral, and deserving the reprobation of the College ; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their body should have acted so as to call forth an animadversion and censure of this nature.

The College then deliberated maturely upon these resolutions, each Member delivering his opinion in the order of seniority, and in general at considerable length.

Dr Barclay, though he held many of the arguments in the Defence as unsatisfactory and futile, did not, however, think it competent to enter into the question whether the charges were proved or not.

All the other Members, with the exception of Drs Wright, Yule, and Brown, who regarded the charges as wholly unfounded, concurred in the sentiments expressed in the resolutions, and in the opinion, that the Defence presented by Dr Gregory was altogether unsatisfactory.

Dr Hope was again heard in reply. The vote was then put, " Adopt the resolutions moved by Dr Hope, " or Not ?" when it was carried, seven to three, Adopt ; Dr Barclay declining to vote, having some doubts respecting the propriety of taking the resolutions into consideration, and of the right of the College to decide upon them.

Dr

Dr Wright, Dr Yule, and Dr Brown, protested in the Clerk's hands against the adoption of the resolutions, and desired it to be marked in the minutes.

Dr Hope then stated, that as the College had resolved to pass a vote of censure upon Dr James Gregory, on account of a deliberate violation of truth, in a solemn declaration and oath before God, committed within their walls, and in the course of the business of the College, it appeared to him highly right and proper, that the College should insert in their records a statement of the grounds upon which they founded their decision; in order that their successors in the College may see, that they have not passed a vote, of so serious a nature, respecting one of their Members, without having the most clear, certain, and complete evidence of the delinquency.

The College approved of this measure; and thereupon Dr Hope submitted to them a draught of such a deliverance, as he thought, the College should insert in their records.

This draught was approved of by the College, and was lodged with the Clerk. The same has since then been carefully revised by the President and Council, and the tenor of it is as follows :

“ The College have considered very maturely the subject of the resolutions, as moved by Dr Hope on the 5th of December 1807, and as altered, in consequence of Dr Wright having given a different testimony to the College
on

on the 19th, from what he had given to the President, Dr Spens, and Dr Hope, on the 1st, and signed on the 3d, all of the same month.

The College have also considered attentively the printed Defence of Dr Gregory, and have maturely deliberated upon the whole of this serious and momentous business.

It appears to the College,

1st, That Dr Gregory, in his letter addressed to the President on the 2d of November 1807, as quoted in the 3d resolution moved by Dr Hope, does, in the most general, broad and comprehensive terms aver, that he knew nothing of the resolution or declaration of the College of the 5th February 1805, implying, as Dr Gregory alleges in various parts of it, a difference of opinion between the College and himself, respecting the principles of moral conduct, moral sentiments, morals, sentiments of moral right and wrong, until the record of it was shewn to him in November 1806, one year and nine months after it was passed.

2dly, That Dr Gregory has in the said letter, asserted, in a solemn declaration and oath before God, that he had no knowledge or suspicion of what Dr Duncan *senior*, in a printed paper distributed to the Members of the College in May 1807, has represented as a virtual decision of the College against him, Dr Gregory; which virtual decision Dr Duncan describes, as consisting in an unanimous resolution of the College, on the 5th of February

1805, declaring, that the President and Committee had acted from the purest motives, and in the most honourable manner; nay, that he, Dr Gregory, could not even have thought it possible, till the record of it was shewn him, a year and nine months after the resolution had been passed.

But it appears to the College,

3dly, That Dr Gregory has, in his letter already referred to, and as quoted in the 2d resolution moved by Dr Hope, stated as a reason for purposely absenting himself from the meeting of the 5th of February 1805, that he confidently expected some very strong measure with respect to himself was to be proposed in the College, and that he thought it more delicate towards his brethren, to leave them at full liberty to express their sentiments, and to take their resolution with respect to him, than to lay them under any restraint by being present, and also more prudent with regard to himself, to avoid than to engage in an unavailing debate, or perhaps an angry and disgraceful altercation.

4thly, That Dr James Hamilton *senior* had, previously to the said meeting of the 5th of February, informed Dr Gregory, that a vote was that day to be proposed in the College, in favour or in support of the Committee for revising the laws, and that he, Dr Hamilton, meant to support it.

5thly, That Dr Gregory did, on the 24th of November 1807, as stated in the 4th resolution moved by Dr Hope,

Hope, acknowledge and admit, that he had received information from two of the Members, that the College had, on the said 5th of February, come to a resolution, returning their thanks to the President and Committee for their trouble in revising the laws, and declaring that they had acted from the purest motives; which admission has since been corroborated by the testimony of Dr Wright.

6thly, That the grounds on which Dr Gregory has, in his Defence, attempted to confine his denial of knowledge to one part of the said resolution of the 5th of February, and to reconcile the inconsistency between his declaration upon oath, and the matter of fact in regard to the information which he had received, are altogether unsatisfactory.

In his Defence, he maintains, that his denial could rationally be applied only to such part of the said resolution of 5th February 1805, as implied a difference of opinion between him and the College respecting the principles of moral conduct, or imported a contradiction of what he had asserted in his printed papers; that the only part of the said resolution which implied such difference or contradiction, was that clause, declaring that the President and Committee had acted in the most honourable manner; and that the clause relative to their motives, did not imply any such difference or contradiction, as he had never disputed the motives of the Committee being good, but if present at the meeting,
should

should have most cheerfully concurred in the declaration, that the Committee had acted from the purest or best motives, adding, that this was, *bonâ fide*, his opinion.

But the College must observe, that Dr Gregory's assertion, that he had never disputed the purity of the motives of the Committee, is notoriously contrary to truth; as Dr Gregory, in his printed papers, did, at great length, labour to calumniate the Committee, and degrade them in the opinion of the Public, by representing them as having been actuated by motives and considerations, to which he applied the reproachful epithets of selfish, sordid, unworthy, illiberal, mean, base, odious, and disgusting.

That Dr Gregory's solemn oath and declaration refer directly and immediately to the resolution of 5th February, as described by Dr Duncan *senior*, without any explanation, that they were intended to apply to one part of that resolution only, and not to the other; and there is not a single expression in the course of Dr Gregory's very long Letter, from which such an inference could be drawn. And they must further remark, that as the declaration of the College respecting the motives of the Committee, was a direct contradiction of many assertions made by Dr Gregory in his printed papers; as it implied as wide a difference between him and the College, respecting the principles of moral conduct, and as it was as much a virtual decision against him, as the other clause, respecting the honourable conduct of the Committee,

mittee, it was, even according to Dr Gregory's own principles, included in his denial of knowledge, which must therefore be considered as extending to *both* parts of the resolution of the 5th February 1805.

7thly, From all these considerations, it appears to the College, that Dr Gregory's Defence is completely unsatisfactory; that the information which Dr Gregory received from Dr Hamilton, respecting what was to be done at the meeting of 5th February; the reasons which Dr Gregory has stated for his absence from that meeting, and the knowledge which he admits that he possessed respecting that resolution, as well as those parts of it called by Dr Duncan *senior* the virtual decision, are completely inconsistent with, and contradictory of, his broad and comprehensive denial of knowledge, and his solemn declaration and oath above referred to, and that Dr Gregory has of course been guilty of a direct and deliberate violation of truth.

The College have therefore adopted the whole of the Resolutions moved by Dr Hope, altered as above mentioned, and feel themselves called upon to declare, That they consider such conduct, on the part of Dr Gregory, to be highly immoral, and deserving the reprobation of the College; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their body should have acted so as to call forth an animadversion and censure of this nature.

The

The College also adopt the recommendation of the Council, and do hereby express their strongest disapprobation, of the manner in which Dr Gregory has endeavoured in his Defence to obscure the subject, by involving it in an immense mass of irrelevant matter, of the numerous misrepresentations of various facts and circumstances well known to the Members individually, of the unfounded insinuations and calumnies contained in that Defence, and of the coarse, rude, and even sometimes grossly indecent language in which it is written.

Several Members then expressed their opinion, that as the various long papers which Dr Gregory had printed, relative to the affairs of the College, contain a very great number of gross misrepresentations, tending to affect the reputation of the College as a body, and the character of many Members individually, it appeared indispensably necessary, that the College should take some step to contradict the statements of Dr Gregory, and to prevent the public from being misled by them.

The College, after deliberating upon this matter, were of opinion, that a narrative of the transactions alluded to by Dr Gregory, and of the conduct of Dr Gregory in particular, laid before the public, would answer the above purpose. It was therefore resolved, that such a Narrative should be drawn up, with all convenient speed ;

speed ; and they appointed the Council, as a Committee for that purpose, with power to consult and employ Counsel, whenever such assistance should seem requisite, and to report thereon to the College.

A true Copy,

ALEX. BOSWELL.

Nov. 5. 1808.

NO. III.

No. III.

PROTEST

BY

DR GREGORY'S FATHER, AND OTHERS,

Referred to in Dr DUNCAN'S LETTER, Page 12.

*Reasons for Dissenting from an Act lately passed
by the Royal College of Physicians in Edinburgh,
for restraining their Members from the Prac-
tice of Surgery.*

May 2. 1769.

WE should be wanting in our duty to this Society, after taking so uncommon a step as to enter our dissent, against any law passed by the Royal College, without mentioning the motives which induced us so to do.

It was not in our power to give in our reasons sooner than this Meeting, for want of an opportunity of fully considering either the last Memorial by the College which was laid before our Counsel, or the answers made by them to the said Memorial.

We

We have since had an opportunity of doing both, and therefore beg leave now to offer the following reasons of dissent, and of the protest thereupon taken.

We are, in the *first* place, of opinion, That the Charter of the College does not empower them to make any such law, against the consent, and to the prejudice of the present Fellows. *2dly*, That they cannot extend this law, so as to affect either the present or the future licentiates; and, *3dly*, That although such powers were vested in the Royal College by their Charter, yet it would be improper to use them, by making any such separation.

It is every where understood, that the Doctor of Physic, as established by the diploma received from an University, is a person entitled to practise Physic in all its branches; while the Surgeon and Apothecary are confined to their respective branches, and cannot, but by abuse and connivance, practise on internal diseases. This, we think, is evident from the College charter, and by that in favour of the Corporation of Surgeons. We are thereby allowed to practise without any limitations, whereas the Surgeons are strictly limited.

The licences granted by the College of Edinburgh, have hitherto conveyed the power of practising Surgery; and ever since the institution of the College, all of its Members might, and some of them, both Fellows and Licentiates, always have, practised Surgery. Some of
v them

them do at present, and make it the chief part of their profession, and what alone they can depend upon for the support of themselves and families.

