

Mr. Jeffreys's reply to a pamphlet presented to the public by Doctor Calvert Holland, of Sheffield, entitled "Plagiarisms of Julius Jeffreys, F.R.S."

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MR. JEFFREYS'S REPLY

TO A PAMPHLET PRESENTED TO THE PUBLIC BY

DOCTOR CALVERT HOLLAND,
OF SHEFFIELD,

ENTITLED

“ PLAGIARISMS OF JULIUS JEFFREYS, F.R.S., ”

And made the Vehicle of other uncomplimentary Statements.

Doctor C. Holland having advertised his Pamphlet in other besides Medical Channels, it is considered expedient to give this Reply also a place in certain other respectable publications.

THAT DOCTOR CALVERT HOLLAND, of Sheffield, has acted very imprudently in sending forth such a publication against one who was almost innocent of the knowledge of his existence, is, I am sure, the least that his own friends will say. All mine, and, I will venture to add, any of the public who trouble themselves with the matter, will view it as something more than imprudent.

Many of far greater worth than myself have found the most difficult of divine precepts to obey, to be that of “not rendering railing for railing, but contrariwise blessing.” This, however, it is my sincere desire to do. In the present instance my reproof shall be without railing; and I shall close with a benediction. That he should have projected at me, without any warning, a *typical* missile of such gigantic magnitude as that of his word PLAGIARISMS, in about half-inch Roman Capitals, and have introduced into his pamphlet a number of offensive statements and opinions, equally without foundation, and upon matters wholly irrelevant, certainly wears a malicious aspect—but I would fain think it otherwise. I desire to receive it all in good humour; and from the preposterous nature of his charges against me, I simply characterise them, to use a homely expression, as being very saucy.

First—as to the charge of plagiarism. It would appear that in the first of the three parts, the statics of the human chest—animal heat—and determination of blood to the head, of which my work consists, there are views more or less similar to certain entertained by him, and previously published, for which I find he refers to two works, the title of neither of which is such as could be expected to attract my attention amidst the overpowering mass of modern medical literature. The fact is, having never engaged in the practice of my profession since my return from India, and being much attached to general and political science, my reading of late years has been of the latter character: excepting when, as in the instance before us, I have been writing from observations made in former years, upon subjects connected with medical science.

On these two or three occasions I have by no means neglected the duty of endeavouring to ascertain what others may have written on my subjects. In the present instance I examined all works I could meet with, on “The Chest,” “The Lungs,” “Respiration,” “Animal Heat,” “The Head,” “The Brain,” &c. And, for the greater caution, after having consulted various systematic treatises on Physiology, I waited for the appearance of Doctor Carpenter’s “Human Physiology,” just then announced, presuming that a work of that nature, from the pen of an author of so great research, would contain all views of importance which had attracted his notice. In that full and able work, not only were no such views to be found, but, from more than one passage, it was to be inferred that the attention of the author had not been drawn to that particular subject at all. Moreover, out of many letters I have received, some from men of great research, in which the various views in my work are favourably noticed, in not one are Doctor Calvert Holland’s writings referred to. Only one has since named them in conversation, and that briefly. It was, no doubt, evident to them that any similarity of some of my views with his was no other than a coincidence, since the whole of my work manifests connexion and original observation throughout. To conclude, then, with the charge of plagiarism: What is the fact?—Why, *that I have never in my life seen Doctor Calvert Holland’s works;—have never seen a review of them;—nor, to the*

best of my recollection, ever read a single extract from or any reference to them. I affirm this distinctly; and, let it be remembered, an affirmation in which there can be no mistake has all the character of an oath. Having disposed of this charge, I must express my satisfaction at finding, in our distinct arrival at them, so good a corroboration of those views, upon the truth of which he and I are agreed. In others, it might be regretted there is not any such close agreement as he would trace; for I feel sure I am right, and I would have his good support; and, after all, the great bulk of my work has not the advantage of the smallest liability to the charge of plagiarism, but has to stand on its own merits, such as they are, wholly unaided by Doctor Calvert Holland's authority. I may here remark, that I might point out more than one important instance in which he has been preceded by others; but I would not on that account charge him with plagiarism. There is one point somewhat curious, namely—while stating certain views to have been his own which have recently been announced by Professor Liebig, he refers to this author without complaint, nay, even with compliment, although the latter does not even mention his name. The last page of his pamphlet discloses how it is he was so tender towards that great chemist, so much otherwise towards myself. The Respirator is a cause of such suffering to his feelings that he is unable to maintain the prudence of not drawing it into a dispute with which it has no concern whatever; inasmuch as it is only named once in the body of my work, and that incidentally.

