

Remarks on Mr. Syme's Statement ... with documentary evidence / [John Mackintosh].

Contributors

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L. Chaplin Child

REMARKS
ON
MR. SYME'S STATEMENT,
BY
DR. MACKINTOSH ;
WITH DOCUMENTARY EVIDENCE.



REMARKS, &c.

FROM anxiety to avoid bringing the name of a lady before the public, and from the impossibility of giving a fair statement of the dispute with Mr. Syme, without bringing to light many things which must injure that individual in the good opinion of the world, Dr. Mackintosh would most willingly have allowed matters to remain as they were upon Friday 28th September. But having been told that a statement had been extensively (though privately) circulated by Mr. Syme, which was injuring Dr. Mackintosh, he took means to procure a copy of it, and after great trouble, and several days' delay, he succeeded in doing so last night.*

The statement, as might have been anticipated, by giving only *a part of the truth*,—inverting the order of time,—and other means,—wears an appearance of fairness and candour, to which, when examined, it has not a particle of pretension; and therefore, in order to set himself right with his own friends, and with those who have read the statement, Dr. Mackintosh has very reluctantly yielded to the advice of his friends to publish *the whole truth*. It

* Every precaution was taken to prevent this document from coming into the possession of Dr. Mackintosh. The exertions of several of his friends failed, till one more resolute than the others would not give it up after he got his hand upon it.—J. M.

is with the greatest reluctance and regret that he comes before the public in a matter of this kind, because, in doing so, he is compelled to introduce the names of private individuals; and it is only the respect which he feels for the judgment of those friends in whose hands he has placed himself, that has induced him to follow their advice, holding, as they do, that in justice to himself, he is bound to vindicate his character from the unjust aspersions which have been attempted to be thrown upon it by Mr. Syme. It is to that person, therefore, and not to Dr. Mackintosh, that the odium of introducing family quarrels, and the names of private individuals, must be attached.

In order to make the following remarks intelligible, and to prevent an accusation of giving a garbled statement, Dr. Mackintosh deems it right to print Mr. Syme's statement entire.

MR. SYME'S STATEMENT.

" On the evening of Saturday 22d September, Mr. Syme happening to call on his friend, the Rev. Dr. Belfrage, at Slateford, was informed that Dr. Mackintosh had recently made certain statements to him regarding a lady, a near connexion of Mr. Syme's, which were calculated to injure her, and to be very painful to the feelings of her friends. The nature of these statements is explained in the following letter, which Mr. Syme received from Dr. Belfrage on Monday afternoon.

" ' Slateford, two o'clock.

" ' MY DEAR SIR—Dr. Mackintosh's son has been here with a letter, requiring me to state what I reported to you. The following is my answer, which is just now sent off to him :—

“ ‘ MY DEAR SIR—In reply to your letter, I beg leave to submit to you the following statements of facts :

“ ‘ Mr. Syme having called on me on Saturday evening, while your conversation was yet fresh in my memory, and being well assured that there existed a disposition in a certain quarter to annoy him, I considered it to be my duty as his friend to make him acquainted with a proceeding of which he was likely soon to hear, and which could hardly fail to give him uneasiness. I thought it probable that if he came to the knowledge of it incidentally, or if it was repeated to him in a distorted and aggravated form, it would prompt him to have recourse to rash measures ; and my object in conveying the information I gave to him was to preserve him from being taken by surprise, to put him on his guard, to sooth the irritation of his mind, and to dissuade him from yielding to the impulse of resentment. What I told him was simply this : that I had learned from you that Mr. Liston had met Miss Willis one day lately on the street ; that he said to her that he was coming to her party in the evening ; that he went accordingly, Dr. Robertson also being there ; to which I added, as a remark of my own, that such conduct appeared to me in the circumstances to be very strange, as Mr. Liston was not in the practice of visiting her ; that it seemed to show on his part a disposition to provoke, and to indicate on the part of Miss Willis either a facility which is liable to be imposed upon, or a levity which encouraged advances, which prudence in the circumstances would have forbidden. I was not aware that your family was present, as you did not mention the circumstance, neither could I declare with certainty whether you was there or not. You say in your letter that what you stated to me in conversation was given in confidence. This is certainly true in reference to one thing you mentioned ;* there you bound me to secrecy, and I gave you

* This relates to a matter connected with the College of Physicians, which Dr. Belfrage may now disclose. But most assuredly Dr. Mackintosh felt

my promise ; but with regard to other matters I considered myself as placed under no obligation, but left at liberty to make a prudent and friendly use of the information you communicated, in any way that may contribute to your benefit, or the good of the others concerned. I have told you already what was my object in reporting to Mr Syme part of your conversation. It certainly implies no hostility towards you, and it discovers nothing but kindness towards him. The information might do good—it could scarcely do harm. He received it with perfect calmness. He assured me that he would not allow himself to be carried away by irritation, and I expected to hear no more about it. While I thus justify my intentions, I maintain that I have strictly adhered to the truth. Facts to me are precious, and I cannot intentionally misrepresent them. The knowledge of them can never be injurious to the innocent ;—no man who is ignorant of them is capable of judging or acting with propriety ; and by making Mr. Syme acquainted with the facts of the present case, I have placed him in a condition in which he can form an opinion of the conduct of others, and adopt such measures as are safe for himself. Allow me to say that I am very sorry that I have been the occasion of giving you any uneasiness ; and, hoping that matters will soon be settled comfortably, I am, my dear Sir, yours truly,