The College, therefore, by their present act, are guilty of a flagrant piece of injustice against any such Members. They may be equally unjust with regard to others, who may find it necessary to have recourse to the practice of Surgery, and we cannot think that the College are empowered to make laws so injurious to its Members, to take away a *jus quæsitum*, a right founded upon the good faith of the College, in granting a licence without exception, though the act had been unanimous, and still less so when it is considered that this measure was carried only by the President's casting vote.

Neither, in our opinion, are the College empowered to make laws so prejudicial to the present licentiates, or such as shall afterwards apply for a licence. The present Licentiates are so far upon the same footing with the Fellows, that the rights which they have acquired in consequence of their licence, cannot be impaired by any by-law of this Society, to the evident prejudice of such Licentiates, without a proper indemnification, or without the strongest reasons of public utility. Our Charter empowers us to make "rules, acts and statutes for promoting and advancing of the knowledge of Medicine," but there is no power granted us to refuse licences when we please. On the contrary, the same charter expressly says, "That the said College of Physicians are thereby obliged to

to licence any person or persons that shall be graduate by any of the said universities, and mentions St Andrew's, Glasgow, Aberdeen, and Edinburgh, and that without any previous or antecedent trial, but merely upon production of their patent or diploma to the President of the College of Physicians." Nothing can be stronger than the above paragraph, in opposition to the present law; and our own counsel, Mr Lockhart, whose abilities and opinion we pay the highest regard to, after having carefully considered the foresaid clause, seems to be of the same opinion: "That upon application to the College of Physicians, by those who have been graduated by any of the four Universities, or even by foreign ones, the College of Physicians are bound to grant a licence to such persons to practise physic within the city of Edinburgh, and liberties thereof, without any trial of their qualifications, other than what was supposed to have been taken when they obtained their degrees; and however much this may be liable to abuse, from the improper conduct of those Universities, in granting degrees, by way of favour, or other motives, to persons unskilful and unqualified, there is no help for it, such being the express tenor of the charter of erection in favours of the College of Physicians. The redress of that wrong belongs only to the Sovereign or the Legislature; and therefore, if any erroneous practice has prevailed, of obliging these Licentiates to undergo a trial before they are licensed, or if the College has passed any general regulation or act to that purpose,

purpose, I must give it as my opinion, that they assumed a power which did not belong to them, and that those who shall hereafter apply for a licence, cannot be compelled to submit to such previous trial or examination, whereupon the licence might be refused, in case the College shall be of opinion that they were not properly qualified, but that, be the consequences what they will, the College is bound to grant them the licence." Does not Mr Lockhart, therefore, plainly tell us, that the College of Physicians, upon no pretence whatever, can refuse a licence, upon such application? Even though we were of opinion that the candidate was not properly qualified, we must grant the licence to practise physic, with all the advantages which his diploma entitles him to. Every society should be cautious not to overstretch their powers, unless where the good of the public evidently demands such an exertion. But the College of Physicians should have been still more so, when, from their Counsel, it is evident that their powers are so liable to objections, though never yet tried in a judicial manner.

We must confess that we are at a loss to know the reasons why the College are so ready to give up, in favours of the Surgeons, the privileges granted to the Physicians by their charter, and which they have so long enjoyed. And we think the College went out of their road, in asking the advice of Counsel, Whether the Surgeons cannot punish the licensed Physicians who practise Midwifery,
in

in case that the College could not do it themselves? as appears by their memorial.

It was perhaps time enough to give up our own privileges in favours of the Surgeons, when they shall abstain from daily encroaching upon the privileges of the Physicians, or at least till such time as the Surgeons had complained of any such encroachment. But we shall forbear mentioning any thing further upon this head, as the absurdity and impossibility of pretending to draw an exact line betwixt Physic and Surgery, is sufficiently evident to the Members of this College. We proceed, therefore, in the *third* place, to shew, that although we had such a power by our charter, that it is neither for the improvement of Physic, nor for the good of the public, that such a separation should take place as the act requires.

Though the Physician and Surgeon are seemingly engaged in different practices, they are both governed by the same principles, and the Surgeon cannot properly conduct his business without the science of a Physician. Nay, in almost every country in Europe, Surgery at this time is taught by Physicians. Such is the case at Paris, Berlin, London, Leyden, Petersburg, Strasburg, Wittenburg, Leipsic, Utrecht, Hall, Giessen, Brunswick, Göttingen, Edinburgh, and other places; and it is not to be presumed, that Physicians, who are utterly unacquainted with the practice of Surgery, can teach this branch as well as those who daily are.

It

It may, therefore, be considered, whether, by allowing Physicians, embued with general knowledge, and following their inclinations and talents for the practice of Surgery, we may not have persons more generally excelling in that art, than by confining the practice of Surgery to persons who study it as a mechanic art, and seldom go far in acquiring the science that should constantly govern them. It is certain, that experience in this matter decides in favours of the Physician; for though there may be many exceptions, it is not common in any country in Europe, to find Surgeons of such general knowledge as the Physicians; and it is certain, that in all countries, some of the ablest Surgeons and operators have been Physicians. The history of physic furnishes many such examples. We could quote many authorities to prove, that this separation, so far from being of public utility, will rather be hurtful to the community. As the College memorial mentions Avenzoar, though perhaps one of the most unlucky they could have pitched upon for the purposes intended, we beg leave to give them the opinion of a modern physician of no less reputation upon this subject: we mean Hoffman.

“ Restat jam, ut etiam de parte Medicinæ omnium nobilissima et vetustissima, Chirurgica, quæ externarum partium vitiis recte medendi præcepta tradit, nostram sententiam dicamus; quod videlicet hæc ipsa medico scitu sit summe necessaria. Complures enim in hac perversa versantur opinione, hanc artem, quæ manu sanat et

in sectionibus atque externis remediis applicandis versatur, directe ad medicinam non pertinere; at hi certe nesciunt, totum hominem, tam quoad externas, quam internas partes, Medicinæ esse objectum, et has invicem tam mirabilem intercedere consensum, ut vitium quod externis inhæret, perfacile transeat ad interiores, et istæ contra graviter luant, si hæ morbose afficiantur.

“ Præterea sciendum est, vitia quæ externis partibus inhærescunt, et quæ Chirurgi ope egent, etiam internas occupare, ut dolores, tumores, extravasationes, scirrhi, inflammationes, ulcera, apothemata, et singula non tantum externa, sed etiam interna medicamenta requirere; ut adeo pateat Chirurgi et Medici munus non multum differre. Neque prætereundum topica pro diversa vitiorum ratione et natura corporum, insignem ne qua noxa inferatur, prudentiam desiderare; ex quo clare apparet, nec Medicinam a Chirurgia, nec Chirurgiam rationalem, ut verum dicam, a medicina fundamentis, nullo modo posse separari. Recte igitur sentiebant veteres, qui ex familia Æsculapii ortos et arte medica imbuendos, ante omnia Chirurgiam edocebant; ideoque in suis de re medica monumentis, summum eidem pretium statuebant.” And he afterwards adds: “ Ideo et ratio et salus reipublicæ medicum hujus artis pariter gnarum, rerumque in ea obviarum peritum jure postulet, quo inscitiam Chirurgorum consilia adjuvare, et modesta admonitione possit corrigere,” &c.

Within

Within these thirty years, this matter has been contested in France, where some of the ablest surgeons have appeared ; but even there, in spite of the establishment at St Cosme, for qualifying Surgeons in the best manner, the Parliament of Paris, after much deliberation, have decreed, that the Surgeons should be subordinate to the Physicians, and subjected to their opinion and advice as superior judges, even in what might seem to be the proper business of the Surgeon.

When we consider that such is the present situation of the City of Edinburgh, that, with all its extensions, it is not able to maintain Surgeons upon the same establishment as at London or Paris, of course the profession of Surgery must be joined either to the Physician or Apothecary ; and we cannot help expressing our surprise at the choice of the College of Physicians in this respect ; we are at a loss to find out what motives have determined the College to such a measure.

In the College Memorial, (P. 20.) it is said, that it is the particular interest of the public, as well as for the advancement of the knowledge of Medicine, and the honour of the profession, that the practice of Physic, Surgery and Pharmacy be never united in one person, and that at all times, and in every country, the professions have been kept as distinct and separate, as the Lawyer is from the Writer to the Signet, or Procurator, each employment being sufficient to engage the whole time and attention of one man. But will the present Act remedy this ?

this? It is well known, that every Surgeon in Edinburgh practises Physic, Surgery and Pharmacy : therefore, it was time enough for the College of Physicians to make this regulation, when the Surgeons are disjoined from the Apothecaries, and confine themselves to Surgery only.

The study of the whole of Physic is certainly too much for any one man ; there are few who attain to it ; and we believe the most part of Physicians do not go half the length they ought in this matter. It might, therefore, be a project to divide the study of the profession still further, and confine Practitioners to certain diseases only ; but it would be a foolish one, and would produce Practitioners not knowing in any disease : the principles are in common with the whole, and the application to different particulars serves to establish and to illustrate each other.

It is, however, true, that from particular dispositions and accidents, Physicians will often attach themselves to some parts of their art in preference to others, and if they can persuade the Public of their particular talents and acquirements, they will meet with encouragement in their particular branch of skill, and perhaps in that chiefly, by which means they become still more knowing in it, and less exposed to avocations in other parts of the profession. This is, indeed, establishing certain persons for particular parts of the Art ; and perhaps, in this way, it is always with advantage to the Public ; but that such

accidental determinations should be made a separate profession, which any man practising should be obliged to practise alone, and that no other Physician should be allowed to practise the same, appears very improper. It is probable, that Practitioners will always be best formed, by setting out upon a general plan of study, and encouraged by a view of a comprehensive employment, though we may allow particular determinations to take place afterwards.

If, then, a Physician, upon this footing, shall be determined to the Practice of Surgery, or any part of it, no harm can ensue to the Public. On the contrary, such a Physician is likely to become more excellent in Surgery, than any man, who from the beginning was determined to be a Surgeon only. There is no advantage, therefore, to be got by forcing the separation in study, nor is there any necessity for any regulations to separate them in employment. The Memorial mentions, that one part of a profession may attach a man to one patient and place, and prevent him from attending others; yet there is no necessity for obviating such accidents, nor is it possible to do it by any regulations. We may as well enact, that no Physician shall go out of town, because he cannot attend his patients in town and country at the same time; or limit any Physician to a certain number of patients. We must leave this to the Public to obviate the inconvenience, which they certainly will, whenever they find the patients of any one Physician

cian

cian so numerous as to interfere with one another. Another reason given in the Memorial for this Act is, that it is for the honour of the Profession. But surely this College, who are all well versed in the history of Physic, can lay no stress upon this argument, especially when it is well known, that, both now and formerly, there are and have been in every country in Europe, Physicians who practised Surgery without the least derogation from their dignity as Physicians. Ruysch, Heister, Deventer, Astruc, Chamberline, Douglas, Nisbet, Sands, Bember, Sir Richard Manningham, Sir David Hamilton, and others practising Midwifery, were always on a level with any of their profession, and in rank above most of them, several of whom were Fellows of the Royal College of Physicians in London. We could say the same of some present Practitioners both at London, Dublin, and elsewhere.