He closes his imprudent pamphlet with a number of severities on the subject of the Respirator; for some of which he is not the only medical brother to whose discipline my feelings are indebted. He affirms that my work is published solely to set off the Respirator. Were that the case, though not a dignified act, it might be one of use to the invalid public. As, however, all evidence is against him, he must have arrived at this conclusion from a consciousness that the pardonable custom of writing themselves into notice is not unfrequent on the part of medical men seeking practice. Any one who reads my work must perceive it to be a collection of observations made long since, so linked together as to bear the stamp of one source, and of an object anything but that

of courting popular favour. From its nature, it could only be expected to be read in the profession and by others interested in physiological science. It so happens that I have been most guarded on this very point. It was not until I was drawn out by opposition that I published, even to the profession, any more than a few unpretending pages, entitled "Observations on the Construction and Use of the Respirator." Although the want of some popular essay on the subject has been a matter of frequent complaint to me, nothing of the kind has been addressed by me to the public. Many misconceptions prevailing within the profession respecting both the medical and the physical views upon which the Respirator had been founded, I felt it quite a duty, two years ago, to publish, in a *medical* journal at least, the views I entertained on artificial climate, and by which I had been directed to seek for such an instrument. Nothing could have been more easy than to have collected and published that matter in a very popular form, far more *taking* than either the matter or the title of my "Views on the Statics of the Chest, &c." Yet this has not, up to the present time, been done.

From time to time I have been obliged to give the materials of circulars respecting the Respirator, without which the parties vending the instrument could not proceed, or the public know anything of it or its object. But I have, even to an extent of neglect, omitted publishing anything myself for the public at large. It was not until last year that I consented to allow books of testimonials to be issued, though it had been repeatedly urged on me as necessary for over-ruling opposition in various quarters. More need not, I think, be said to prove, if the Respirator be really a useful article, that I have carried my shyness to appear before the public as an author in its favour even to a culpable extent.

Another point of distress with Doctor Calvert Holland, and some others, is my holding a patent as a member of the profession; or holding one for an instrument to prevent and relieve suffering. Since peers of the realm, of the rank even of Marquesses, do not hesitate to become patentees, being men of really enlightened minds, the public will smile at the assumption of medical men of such false dignity, and will not easily credit their

sincerity. Neither will the public countenance the absurdity of the position, that, although an article has nothing to do with the drugs and chemicals which form the *Materia-Medica*, and are the legitimate tools of the physician's skill, yet no *medical* man should have a proprietary right in it, if its object be to prevent or relieve suffering; thus assuming to ourselves an indifference to secularities, and an elevation of feeling, far above that we allow to all other men. Will not the public be tempted to inquire whether medical men always yield up to public competition the copyrights of their works, which are no other than patents for another form of intellectual property? Will they not also inquire if the skill in relieving disease, of which some minds have so large a monopoly, of which they are by the nature of things possessed of a patent, is employed gratuitously for rich and poor alike? Will they not say, "If this means of relieving disease must not be made to yield any return to the mind devising it, neither of course must that?"

This notion respecting the tenure of a patent, which has been more than once expressed in the profession, is no other than a remnant of the impression to be found in half-civilised communities,* in relation to intellectual property, and it is high time it should be discarded from our profession, as it has from every other, as well as by the nobility; and to affect, as a class, more disinterestedness than all other classes of our fellow-subjects, or than is compatible with our duty to those dependent upon us, is anything but real dignity. A man engaged in practice might find it in every way to answer his purpose not to take out a patent for an invention, or he might do so from a mistaken generosity, failing to perceive that a higher course would be to gather the rightful fruit of his labours, and devote them to the good of the needy, instead of lavishing them on the wealthy, in the form of an unpaid-for invention. An ambition not altogether unpardonable would probably be found the leading motive in such a case, if a man could exercise self-examination impartially. But for one upon whose labours a family is dependent for its support, to throw up a property in order to gratify a vain ambition and win applause,

* As amongst the nations of Asia, who neither recognise nor appreciate mental property

would be an act, not of generosity, but of unprincipled selfishness ; or if he did so in obedience to a rule presumptuously attempted to be forced upon the profession by some party, it would be an act, not of dignity, but of unworthy timidity, and a dereliction of duty.