Such an argument never influenced the College of Physicians in London, who have, for upwards of two hundred years, allowed both their Fellows and Licentiates to practise Surgery, nor has it ever produced any frequent combination of the two professions. In like manner, the College of Edinburgh, for near one hundred years, have left their Members at liberty to practise Surgery, or what parts of it the Members themselves thought proper, but it has never combined the professions in any manner hurtful to the profession of Physic; and perhaps in no place was there less danger, when the
present

present law was proposed, than at Edinburgh, where there was but one single Member who made a formal profession of any manual operation. What we mean, is the Practice of Midwifery, which, we are disposed to believe, was the sole object of this Act. It was in respect to Midwifery only, that the conjunction of Physic and Surgery was complained of. If the separation of Midwifery from Physic was the principal intention for passing the new Act, it is certainly one of the most improper.

Midwifery is a part of Surgery, the most diversified that we know of, and the most requiring the general principles of Physic. As a judgment in Physic is often inseparable from the Practice of Midwifery, when it is not possible to have either the Physician always at hand, or to render him useful, unless he is exercised in the practice of it; therefore, it is the interest of mankind to have the two conjoined, if possible, in one person.

We are persuaded, that the Public will think it for their interest, in cases which are attended sometimes with so great and sudden danger, that Physicians of the first rank should undertake the profession of Midwifery, and that the Legislature will not suffer the College of Edinburgh to put a mark of contempt upon such Physicians, by extruding them from their society. No other College of Physicians have taken such a step. It is very suitable to the good sense of our neighbours in England, that they have always encouraged and supported such an establishment ;

establishment ; and it is well known, that there are hardly any Practitioners of note in Midwifery in that kingdom but Physicians ; some of them Physicians to the Royal Family. To our neighbours, therefore, the Act now passed by the College, especially with respect to Midwifery, must appear very strange, and they may be in some danger of imputing it to a bad motive.

There is but one other thing which we beg leave to observe, that notwithstanding all which has been said, the College have the sanction and advice of very able Counsel for the Law now passed ; and we should, as readily as any be governed by such Counsel ; but we are persuaded, that they have not been properly informed : we are the more convinced of this, from observing that part of the Memorial upon which Mr Lockhart forms his opinion. He is there told, (P. 20.) that at all times, and in every country, the professions of Physic, Surgery and Pharmacy have been kept as distinct and separate as the Lawyer is from the Writer to the Signet, or Procurator ; upon which he has founded his opinion, and says, If it shall appear that this distinction and separation has been established and observed in other Universities and States, it will go far to justify the Acts and Regulations of the College of Physicians in Edinburgh to the same purpose and effect.—(Mr Lockhart's Answers, p. 13.) Whereas we should have told him, that Surgery has been practised by Physicians at all times and in every State. That

at

at present, Physicians practise Midwifery in London, Dublin, Paris, Berlin, Vienna, Stockholm, Copenhagen, Moscow, Gottingen, Strasburg, Amsterdam, Leyden, and several other places : That this is the first attempt which has been made in any College, to prevent their Members from practising any part of Surgery. We should have told our Counsel, that the Surgeons, so far from looking upon Midwifery as a part of their profession, that there is not above one, or at most two of all the Corporation of Surgeons in Edinbnrgh who practise this branch.

These are the Reasons for entering our Dissent against passing an Act, which, in our opinion, exceeds the powers vested in the College by their Charter ; an Act which has not even the appearance of being serviceable to the Public, but may be attended with evident disadvantages, and for which there is not the smallest demand ; neither do we think it can prove beneficial to the College of Physicians, but may evidently tend to lessen their reputation with the Public ; we are therefore humbly of opinion, that it is both for the good of the Public, and for the honour of this Society, that the said Act be rescinded : And we further crave, That the above Reasons of Dissent may be inserted in the Minutes of the Society, as containing our sentiments with regard to the said Act.
—*Edinburgh, 2d May 1769. (Sic subscribuntur,) William*

liam Cullen. Alexander Monro. Robert Ramsay. Thomas Young. John Gregory. James Hay. Joseph Black.

A true copy, taken from the Records of the Minutes of the Meeting of the Royal College of Physicians of Edinburgh, held upon the 7th day of November 1769, by

ALEX. BOSWELL,

C. C. R. M. E.

EDINBURGH, }
20th May 1811. }

How very different is the liberal spirit of this Protest, signed by some of the most eminent Physicians who have ever adorned the City or University of Edinburgh, from those monopolising corporation principles which have been strongly enforced by Dr James Gregory, in his Censorian Letter, and other publications! The true dignity of the Physician certainly depends, not on confining himself to a particular branch of the profession, but on the relief of the distressed, by the cure or alleviation of disease.

To avoid what Dr Gregory has been pleased to term a "miserable and infamous state of degradation," it is by no means necessary that the Physician, the Surgeon, the Apothecary, and the Man-Midwife, whose branch of the profession he has in language almost peculiar to himself, styled

styled "*an abomination*," should each confine themselves strictly to a particular branch.

Although I think, that by an act of the Legislature, ignorant persons should, in this as well as in other countries, be prevented from imposing upon the credulous, by pretending to practise any branch of medicine ; yet, I must confess it is my earnest wish, that, in the Cities of London, Dublin and Edinburgh, where Colleges with exclusive privileges have been established, all these restrictions were removed by Act of Parliament. In less enlightened periods, many unlimited monopolies were granted, which it has since been found necessary to remove ; and every intelligent person should now, I think, have full liberty to practise either all the branches of the Healing Art, or any one of them to which he may incline to limit himself.

After having now confined myself to the practice of a Physician only, in the City of Edinburgh, for more than forty years, it will hardly be supposed, that I have any intention of commencing either Man-Midwife, Surgeon, or Apothecary. But this is no reason why I should attempt to prevent others from doing what they are well qualified to do. Nor can I, with Dr Gregory, view that Physician as reduced to a *miserable state of degradation*, who may furnish his own patients with those medicines which he prescribes.—June 1811.

No. IV.

FABLES, &c.

DISTRIBUTED BY

DR JAMES GREGORY,

And referred to in the Letter, page 38.

1.

THE VIPER AND FILE.

"It is hard for thee to kick against the pricks," Acts ix. 5.

VIPERA & LIMA.

*Mordaciorem qui improbo dente adpetit**Hoc argumento se describi sentit,**In officinam Fabri venit Vipera**Hæc quum tentaret si qua esset cibi**Limam momordit. Illa contra contumax**"Quid me," inquit, "Stulta dente captas lædere**"Omne adsuevi ferrum quæ corrodere."*PHÆDRI *Fabularum*, Lib. iv. *Fab.* 7.

IMITATED.

A WICKED Viper, fam'd in story,
Of all his venom'd race the glory,
Whose bite, whose touch, whose look, could kill,
More sure, more quick, than Doctor's pill,
Intent on mischief, and on prey,
Crawl'd from his hole on luckless day.

In blacksmith's shop he prowl'd a while,
But soon espied a tempting file.
Instant, so new, so rich a prize,
Resistless fix'd his ferret eyes :
With hunger fierce, he boldly hasten'd,
And on the rough hard metal fasten'd.

Of feast delicious fondly dreaming,
With joy he saw the blood a-streaming :
His tongue, his teeth, his gums were wasted,
While yet no breakfast he had tasted :
But still, all better prog foregoing,
His chops with venom overflowing,
He strove cold iron's blood to sip,
And quench it in his burning lip.

The file, observing his condition,
Whisper'd this gentle admonition :

“ Welcome, base reptile, to assuage,
“ On my strong hide, thy harmless rage ;

“ Till

" Till sad experience let thee know
 " Thy blood, not mine, thou mak'st to flow :
 " No gall of asps my bosom stains,
 " No poison rankles in my veins ;
 " But countless teeth my skin environ,
 " And every day I feast on iron."

NESTOR IRONSIDES.

EDINBURGH, }
 21st May 1811. }

Written on perusing a smart Review of two Works
 never published, never distributed, never printed, never
 written, NEVER COMPOSED !!! and not likely soon to
 be so : of which works only A FEW SHEETS HAD BEEN
 PRINTED !!! See Articles xxv. xxvii, pages 155—
 169, of " The Annual Medical Review and Register
 " for the year 1809. By a Society of Physicians.
 " Vol. II. Printed for John Murray, 32. Fleet Street,
 " London."

THERE

2.

THERE IS WISDOM IN SILENCE.

*But ye are Forgers of Lies, ye are all Physicians of no value.—
O that ye would altogether hold your peace, and it should be your
wisdom.*

JOB xiii. 4. 5.

THE talking Fool we all despise ;
The silent Fool would pass for wise ;
But such a Fool we seldom meet,
Or hail him Knave when so discreet :
And though from talking he refrain,
Yet all his silence is in vain ;
To hear his words there is no need,
The Fool still glares in every deed.

Thus *Petbox*, fain would hide his ills,
And secret take his needful pills :
Vain care : his broken Beak reveals
More than his silent tongue conceals.

AN

AN OLD STORY.

A Gentleman, one day, writing a Letter in a Coffee-House, observed that a person looked over his shoulder, and read what he wrote. Without saying a word, he wrote,—“ But I must write no more at present ; for an impertinent scoundrel is looking over my shoulder, and reading every word that I write.” “ You lie, you damned rascal !” said the looker on, “ I am not reading what you write !”

The Moral of this Story, if any person shall have sense enough to find it out, will be most acceptable to all the parties concerned.

Edinburgh, Tuesday Even. }
June 5. 1810. }

THESE Poems, as I have already observed, were first distributed in Edinburgh about a year ago, and gave rise to a *mala fama* against me, which, though much the subject of conversation, was, I believe, very little credited in this place even at that time. I have, however, been informed, on what I reckon good authority, that the slander

der of my having stolen Dr Gregory's writings, is still supported by malicious insinuations even at Edinburgh. Though he well knows my innocence, he has never yet contradicted this slander. On the contrary, long after he received Mr Murray's letter, copies of his poems were, I am informed, sent to practitioners at a great distance, who probably, to this hour, never heard of the letter which I have mentioned.

A new edition of these Poems, has also been lately extensively distributed, with Mr John Bell's *Letters on Professional Character and Manners, addressed to James Gregory, M. D.*; and in that new edition, printed by John Moir, Royal Bank Close, it is expressly said, that *The Viper and File*; *There is Wisdom in Silence*, &c. are addressed to a "Fellow Professor." I have therefore no doubt, that wherever it is seen, I will be considered as the Professor alluded to,—as the Viper whom Dr Gregory has lashed,—as the Pethox whom he has stigmatised.

Although these Poems, in the opinion of many who have read them, shew no great marks either of genius or of judgment, and afford no proof either of a good head or a good heart, yet at a distance from Edinburgh, they may do me much mischief. With strangers, they may not only hurt my present character, but my posthumous reputation; and I own I am ambitious to hold some share in the esteem of posterity, to be holden and reputed an honest man.

From

From the first Poem, strangers may infer that I am a "wicked viper;" from the second, they may conclude that I am what is termed by the world a loose living man, whose "broken beak" reveals his transgressions.

Although I am far from considering myself as entitled to the high compliments for good nature which Dr Gregory has often paid to me, yet even the most inveterate of my enemies at Edinburgh, have never, I believe, represented me as an ill-natured man. What is said of the libertine Pethox, cannot indeed be considered as in any degree descriptive of me. This, however, I am inclined to think, has been introduced only as a blind, and to create some difficulty with regard to the person who would have acted wisely by being silent. But that I am the person alluded to in the *Old Story* annexed to that poem; that I was intended to be represented as the impertinent scoundrel looking over Dr Gregory's shoulder, *abstracting his sheets from the printing-house*, cannot be a matter of doubt with any reader even of the slightest discernment, who shall peruse the preceding letter. What, then, ought to be the indignation of every honest man against the author of such groundless calumnies? Will any candid reader consider Dr Gregory's silence as consistent with the dictates either of wisdom, of honour, or of justice, when he is publicly required to repair a cruel injury by the acknowledgment of truth?

But Dr Gregory will perhaps now think *There is Wisdom in Silence*. It would have been fortunate, both for
him

him and for me, if he had always acted according to this golden rule. His contempt of *silence*, upon former occasions, has distressed my feelings, and interrupted my happiness, in such a manner, that it is now impossible for him to make adequate reparation for the injury he has done me, by any apology, however candid, however submissive. But still, a candid acknowledgment of his errors is the only reparation he can now make, and may prevent some future uneasiness.

No. V.

No. V.

EXTRACT

FROM THE

ANNUAL MEDICAL REVIEW AND REGISTER,

For the Year 1809.

By a Society of PHYSICIANS.

(Vol. ii. p. 155. *et seq.*)

ART. XXV. *Narrative of the Conduct of Dr James Gregory, towards the Royal College of Physicians of Edinburgh, drawn up and published by Order of the College, in Consequence of the various printed Papers circulated by him relative to their Affairs.* 4to. pp. 98. With an Appendix of 42 pages. Printed at Edinburgh.

ART. XXVI. *Historical Memoirs of the Medical War in Edinburgh, in the Years 1805, 1806 and 1807.* By Dr Gregory. 4to. Printed at Edinburgh.

ART. XXVII. *Opinion delivered by Dr Duncan senior, in the College of Physicians of Edinburgh, on the 13th of September 1808, upon a Charge against Dr Gregory,*

for wilful and deliberate Violation of Truth. 4to.
pp. 68. Printed at Edinburgh.

It is with extreme reluctance, that we call the attention of our readers to the controversy which has given birth to the above writings, and enter upon the consideration of a quarrel of so personal a nature, that, if the honour of the profession had been consulted, it would never have transpired beyond the assembly in which it originated. At a former period of our labours, while the cause was scarcely before the tribunal of the public, and there were yet hopes, that the differences in question would have been adjusted in an amicable manner, we should have deemed it indecorous to take any notice of the dispute; but now that the appeal has been made, and an award is expected, we should be guilty of injustice to the parties concerned, if we were to preserve any longer silence. Unpleasant and ungrateful, therefore, as our task may be, we shall endeavour to perform it faithfully,—divesting ourselves of every partial feeling, and banishing carefully from our minds the recollection of every circumstance which might give an undue bias to our judgment in the case before us.

In the year 1804, a Committee of the College of Physicians of Edinburgh, consisting of five members, viz. Dr Spens (the President), Dr Duncan *senior*, Dr Buchan, Dr Hope, and Dr Duncan *junior*, was appointed to revise
the

the laws of the College, and to make such alterations or additions as they should deem advisable. Among other changes, the Committee, after some deliberation, thought proper to recommend a particular interpretation, or partial repeal of an act of the College, which had been passed in the year 1754, prohibiting the Members resident in Edinburgh from keeping Apothecaries' shops, or practising pharmacy, by themselves, partners or servants; and to propose an explanatory law, declaring, "that the restrictions therein mentioned apply solely to such persons as keep or may set up *public* Apothecaries' or Druggists' shops, for the purpose of selling medicines by retail;" thus leaving it in the power of the Members, "when they saw cause, to furnish the medicines which they judged proper for their own patients." A similar proposal had, indeed, been submitted to the College, by Dr Spens, so early as the year 1796; but not meeting, at that time, with the general approbation of the Members, the intended alteration did not take place. The Report of the Committee of 1804, containing the above amendment, was, however, presented to the College, and underwent considerable discussion at the quarterly meeting in November of the same year; and the Committee, finding that the measure in question was still obnoxious to several of their brethren, obtained leave, about the middle of the following month, to reconsider their Report, for the purpose of withdrawing so much of it as related to the law of 1754; of which proceeding, notice

was

was given to several of the Fellows, who had objected to the proposed clause, and, in particular, to Dr Gregory, who had expressed his disapprobation of it in very decided terms. In about six weeks after this period, Dr Gregory, who had been elected one of the Censors of the College, put into circulation two quarto pamphlets, intitled, “Review of the Proceedings of the Royal College of Physicians in Edinburgh, from 1753 to 1804,” and “Censorian Letter;” animadverting on the conduct of the Committee,—accusing them of being influenced in their proceedings by the “*most base and sordid motives*,” and of having endeavoured, by “*falsehood, chicane, and breach of faith*,” to accomplish “a most dishonourable and illegal object.” Two of the Members of the Committee (Dr Spens and Dr Hope) took the liberty of remonstrating with him on this occasion, and of urging him to refrain from such a publication; as it could answer no useful purpose, the measure objected to having been dropped; but, on the contrary, would tend to injure the College in the opinion of the Public, and to create dissensions among its Members. To this representation Dr Gregory replied, that, as he had begun to distribute his printed papers, the request of Drs Spens and Hope could not be complied with; and that his object “was not to get their proposal *dropped* at present, but to prevent any such proposal ever being attempted again, or any other proposal from being attempted by such means; (secret party-work, &c.)” Defence, p. 70. The circulation accordingly

accordingly continued, and Dr Spens and Dr Hope had the mortification to find their moral characters assailed in the most intemperate manner, in these papers, by Dr Gregory, who, till then, had professed great friendship and esteem for both these gentlemen,—and their conduct, as Members of the Committee, held forth to general execration and contempt, merely for their having supported the repeal of the by-law of 1754.

As the "Review," and "Censorian Letter" were not laid regularly before the College, that body did not judge it necessary to take any formal notice of the allegations which they contained; but so far were they from thinking the Committee had merited the imputations which were cast upon it by Dr Gregory, that, in a full meeting of the College, on the 5th February 1805, a vote was passed, declaratory of their opinion, "That the President and Committee had acted from the purest motives, and in the most honourable manner, and that they well deserved the thanks of the College." Of this proceeding a more or less particular account was conveyed to Dr Gregory, who had purposely absented himself on the occasion; but who, expecting that some strong resolution would have been carried against himself, had requested his friends, Dr Wright and Dr Hamilton *senior*, to bring him the earliest intelligence of what passed. With the vote, as stated to him by Dr Wright, Dr Gregory professed himself perfectly satisfied; and he even went so far

far as to say, that, if he had been present at the meeting, he would have willingly concurred in the motion.

In this state matters remained till the autumn of 1806, when the College, learning that some of their proceedings, in an affair wholly unconnected with the present dispute, had been misrepresented out of doors, resolved to send a circular admonition to the Members, recommending the strictest secrecy with regard to all their private transactions. Among the other Members, a copy of the admonition was sent to Dr Gregory, who immediately conceived, that it could refer only to his own conduct in having made the private business of the College the subject of public discussion, by the circulation of his "Review" and "Censorian Letter." At the ensuing meeting in November, therefore, Dr Gregory attended, and proposed a series of queries with respect to the notice in question; and happening, in the course of the discussion which followed, to make some allusions to his printed papers, he was told by Dr Duncan, "That the College had already given their opinion upon the insinuations contained in these publications, and had virtually decided, that they were scandalous libels." Dr Gregory professing not to understand the meaning of this observation, was referred to the minute-book; and, on the resolution of February 1805 being pointed out to him, he "declared publicly, *that he knew nothing of it, or never before had heard of it*, or words to that effect." Of this declaration the College took no particular notice; but,

but, as Dr Gregory refused to retract the offensive matter contained in his queries, they judged it necessary soon after to pass a vote of censure on his conduct. This produced a letter of remonstrance on the part of Dr Gregory, in which he maintained, that the College had, by the resolution of February 1805, pronounced him to be "either absolutely insane, or the most impudent liar, and the greatest knave in the country," and persisted in his denial of all knowledge of that transaction. "As to the fact," he observes, "*I must repeat my solemn declaration and oath before God, that I neither knew nor suspected anything of it; nay, that I could not even have thought it possible, till the moment when Dr Duncan senior told me of it, and shewed me the record of it in our minute-book last November, just one year and nine months after the resolution had passed.*" In reply, however, to some observations which were made by Dr Hope, at a meeting of the College on the 24th of November 1807, on the extreme improbability of Dr Gregory's remaining so long ignorant of a decision to which he could not be indifferent, and which he had ample means of knowing, as the resolution in question had been printed and shewn to several of Dr Gregory's most intimate friends; Dr Gregory admitted, "That he had received information from two of the Members, that the College had passed a resolution on the 5th February 1805, returning their thanks to the President and Committee for their trouble in revising the laws, and declaring that they had acted
from

from the best or purest motives ; but denied, that he had been informed, that the College had expressed their opinion, that the Committee had acted in an honourable manner." This statement naturally excited considerable surprise in the minds of the Members present ; and it appearing to them, that Dr Gregory had been guilty of a deliberate violation of truth, a series of resolutions to that effect were proposed by Dr Hope at a subsequent meeting, called for that purpose on December 5. of the same year. Dr Gregory, being called upon for his defence, requested to be allowed till the next quarterly meeting in February to prepare it ; as he declined to make any *viva voce* defence, and proposed to deliver it in print. At length, after many delays, he gave in the whole on the 2d day of August 1808, under the form of the huge 4to volume that now lies before us. In this performance, of which a very small portion can be said to relate to the immediate point in dispute, he endeavours to vindicate himself from the charge of falsehood, and to shew, that, although he might have been informed by Dr Wright, that the College had declared, that their Committee had acted from the best or purest motives, he was not bound to infer, that they had by such a decision pronounced their conduct to have been honourable ; as many sordid and even criminal actions may spring from pure motives ; and his alleged acquiescence in the vote in question had proceeded from an idea, that the College meant to convey, by the terms of it,

it, "a delicate censure" on the President and other Members of the Committee, their conduct having, in Dr Gregory's opinion, been governed by a *pure* love of gain. The following passage from Dr Gregory's "Remonstrance to the Royal College," which we quote almost at random, will convey some idea of his general manner of reasoning on the occasion.