The public, as a body, are not so covetous as to desire to take to themselves the rightful property of any one ; and they are also discerning enough to know that it is for their own interest such property should be held, as well in the medical as in any other profession, if not more, as the surest means of encouraging invention, and the attention of the inventor to the success of his invention,—a point of great importance. They know that the value to them of a useful discovery is far more than the money price they have to pay for it, which it is always the interest of a patentee to restrain or lower as far as possible, and that, if it appears high, some difficulty or obstacle is the cause. *Thus, in the present instance, the expense of the measures necessary for over-ruling opposition has exceeded the limited profit this invention has as yet yielded to any one ; while it has occupied much valuable time, and required various machines and processes, each a separate invention, so peculiar and difficult in the first instance, as to have excited much interest on the part of friends of the first ability in science. It is only in consequence of the endeavour made to place me in an improper light before a public whose opinion I desire to respect, but to many of whom I am necessarily unknown, that I can allow myself thus to refer to my own performances.*

It may here be well to inform those who have persuaded themselves that the price of the Respirator is the cause of their discountenancing it, that opposition such as theirs baffled an effort persevered in for two years to maintain a reduction of price. These are facts. Let the dignity and humanity of such a course be settled between the public and such of the profession. But even as the cost now stands, let any of these who are sincere in their objections, ask themselves if they really believe the benefit to be derived from the Respirator, in any case requiring it, does not bear as high a proportion to its price as does the least useful of their visits to the fee they are not too sensitive to accept. Or let them candidly say, since so many of its wearers speak, not

only of benefit from it scarcely estimable from its nature in money, but also (*hinc illæ lachrymæ?*) of an actual saving of much medical expense, how they would like the following compact, namely, for them to receive a forfeit for every Respirator not of five times its money value to the wearer, and to pay a similar forfeit for every prescription of theirs which might not as well, for any really useful effect, have never been written.

I am quite aware that in order to maintain an able body of men, qualified and ready to combat disease in all its forms, there must be a great deal of useless visiting and prescribing, under the established system of remuneration, and that, in many instances, men fitted for their work could not live respectably upon what they receive for their really useful efforts; but then it will not do for parties so unfortunately circumstanced to raise a cry of dignity upon so tender a point. They must not throw stones from their house of glass, especially at one who, on this point at least, may feel himself in a house of stone, where he would desire to remain unoffending and retired.

Men appear to differ in their views on the subject of dignity as much as upon most others. For my own part, I could wish the physician were paid a certain fixed sum annually by each family he attended, which a feeling of honour and gratitude should lead them to increase on years of unusual exertion. With this practice we are familiar in India. On my return from that country, having, in common with many others, suffered a serious loss of property, I entertained the prospect of practising in England. Having always enjoyed a fixed salary in the medical staff, and in private practice been accustomed only to an annual consolidated fee, the prospect of having to take up with the English system of remuneration, and of *placebo* prescriptions, was, to my feelings and views, fifty-fold more undignified than was the straightforward equitable course of holding a property in the efforts of my own mind, and of producing an instrument of real utility, respecting which I might feel a consciousness which cannot be had in the case of many an *aqua rosæ* prescription, that my neighbour had at least received his money's worth. Although this instrument has forced me from retirement into an undesired publicity, and been the source of more ill-will than wealth, the many uninvited expressions of gratitude with

which I am, from time to time, favoured from sufferers relieved, are a sufficient recompense for any unfriendly feeling towards me, which some may find pleasure in endeavouring, I hope vainly, to excite. When the expressions of gratitude proceed from the poor, the satisfaction is enhanced by knowing that through my holding a proprietary right over the invention, not only can they command the benefit at a low rate, but that the destitute obtain it gratuitously. More than this I will not say upon so delicate a subject.

If I must not hope that all the preceding remarks can be generally pleasing to my profession, much as I desire to honour and respect it, I must take leave to speak the truth out plainly, when compelled by others to break a silence I would gladly maintain.

I will now conclude with my promised benediction on Doctor Calvert Holland, of Sheffield. May he hereafter enjoy that happy frame of mind which will make him slow to suspect any of his fellow-men of a crime, literary or otherwise, which I hope he could feel conscious he would not commit himself. May he merit and enjoy as much of literary reputation as is safe for human infirmity. May he long enjoy as good a provincial practice as from his talents I have no doubt he merits; and when he has occasion to call in the aid of the Respirator, may he be harassed by no mistaken feelings hereafter. Lastly, let him rest assured I freely forgive him for the gigantic charge of *plagiarism* with which he has precipitately endeavoured to brand me; and for the many unwise things he has, mistaking his own motives, repeated or originated in relation to my connexion with the Respirator.

JULIUS JEFFREYS.

Notting Hill, Aug. 1, 1844.