"In the course of a long life, I have never once heard breach of faith, chicane and falsehood, praised or called most honourable; and times innumerable I have heard various instances of such conduct reprobated as completely dishonourable. I can conceive nothing in human conduct more completely repugnant to the common or universal notion of what is honourable, than chicane and falsehood employed to accomplish, and at the same time to cloak a deliberate, wilful breach of faith. I do not think, that theft and robbery are more repugnant to the common notion of what is *honest*, than falsehood, chicane, and breach of faith, are to the notion of what is *honourable* in human conduct. If a man were to steal a pocket-pistol, and a bay horse, in order to take a purse on the king's high-way, it would be at least new, and somewhat strange, to say that he acted in the *most honest* manner. And even if it should be proved that this had been said by a Royal College of Physicians, or by any other respectable society of men, I do not think that any man could reasonably be blamed, or suspected of falsehood,

who should declare and swear, that, till he saw the evidence of it, he had not suspected it, and could not have thought it possible. And if it should be stated in favour of the man who stole the pistol and the horse, and took the purse, that he acted from the purest motives, a desire to promote his own pecuniary interest, to provide for his family, and to pay his debts, without any malevolence towards the persons with whose property he had made so free; though the goodness of those motives, considered by themselves, apart from the actions proceeding from them, could not rationally be disputed; yet no man, I am sure, could think the admission that the *motives* were good, equivalent to declaring, that the actions proceeding from them were *most honest*; and, for my part, I should think such an admission, however explicit, of the goodness of the motives, a very imperfect excuse for the actions proceeding from them: and I should think, the man who acted in that most honest manner would run a very great risk of being hanged, notwithstanding the purity of his motives.”—P. 49, 50.

Such arguments did not avail much with the Royal College; for, on the 13th September following, after a discussion of nearly twelve hours, a resolution was passed by a majority of seven to three, declaring,

“ That the College, taking into consideration the statement of Dr Gregory, of the reason of his absence

sence from the meeting of the 5th of February 1805; the solemn declaration and oath before God of his ignorance of 'that proceeding,' and of his having no suspicion of it; the subsequent acknowledgment or confession of Dr Gregory, so inconsistent with that declaration and oath; and the testimony of Dr Hamilton, and the different statements of Dr Wright, all perfectly contradictory of that solemn declaration and oath, Do, in respect that these statements by Dr Gregory were deliberately made within their own walls, or in writings addressed officially to their President, and in the course of discussion relating to the private business of the College, feel themselves called upon to declare, that they consider such violation of truth, on the part of Dr Gregory, to be highly immoral, and deserving the reprobation of the College; and they do accordingly express their reprobation of the same, along with their regret and mortification, that any one of their body should have acted so as to call forth an animadversion and censure of this nature."

This resolution, which was entered on the records of the College along with a full exposition of the reasons which had led to its adoption, could not prove very acceptable to Dr Gregory. Accordingly, at the distance of some months, he transmitted a paper, protesting against the proceeding, "as contrary to truth, contrary to evidence, grossly unjust and malevolent with respect
to

to him, and evidently a continuation of certain well-known proceedings of gross falsehood and malevolence towards him ;" referring for proofs of his assertions to his printed papers, and pledging himself to "take, without delay, the most effectual and public measures fully to vindicate his character, and to repel and expose that additional foul injustice," which seven Fellows of the College had conspired to do him, &c. This protest was referred to a Committee, who, on the 13th May 1809, presented the following Report :

"The Committee have deliberated upon the paper, indorsed, "Protest by Dr Gregory, February 7. 1809." It appears to them, both in its matter and style, to be equally inconsistent with truth and decency. It is their opinion, that it ought on no account to be engrossed in their records, but kept *in retentis*, as one of the many proofs of his temper and conduct towards the College, and as a justification of the measures towards him, which he may compel them to adopt.

"They think it necessary to propose, that the author of such a paper should be suspended from the right which he possesses of attending their meetings, and from all the rights and privileges he enjoys as a Fellow of the College, until he make satisfactory acknowledgments : a sentence equally requisite for the restoration of peace and amity, during so many years disturbed by the outrages of Dr Gregory, as for the purpose of stigmatizing these
outrages,

outrages, though in a manner far more lenient than they deserve."—Narrative, p. 97, 98.

The Report of the Committee, as above stated, was adopted by a majority of Eight to Two; and Dr Gregory was consequently suspended from the rights and privileges of a Fellow of the College.

We have thus given a succinct account of these extraordinary proceedings, which, for the last four years, have inflamed the minds of our professional brethren in Edinburgh, and caused "war to wage," but luckily no "blood around to pour," though at one time it was dreaded (we believe upon no slight grounds) that more destructive weapons than pens and paper would have been resorted to. If we have abstained from entering upon the history of all the by-fights, and skirmishes, and *ruses de guerre*, it has certainly been from no desire to misrepresent or exaggerate the conduct of either party, but in order that we might place the great battle in full view, and enable our readers to appreciate more correctly the merits of the respective combatants. Those who have read the publications now under consideration, with impartial judgment, will grant, that it would have been no difficult matter to have made out a much stronger case, at least on one side: but we have thought it the fairest mode of proceeding, to refrain even from those touches of colouring, which might not have been inadmissible on the occasion, and to allow the facts to speak,
in

in some measure, for themselves. It now remains for us to submit a few of those reflections, which have occurred to us upon a deliberate review of the whole of the proceedings in question.

In the first place, though we are ready to acquit the Committee of the College from the charge of having been actuated by "base and sordid motives," and think, that they have proved most satisfactorily, that a majority of the Members of which it was composed, could have no private views to serve, by their proposal for amending the by-law of 1754, we must agree with Dr Gregory, in considering the intended additional clause as not sanctioned by the terms of the act, and as inconsistent with its general tenor. We farther coincide with him in opinion, that such an alteration would not have greatly tended to support the dignity of the Physicians of Edinburgh, but, on the contrary, might have had the effect of injuring their character, and lowering them in the estimation of the Public. How far such an alteration would be politic, in a city where the medical practice is in a manner engrossed by the Members of the College of Surgeons, (who supply their own patients with medicines) is a question into which we decline entering very minutely, and which we do not reckon ourselves altogether competent to decide. But it has ever appeared to us advantageous, to separate the various branches of the profession as completely as possible, and to place the Physician, in particular, on that proud station, where he
can

can be suspected of no mercenary views, and where he must command the respect of his employers. Without meaning, therefore, to insinuate any thing to the disparagement of our brethren of Edinburgh, we may be permitted to declare our belief, that any change in the mode of practice, of the nature of that proposed, would not eventually have improved their condition, and that it is better for them to sacrifice the prospect of immediate gain, than risk the loss which they might ultimately sustain, by the degradation of the art itself. On this point we find, in the papers before us, an opinion, which was given by the late Solicitor-General for Scotland, in answer to the queries submitted to him by Dr Duncan *senior*; which is so characteristic of the shrewd sense and strong judgment of that eminent Lawyer, and which places the disadvantages of the proposed alteration in so clear a light, that we shall make no apology for quoting it.

“ I think that the act would be violated by the practice here mentioned. A Physician's fee is an honorary, and may be less or more, according to the liberality or means of the patient; from which it seems to follow, that if he gives advice, attendance, and medicines, and receives money from his patient, it must be held, that not the whole, but something less than the whole, is the honorary; and the whole being paid for his services without distinction, some part of it is for the medicines. It is
not

not conceivable, that the patient should not recompense him for his medicines in one way or another; and I am not aware of any case in which they could be said to have been given for nothing, unless it were where the Physician takes no fees at all, even for attendance. To evade the act against theatrical entertainments, the players used to advertise music for so much, and the play *gratis*. But it was well understood, that the money was given for the play, without much regard to the orchestra; and now nothing theatrical can be exhibited in places where liquors are sold; as, in paying for such liquors, the audience is understood to pay for the exhibition. Though I highly respect the honourable profession of Physic, yet I cannot shut my eyes to the exact similarity of the two cases. The Physician who professes to give medicines *gratis* to those who employ him, is paid by his fees both for his attendance and his medicines.

(Signed) "JOHN CLERK."

Dated, "Edinburgh, 8th August 1806."

Impressed with these sentiments, we give Dr Gregory credit for his opposition, in the first instance, to the partial repeal of the act of 1754; and if it was in consequence of his exertions on the occasion, that the measure was finally abandoned, we think that he was entitled to the thanks of his brethren. Whatever language he might have used, whatever remonstrances he might have employed,

ployed, to effect this purpose, his conduct would have appeared meritorious. But, after the obnoxious proposal was withdrawn; after the original law had been declared to be in full force; and after the direct assurances, which he had received, that there was no intention of reviving it; we can find no excuse for that "breach of faith" which Dr Gregory himself committed, by divulging the private transactions of the College,—for that violation of the solemn promise, which he had made on his admission into the College, to observe strict secrecy with regard to every thing "acted or spoken" at its meetings, that he might think tended to "the prejudice or defamation of the same, or any Member thereof." Unmindful, however, of this obligation,—unmoved by the entreaties of his brethren,—regardless of their tranquillity and welfare, he proceeded to distribute his printed papers, teeming with the most violent invectives, and what we hesitate not to term the most illiberal abuse, against all who happened to differ from him in opinion; and this for no other reason that he himself could assign, but that he had gone so far, and was determined not to recede, in order that such a proposal might never be attempted again. If he felt no compunction at severing the bands of long established friendship, he ought to have recollected, that, by this intemperate conduct, he was staking his own character, and exposing the motives of his own actions to the severest scrutiny. If the dissensions, which he had been the great means of creating and

B b

fomenting,

fomenting, were, in reality, such a subject of merriment to him, as he pretends they were, he ought to have considered, whether they would appear in a similar light to the impartial spectator. For our own parts, we can say, that his mirth appears to have been very much misplaced; and, though far removed from the scene of contest, and perfectly uninterested in the issue of the fight, we can yet declare, that we participate warmly in the feelings of those respectable individuals who have been the chief objects of Dr Gregory's rough and unmannerly attack; and we truly sympathize with Dr Duncan *senior*, who, in the Preface to his "Opinion," states, that this controversy has, "in the short space of three years, done more to interrupt his happiness, than all the other occurrences of his life for thirty years before." Dr Gregory cannot accuse us of delivering a hasty judgment, when we inform him, that these are the impressions which were left on our minds by the perusal of his "Review" and "Censorian Letter," five years ago.

In the 700 pages, which he has since printed, we have seen nothing to induce us to alter our opinion of the case, but a great deal, on the contrary, to excite our regret, that a man of such learning and talents as Dr Gregory indubitably is, should, instead of applying that learning and those talents to the advancement of his art, pervert them to the most ignoble of all purposes,—the engendering of hatred and strife among his brethren. Were this the proper place, we certainly should not shrink from the task

task of refuting at length those metaphysical subtleties, with which he has so freely interspersed his Defence, and by which he has endeavoured to justify his proceedings. Thus much, however, we may venture to affirm—that the virtue of any action is universally determined by the greater or less *purity* of the motives from which it proceeded; and that it is a flagrant abuse of language, to maintain, that men might be governed by the *best* and *purest* motives, and yet act in a manner, that is *base*, *sordid*, and *dishonourable*. To say, that, by the *purest motives*, might be understood the *pure love of money*, we consider as a wretched quibble, which can impose on no one who is capable of reasoning on the subject. From the abstract of the proceedings, which we have before given, it must have appeared sufficiently evident, that upon this subterfuge Dr Gregory rests his chief plea: but, even admitting his construction of the phrase in dispute, it is impossible to reconcile the solemn asseveration, that he did not know any thing of the vote of February 1805, with his subsequent confession, that Dr Wright had informed him of the College having declared, “*that the Committee had acted from the purest motives*,” (understanding thereby “*the pure love of money*.”) Can it, however, be supposed, that a body, like the Royal College of Physicians of Edinburgh, would gravely pass a resolution that allowed of such an interpretation; and that the persons whom it concerned, should receive it as a matter of favour? If Dr Gregory chose to remain

one year and nine months ignorant of the precise terms of this vote, which he had so much interest in knowing, we certainly can conceive the possibility of his being completely satisfied in his own mind, of the consistency of all his actions; and of his being able, with the help of a little casuistry, (a science, by the by, which he affects to despise, but in which he shews himself to be no common proficient,) to account for all the seeming contradictions and inconsistencies of his statements. We believe, also, that Dr Gregory may have all along been thoroughly convinced of the great purity of his own motives, and of the perfect uprightness of his intentions; but we must take leave to express our doubts, whether Dr Gregory was all the while a proper judge of his own actions, and whether he had had the courage "to pull off the mysterious veil of self-delusion, which covered from his view the deformities of his own conduct." To reason with him in his own style; we may observe, that, though he may have commenced the warfare with his professional brethren *from the purest motives*, he cannot be said, in the latter periods of the campaign, to have acted in the *most honourable manner*.

Several passages of his "Defence" have strongly reminded us of the morbid sensibility of temper, which formed so distinguishing a feature in the character of Rousseau. Like that discontented man, Dr Gregory appears often to have seized upon the most innocent expression, or the most insignificant gesture used in conversation;

versation; and after brooding over it for a month, to have discovered in it the proofs of a horrible plot and conspiracy. (See, in particular, pages 82. 86. 151, 443.) Yet Dr Gregory, throughout this and all his other publications, is continually boasting of the "fairness" of his dealings, of his "most candid offers," and his most "liberal concessions;"—forgetting, that "Charity vaunteth not itself," and that the world never fails to call in question the purity of those who talk most loudly of their own virtues. In the management of the present controversy, we take upon ourselves to affirm, that although Dr Gregory has professed a great deal of candour, he has, in fact, shewn very little. It was not candid in him, to persevere in the design of exposing the conduct of his brethren, after they had agreed to withdraw the offensive proposal, and had given him the earliest notice of their intention. It was not candid in him, to attribute the basest and most sordid motives to the Members of the Committee, without obtaining and producing the fullest, the most convincing, and the most incontestible proofs of the justness of the accusation. It was not candid in him to make this calumnious attack, in order to meet a supposed emergency. It was not candid in him to disavow all knowledge of the proceedings of February 1805; when it was afterwards clearly proved, that he had received notice of, at least, the material part. It was not candid in him, to assert in his Defence, that no attempt had been made to point out

to him any error in the statements contained, or the sentiments expressed, in his Review and Censorian Letter; when it has been satisfactorily shewn, that Dr Buchan took no small pains to point out to him many errors, and to convince him, that, in his judgment of the character of the Committee, he was completely mistaken. And it is not candid in him, to persist in urging charges which have been fully refuted, and which probably had never any foundation but in Dr Gregory's own brain.

The Annual Medical Register is not the only critical journal in which Dr Gregory has met with severe chastisement for his mode of writing. The following extract from another periodical publication, *The London Medical Review*, vol. iii. p. 288., will shew the opinion which the authors of that work entertain of his politeness :

“ We might as safely challenge” (say these Gentlemen) “ an oyster-wench to billingsgate, or a game-chicken to box, as the Gentlemen whose names appear in the title-page, to a competition in opprobrious invectives, and coarse jests.”

I need hardly observe, that the two Gentlemen whose names appear in the title-page, are Dr James Gregory and Mr John Bell; nor need I add, that some of the
Edinburgh

Edinburgh wits have compared Dr Gregory to *the oyster-wench*, and Mr Bell to *the game-chicken*. But it may not be improper to notice, that some friends of Dr Gregory have insinuated, that the article above quoted from the London Medical Review was written by me. I take this opportunity, therefore, of solemnly declaring, that, although I hold a candid and able Reviewer to be both a respectable and useful character, I never wrote one word for either of these periodical works, *The Annual Medical Register*, or *The London Medical Review*, nor had any knowledge, either directly or indirectly, of the articles alluded to, till the day on which I saw them in print.—June 1811.

No. VI.

No. VI.

*Extracts from a LETTER from Mr MURRAY,
Bookseller, London, to Dr GREGORY.*

SIR,

London, Saturday, 2d June 1810.

AN absence of four days passed in the country, has prevented me from acknowledging earlier the receipt of your letter, dated 20th May. This delay, however, is the less to be regretted, as the interval has produced a letter (a copy of which is inclosed) from Messrs J. Ballantyne and Company, your printers, which completely removes every delicacy as to my communicating to your honourable confidence a simple unreserved statement of the fact to which your letter refers.

When Mr John Ballantyne was in London last year, he told me that he was printing a new work of yours, on the subject of the medical controversy at Edinburgh: his account of it interested me; and having so very much enjoyed the wit and talent displayed in your two former publications upon the same subject, I asked him if he might give me a copy, to which he immediately assented; and when I was afterwards in Edinburgh, he procured the sheets from his own printing-office; sent them
himself

himself to his own shop; caused them to be put up in boards there by his own man, by whom they were packed with other books, and sent to me in London. Since my return, I had been too much occupied to read the volume myself; but hearing that you had sent copies of it to each of the members of the College of Physicians, immediately upon their publication of a work against you, and believing that it had been distributed generally amongst your friends, without the least thought, care, or consideration about the matter, I lent my copy to two gentlemen, Dr Henderson, who translated Cabanis, and to Mr Carstairs, an eminent merchant, and friend to Professor Leslie. So careless was I of it, that I should have lent it to any other friend who had applied. This, Sir, is the simple truth.

With respect to the literary department of the Annual Medical Review, I have no concern whatever. I neither engage the writers, nor do I know who they are, except the Editor, in whom I confide. At your request, I shall immediately cancel from the work every line that refers to your unpublished work, or give up the sale of it totally. This, Sir, I shall do, not with the feeling of the smallest blame attaching to myself, but from pure regard to my own character, which would not allow me to do an injury to any one. In a word, I shall do any thing that a man of honour could require, or grant, where an

accidental

accidental injury has been done, without the most distant intention to offend. I am, Sir,

Your most obedient servant,

JOHN MURRAY.

*LETTER, Mr Murray, Bookseller, London, to
Dr Duncan senior.*

SIR, *Hampstead, Saturday, June 23. 1810.*

I am at present an invalid in the country, where your letter of the 19th did not reach me time enough yesterday to admit of my doing myself the satisfaction of answering it by return of post.

It will afford me pleasure to assist, by every means in my power, in exposing the complete fallacy of the report, which you tell me has been circulated, of your having written an article upon the subject of Dr Gregory's work, in the second volume of the Annual Medical Review published by me. I shall immediately inclose your letter to the Editor of that work, and I have no doubt but that he will easily induce the actual writer of the article in question to declare himself, for your complete justification.

Respecting the mode by which I received a copy of Dr Gregory's work, as far as printed, I have stated it simply and truly in a letter to him, a copy of which is lodged
with

with Mr Archibald Constable, and which he will do me the favour to allow you to see, and to make any extract or copy from, upon your shewing this letter to him.

I very much regret, Sir, that the vexatious occasion of your letter to me, should have produced the only instance of my communication with you; for although I have long desired the pleasure of an introduction to you, either business or accident had hitherto prevented it. I shall be happy if this little intercourse justify the liberty I propose to take of calling upon you when next I visit Edinburgh. I am, with great esteem, Sir,

Your most obedient servant,

JOHN MURRAY.

STATEMENT

STATEMENT by the Editors of the Annual Medical Register, transmitted, first to Dr Gregory, and afterwards to Dr Duncan.

Two publications on the disputes which had for some time existed in the Edinburgh College of Physicians, having appeared in the course of last year, viz. The "Opinion delivered by Dr Duncan *senior*, in the College of Physicians of Edinburgh on the 13th of September 1808, upon a charge against Dr Gregory for wilful and deliberate violation of Truth," and a "Narrative of the conduct of Dr James Gregory towards the Royal College of Physicians of Edinburgh, drawn up and published by order of the College, in consequence of various printed papers circulated by him relative to their affairs," it became the duty of the Editors of the Annual Medical Review to give some account of these publications, and of the controversy to which they referred. In order that they might be enabled to form an impartial judgment of the question at issue, and avoid all risk of misrepresentation, they were desirous to peruse those printed papers which had been circulated by Dr Gregory, but which had not been regularly published. Accordingly, towards the middle of January last, when about to prepare an article on the subject, they applied to their publisher Mr Murray,

ray, whose known connexions with Edinburgh rendered it probable that he could readily procure them a copy of such papers. Mr Murray told them that he was in possession of one, and would send it to them, which he immediately did. It was done up in boards, in the form of a quarto volume, and, to all appearance, had never been read, the leaves being still uncut.

The gentleman on whom the task of reviewing it devolved, had proceeded but a very short way in his labour, when he discovered, that several of the papers which the volume contained were imperfect; but, as the book had been put into his hands as complete; as there was a regular title-page prefixed to it, viz. "Historical Memoirs of the Medical War in Edinburgh, in the years 1805, 1806, and 1807, by Dr Gregory;" and as it was evident from the statement given in the "Narrative," that some of the writings which in this copy were deficient, had been distributed by Dr Gregory in their perfect state, he concluded, that the whole of its contents had been completed, if not put into circulation, and published, long before they came under his cognisance. In this opinion he was confirmed by an advertisement, which about that time appeared in the Edinburgh newspapers, announcing for publication a similar collection of papers. As, however, he had not been so fortunate as to obtain a complete copy, he thought it would be indelicate to attempt any analysis or review of those parts which he had not an opportunity of seeing entire, and his attention was therefore directed

directed chiefly to that portion of the volume called the Defence, which extended to upwards of 500 pages, and which he knew had been finished and distributed as early as the month of August 1808. It is true, that in p. 160. of the Annual Medical Review, (vol. ii.), a quotation is given from a paper intituled, "Remonstrance to the Royal College," which preceded the "Defence" in the above-mentioned copy, and which the reviewer supposed to be one of the papers referred to by the authors of the "Narrative," as having been presented to the College by Dr Gregory, but which, it would seem, had never been thus presented or circulated. Soon after the article was printed, indeed, he became sensible of the mistake which he had committed, and acknowledged to the editors that he had been guilty of an anachronism, in citing from a paper which did not profess to have been written till several months after the Defence had been laid before the College, a passage to shew Dr Gregory's "manner of reasoning" in the latter performance; but as the error was altogether unintentional, and as any one of fifty paragraphs of the "Defence," in which similar arguments are employed, might have been substituted for that given from the "Remonstrance," without in the least altering the tenor of the review, he did not believe that the object of the quotation, thus inadvertently made, could be misunderstood. The whole article was received by the Editors on the 7th of February, and delivered to the printer on the following day.

With

With respect to the manner in which the subject in general has been treated, the Editors have to remark, that Dr Gregory cannot justly complain of any unfair advantage having been taken of the perusal of his unfinished papers, as the Narrative of the College, which was published in December 1809, and the Defence, which had been for a considerable time in circulation, and from which very copious extracts are given in the Narrative, are, properly speaking, the only two works criticised. Of the "Defence," they conceived it but due, in justice to Dr Gregory, to give some account, otherwise their readers might have supposed, that they were adopting implicitly the statement of the authors of the "Narrative," without having the means of ascertaining how far the allegations advanced in it were well founded, or without hearing by what facts and reasonings Dr Gregory might be able to repel them. If Dr Gregory should argue, that as the "Defence" was not regularly published, they had no right to review it, they can only state it as their decided opinion, that no person who industriously circulates his sentiments on the conduct of others, whether he does this in the way of conversation, or by written or printed papers, ought to complain of the public discussion of those sentiments, or say, that because they are not formally published, they are therefore not fit subjects of criticism. Had the Editor of the Annual Medical Review known, or even had the most distant suspicion, that the other papers which they

received

received, bound up with the "Defence," had not been completed or distributed, they most certainly would never have permitted any reference to be made to them, or even their titles to be given.

FROM Mr Murray's letter to me, I entertained hopes, that the actual writer of the article in the London Medical Register, would have publicly avowed it. But in place of the name of the writer, the following short declaration from the Editors of that work, is all that I have been able to obtain.

DECLARATION by the Editors of the London Medical Register, transmitted to Dr Duncan in a letter from Mr Murray, dated 2d July 1810.

A letter from Dr Duncan *senior* of Edinburgh, in which he states, that he has been charged with having written the articles in the second volume of the Annual Medical Review and Register, relative to the disputes in the Edinburgh College of Physicians, having been communicated by Mr Murray to the Editors of that work, they authorise him to declare, That Dr Duncan *senior* did not write the articles in question, and that they have not had any communication with or from him upon that or any other subject.

London, 30th June 1810.

No. VII.

OF Dr Gregory's boastful threatenings, which he has never thought it advisable to fulfil, the intelligent reader will find many examples in the former parts of this publication. But among these, one not the least remarkable is the following advertisement, which was repeatedly inserted in the Edinburgh newspapers, either immediately before or immediately after an advertisement announcing the publication of the *Narrative of the conduct of Dr James Gregory towards the Royal College of Physicians of Edinburgh, drawn up and published by order of the College, in consequence of various printed papers circulated by him relative to their affairs.* The advertisement, as now given, is extracted verbatim from the Edinburgh Advertiser of Tuesday 12th December 1809.

D d

In

“ In the Press, and speedily will be published,

The second edition of

A REVIEW

Of certain proceedings of the Royal College of
Physicians in Edinburgh,

And of the

CENSORIAN LETTER

To the President and Fellows of the said College. Adorned with a Preface, and enriched with Notes, explanatory, historical and critical, in answer to the Narrative of the Royal College.

By Dr GREGORY.”

This intended publication, which was in the press more than two years ago, and which probably might have been printed with perfect ease in the space of a few weeks, has never yet made its appearance; and when inquiry has been repeatedly made for it, at the bookseller's shop, from which his former abusive libels have issued, the answer of the clerks has been, that they know nothing about it.

What motives have led Dr Gregory to this conduct, I will not pretend to conjecture. But I need hardly tell the reader, that many different conjectures have been thrown out. Some have supposed, that his advertisement was merely published *in terrorem*, and to lead the credulous to believe that he could defend himself.

Others

Others have imagined, that as in the Narrative of the College, not one only, but numerous falsehoods, were brought home to him on the most unexceptionable evidence, that of James Hope, Esq; and other gentlemen of unimpeached honour and integrity, he found, that although he might write against it, he could not give an answer that would satisfy any impartial man; that any defence he could publish, would tend only to support what had been stated against him in the Narrative published by the College; and that, in this situation, there is Wisdom in Silence.

A third conjecture has been, that he found it impossible to reprint his former libels, without acknowledging many errors; and that he has too much pride to acknowledge any error.

*ADVERTISEMENT by Dr Duncan, referred
to in the Letter, p. 42.*

“Speedily will be Published.

OPINION delivered by DR DUNCAN *senior*, in the College of Physicians of Edinburgh, on the 13th of September 1808, upon a charge against Dr Gregory, for wilful and deliberate violation of truth:

The

The Second Edition, to which will be prefixed, a Letter to Dr Gregory, containing some Queries, to which, for his own honour, he ought to give an explicit and candid answer.

This Letter will also contain, a Moral to the Fable, lately distributed by Dr Gregory, intituled, The Viper and File,—Edinburgh: Murray & Cochrane, printers, 1810.

To that Fable, the following very mysterious observation is annexed :—" Written on perusing a smart Review of Two Works never published, never distributed, never printed, never written, NEVER COMPOSED!!! and not likely soon to be so : of which works only A FEW SHEETS HAD BEEN PRINTED!!!" (See Articles xxv. xxvii, pages 155—169, of The Annual Medical Review and Register for the year 1809. By a Society of Physicians. Vol. II. Printed for John Murray, 32. Fleet Street, London."

From this paragraph, the natural conclusion is, that Articles xxv. and xxvii. reviewed in the Annual Medical Register, have never yet been published. This, however, is not the truth ; for Article xxv. is a Narrative of the conduct of Dr James Gregory, towards the Royal College of Physicians of Edinburgh, drawn up and published by order of the College, in consequence of the various printed papers circulated by him, relative to their affairs. And Article xxvii. is the Opinion delivered

ed by Dr Duncan *senior*, of which a second edition is now announced.

Both these publications appeared several months ago, and were publicly advertised, in the London and Edinburgh newspapers. All the copies of Dr Duncan's Opinion, which were put into the shops of the Edinburgh booksellers, were sold in the space of a few days. The intended publication of a second edition is the consequence of the manner in which Dr Gregory has thought proper to distribute his Fable, and of the groundless, cruel and malicious insinuations with which that distribution has been attended."

Of the reasons which have led to the delay of this publication, some account has already been given in the Preface of my Letter to Dr Gregory.

No. VIII.

No. VIII.

Copy of a Printed Letter, in which Dr Gregory for some time inclosed the written advice which he sent to his Patients ; referred to page 33.

A PERSON who asks the advice of one Physician only, must no doubt be surprised, and may, perhaps, be displeased at receiving the advice of two. It is therefore necessary to explain the reason of such a singular deviation from the common practice of my profession.

For a long time past, I have found it difficult, and sometimes impossible, to avoid considerable delays in answering professional letters, and in giving my opinion and advice in writing, in cases, the histories of which were sent me from distant places. These delays were always vexatious to myself, and often distressing to my patients ; many of whom earnestly required to have my answer and advice by return of post, and all of whom would confidently expect to receive it in two or three days at farthest. But this no exertions of diligence could enable me to accomplish. Independently of the time required to consider many of the cases sent to me for my opinion, the time required to write, (whether with my own hand, or by dictating to a secretary, as had long been

been my practice,) a proper opinion and advice in one case, was more than I could command from the more urgent calls of professional duty, in several days; and it sometimes happened, that I received several such letters and cases in one day, perhaps more than I could answer properly in ten. The delay in answering them was the more vexatious to some of those patients who consulted me by letter, that I was not at liberty to answer their letters just in the order in which I received them, being obliged to answer the most urgent of them in preference to the less urgent, in which a delay even of several days could be of no material bad consequence. These delays and inconveniencies have often been much increased by my being called to distant visits in the country, implying necessarily an absence of several days from Edinburgh, with little or no time or opportunity to answer such letters, or give my opinion and advice in such cases as I had previously received; while, in the mean time, several more were accumulating upon me.

The consequence has been, that, for a long time past, I have constantly been in arrear of professional writing; and that in the course of the last three months, this arrear has gradually increased upon me.

In these circumstances, I found myself reduced to the dilemma of either refusing to give my advice in writing to patients (whether in Edinburgh or at a distance) who required it of me, or else procuring the aid of one of
my

my Brethren who might assist me in that part, and occasionally in other parts of my professional duty.

The former alternative would certainly have been thought very disobliging at least, if not worse. I have, therefore, preferred the latter ; and I think myself very fortunate, in having obtained the assistance of my friend Dr Thomas Brown, as my coadjutor in that part of my professional labours.

It will easily be believed, that, in such circumstances, for my own sake, as well as that of my patients, I should anxiously wish to have the best assistance I could procure. But Dr Thomas Brown has been so well known even from early youth, as a man of talents, and learning, and science, that there can be no occasion for any testimonial of mine in his favour. He was for several years my pupil in the University of Edinburgh, in which he took his degree of Doctor of Physic in 1803, and he is now a Fellow of the Royal College of Physicians in this city.

The arrangement that we have made, leaves each of us at full liberty to have patients of whom the other will know nothing, which, in many cases, must be very desirable to our respective patients, as well as to ourselves individually :—but no written directions to any patients will be given under our joint names, that have not previously been the subject of consultation between us. Every such paper of directions as the inclosed, of course, expresses our joint opinion.

By

By this arrangement, therefore, patients who consult me may profit, and certainly can lose nothing. As the arrangement is made not only for the benefit of my patients, but also for my own, and chiefly for my convenience, it is on no account to bring any additional expence on those persons who may do me the honour to ask my professional advice.

(Signed) JAMES GREGORY, M. D.

St Andrew's Square,
Edinburgh, Dec. 1. 1806. }

Of the above letter very different opinions may be formed by different readers. Some may view it as affording incontestible evidence of Dr Gregory's very singular candour, and uncommon concern for the interest of his patients. But many others have viewed it as an evidence of his very refined empiricism. When this is the opinion of discerning men, I trust, that every thing I have said on this subject in my Letter to Dr Gregory, page 33. will be generally allowed to be well-founded.

I am informed, that this singular connection between Dr Gregory and Dr Brown was terminated in no long time. And whether Dr Gregory now employs any other co-adjutor I know not. But I have not lately seen any written advice from him, signed by any name but his own. And whether he still continues to furnish to his patients the advice of *two* Physicians for the fee paid to *one*, is best known to himself.

No. IX.

*MINUTE of the Meeting of the Royal College of
Physicians of Edinburgh, held 13th May 1809.*

Referred to in Dr DUNCAN's Letter, p. 36.

EXTRAORDINARY MEETING.

PRESENT :

Drs STUART, Pres.	YULE.	BROWN.
SPENS.	HAMILTON <i>jun.</i>	BARCLAY.
DUNCAN.	HOPE.	
HOME.	DUNCAN <i>jun.</i>	

Roll called.—Minutes read.—Absentees fined.

THE President, in name of the Committee appointed at last Meeting to consider the Protest given in by Dr Gregory, and referred to in the Minutes of last meeting, laid the Report before the College, which was read in the following terms :

“ The Committee have deliberated upon the paper indorsed “ Protest by Dr Gregory, February 7. 1809.”

It

It appears to them, both in its matter and style, to be equally inconsistent with truth and decency. It is their opinion, that it ought, on no account, to be engrossed in their records, but kept *in retentis*, as one of the many proofs of his temper and conduct towards the College, and as a justification of the measures towards him which he may compel them to adopt.

“ They think it necessary to propose, that the author of such a paper should be suspended from the right he possesses of attending their meetings, and from all the rights and privileges he enjoys as a Fellow of the College,—a sentence equally requisite for the restoration of peace and amity, during so many years disturbed by the outrages of Dr Gregory, as for the purpose of stigmatising these outrages, though in a manner far more lenient than they deserve.”

Which report having been taken into consideration, it was moved by the President, as an amendment, that immediately after the word “ College,” the words, “ until he make satisfactory acknowledgments,” should be added. The sense of the College having then been taken, by each member delivering his opinion, and the vote, Adopt the Report of the Committee, as amended, or Not, having been put, it carried Adopt, with the exception of Drs Yule and Brown, who protested against the same.

The

The Clerk was appointed to intimate the resolution of the College to Dr Gregory.

Extracted by

ALEX^r. BOSWELL, *Clerk*.

To this public stigma, Dr Gregory has now quietly submitted for more than two years. Without the necessity of appealing to a Court of Justice, he might easily get it removed, if he could humble his pride so far as to make a reasonable apology for the improper language employed in his protest dated February 7. 1809.

But, in my opinion, the College have no reason to regret the want of his presence at their meetings. For since the above sentence was passed, by the advice of gentlemen learned in the law, and unconnected with the College of Physicians, the whole business of that society has fortunately been conducted with very great harmony and unanimity; and I am happy to say, that of late they have been much more agreeably and usefully employed than in the necessary refutation of slander. A respectable Committee of their number, consisting of Dr Home, the President, Dr Spens, the Vice-President, Dr Hope, the Professor of Chemistry in the University, and Dr Duncan *junior*, who, as a pharmacist, has gained no inconsiderable

derable reputation over all Europe, by five different editions of the New Edinburgh Dispensatory, have been engaged in a series of experiments, to enable the College to publish a new and improved edition of their Pharmacopœia, which, by act of Parliament, must be the standard for the practice of pharmacy over the whole kingdom of Scotland.

A subtle metaphysician, particularly if he pretends to be an acute expounder of laws, may perhaps publish a volume, to prove, that these experiments are a violation of the act 1754. For, according to the strict letter of that act, any gentleman performing such experiments, may be said *to practise Pharmacy, by himself, co-partners, or servants*, and may therefore be represented as reducing *the profession of Physic to a miserable, an infamous state of degradation*. But, for my own part, I have no doubt, that the pharmaceutical labours of the Committee, will do honour, both to themselves and the College of Physicians of Edinburgh, in the estimation of every intelligent Physician in Europe.

No. X.

No. X.

CONCLUSION.

FROM these documents it will, I trust, appear to every attentive reader, that I have asserted nothing in the preceding Letter to Dr Gregory, which is not established on indubitable evidence. I may again observe, that I am truly sorry for this publication; but I consider it as a publication demanded by necessity. It was, I think, imperiously required for the vindication of my character, from the accusation first brought against me by Dr Gregory, and afterwards insidiously supported by some of his abettors in slander; particularly since Mr John Bell's publication appeared a few weeks ago, with which copies of some of Dr Gregory's poems were very extensively circulated, and were said to be addressed to a brother Professor.

If I have done wrong in publishing my Letter to Dr Gregory, I may again repeat, that I have not taken this step without the advice of intelligent friends, in whose judgment I place great reliance. It is, however, but fair to mention, that I have not on this occasion consulted any one of my medical friends. Dr Gregory, therefore,

can have no just ground for alleging, that this Letter forms part of a conspiracy, which he has formerly denounced, with great confidence, and in very abusive language, but which exists only in his own imagination. With the present publication, Dr Hope, Dr Home, Dr Stuart, Dr Spens, Dr Duncan *junior*, and Dr Hamilton *junior*, have no concern whatever. It is also but fair to mention, that with this publication Mr John Bell has no concern, and that I have never had any connexion with any of his publications against Dr Gregory.

For reasons which the reader will readily perceive, I was determined not to consult any of my medical friends. Had I done so, I have reason to believe some of them would have dissuaded me from publishing it. For they, in general, consider Dr Gregory, to use a metaphorical phrase of his own, as already completely *laid upon his back* by the Narrative of the College of Physicians, which he has allowed to remain unanswered for more than two years. They further think, that after the College of Physicians have deprived him of his privileges as a Fellow, till he makes a proper apology for former slanders, any future slanders from him may be justly disregarded.

But my case is now somewhat different from theirs. Having myself been personally attacked, on a matter totally unconnected with the question between Dr Gregory and the College, I feel the force of the observation, that
*"when malignant lies are invented, and seriously told in
presence*

presence of respectable people, a man must have lost all respect for reputation, if he take not the proper steps to contradict them." In adopting this opinion, I am not singular. And those gentlemen whose concurrence with me in this sentiment, has led to the present publication, are men whose characters are well known to Dr Gregory, and whom he cannot suppose to be influenced, either by private enmity or successful rivalry.

What effect the present publication may have upon Dr Gregory himself, I will not pretend to conjecture. He has publicly and repeatedly boasted "*of his readiness to acknowledge and repair any wrongs he has committed, as soon as these shall be made known to him.*" The questions, then, with which I have concluded my Letter to him, will put these professions to the test. They reduce him, indeed, to use a word of his own, to a distressing *trilemma*. If he answer them in the affirmative, he acknowledges himself to be a slanderer:—If he answer them in the negative, his answer will clearly prove that he has no regard to truth:—And if he still persists in giving no answer to them, his silence will afford strong evidence that his conduct is not actuated by the principles, either of honour or of justice.

To all these questions, any man of common understanding, unbiassed by prejudice, who shall take the trouble of perusing the preceding Letter, and who has before read with attention the Narrative published by authority of the College, will have no hesitation in giving a decided answer in the affirmative. And if Dr
Gregory

Gregory consults his own credit, he will give the same answer, though at the expence of humiliating himself by an acknowledgment of highly culpable rashness and egregious error.

But whatever course he may think proper to pursue, I shall conclude with observing, that it is my intention never again to appeal to the public on this disagreeable subject, and indeed never to mention Dr Gregory's name, when I can easily avoid it. If he invent future slanders, I have no doubt that he will, in the end, be severely chastised for his transgression: For though we live in an age in which vice is daily seen to triumph in the eyes of the world, yet, in general, it affords a punishment for itself, and, for my own part, I have no doubt of the truth of an observation of Horace:

“ Raro antecedentem scelestum

“ Deseruit pede pœna claudo.”——

FINIS.

Gregory cannot give the credit he will give the same
power, though at the expense of humiliating himself by
an admission of his culpable rashness and error.
But whatever course he may think proper to pursue,
I shall conclude with observing, that it is my intention
never again to appeal to the public on this disagreeable
subject, and indeed never to mention Dr Gregory's name,
when I can easily avoid it. If he repeat his error
here, I have no doubt that he will, in the end, be severely
punished for his transgression: for though we live
in an age which seems to have been brought to the
edge of the world, yet in a moral sense it is a
time of darkness, and for my own part, I have no doubt
of the truth of an observation of Livy:
"Quidam enim homines sunt, qui se sapientes
et doctos putant, et tamen in rebus
magnis et in rebus divinis, quibus
maxime sapientia et doctrina
esse debet, non solum non
sapienter, sed etiam non
docte se habent."