“ ‘ JOHN BELFRAGE.’ ”

“ ‘ My object in sending you this copy, is to prepare you for the answer you are likely to receive.

that throughout he was speaking in perfect confidence to the reverend gentleman ; and he has a complete recollection of saying, that if Mr. Syme were to hear of Mr. Liston having been at Miss Willis' party, he (Mr. Syme) would forbid her his house. If Dr. M. had been questioned as to the ground of this opinion, he would have said that it arose from his knowledge of the extreme jealousy and suspicion with which Mr. Syme views Mr. Liston's actions, and his anxiety to make his friends that gentleman's enemies ; and because Mr. Syme would have attributed the visit to some conspiracy or combination to depress his professional reputation.—J. M.

“ ‘ It would have been well if you had spoken to me before taking any measures. I hope you will bring the matter to an issue soon.—Yours truly, “ ‘ J. BELFRAGE.’ ”

“ Mr. Syme having satisfied himself that these statements were unfounded, and that the gentleman there alluded to had been brought to the lady’s house by Mrs. Mackintosh,* without her previous knowledge or sanction, deliberated what course he should follow. The quarter from which he had received the information, and the motives with which it was communicated, as well as his wish to avoid bringing forward private names, made him unwilling to give the circumstances greater publicity ; he therefore contented himself with causing the lady to be made acquainted with what had occurred, that she might consider whether she could, with propriety, continue her acquaintance with Dr. Mackintosh’s family. On this being done, she was sensible that she ought to discontinue that acquaintance, and thinking it best to convey intimation of this by writing to Mrs. M., applied to Mr. Syme to furnish her with a draft of a letter. With that request he complied. Of the draft he has not preserved a copy ; but, to the best of his recollection, it was in the following terms :—

“ ‘ Miss Willis having reflected on the circumstances of Mrs. Mackintosh’s visit on Tuesday last, and of what has been reported to her since, of Dr. Mackintosh’s conduct in regard to it, feels herself under the painful necessity of discontinuing all intercourse with Dr. Mackintosh’s family.

“ ‘ *Monday.*’ ”

* “ *And Mrs. Fraser, sister of Miss Willis,*” should have been added by Mr. Syme, for he was told both by his wife and by Miss Willis that such was the fact. It also seems odd that at Dr. Belfrage’s Mrs. Syme did not mention the knowledge which she even then had from her sister of the extent of her party.—J. M.

“ This note was sent on the morning of Monday the 24th of September. It was then thought proper to acquaint her brother-in-law, Mr. Fraser, with what had taken place. On the morning of Wednesday the 26th, Mr. Syme received the following letter from Dr. Mackintosh :—

“ ‘ 31, Albany Street, Tuesday night,
25th September 1832.

“ ‘ SIR—Had I been told by Dr. Belfrage that any one had traduced the character of my sister-in-law, I would not have allowed the sun to go down before the individual had done her justice, and made every atonement female delicacy could require. But had I believed that her character had been purposely sullied, not to injure her, but that it might be communicated to me, to wound my feelings in the most tender point, I would have taken such immediate steps as would at once have repaired the injured reputation of my sister-in-law, vindicated the honour of my family, and exposed a miscreant to public odium. I believe any person in the situation of a gentleman, and possessing the feelings and spirit of a man, would act in a similar manner. But what did you do? you have said that you put the worst of these constructions on my conduct—that you were never so angry in your life; but being afraid to seek any explanation from me, you contented yourself with making a petticoat job of it. The young lady was summoned into your mighty presence, you wreaked your vengeance on her in various ways, and, after the shedding of showers of tears, you extorted a promise that she would write to Mrs. Mackintosh, declining any further intercourse with my family. A letter was penned by your own hand, which Miss Willis was to copy; the precious original document I have seen. This measure was again insisted on the following day, after Miss Willis had been made fully sensible that I and my family were quite innocent of any insult to

her honour and delicacy, and that the whole story originated in some misunderstanding on the part of Dr. Belfrage, quite unintentional on his part or mine. Yet she was treated by you with the cruel alternative of being cut off for ever from her sister's society and *your generosity*, or sending the letter to my family. She most reluctantly determined to do the latter, and had no sooner done so than she repented. In the meanwhile, as you had, as you thought, carried all your plans so nicely and quietly with the ladies, you were still afraid to meddle with me, but, like the monkey in the fable, tried to use the cat's paw to save your own fingers. In fact you sent Mrs. Syme to induce Mr. Fraser to undertake the more dangerous and difficult task of bringing me to an account for having injured the reputation of your mutual sister-in-law. I shall leave it to Mr. Fraser to tell you how the affair has ended, and how many wounds he has received in the conflict. The only object I have in view at present is to assure you that I would inflict personal chastisement on you for the base motives and conduct you have attributed to me in this affair, and for the injurious expressions you used when speaking of me to Mr. Fraser on Monday, were it not for reasons which it is to be hoped you will feel and appreciate. I may mention, in conclusion, lest you should have any doubt of the authenticity of this letter, that it is written by my left hand, my right being disabled.—I am, Sir, your obedient servant, “ ‘ JOHN MACKINTOSH.’ ”

“ After some preliminary consultation, Mr. Syme requested his friends, Dr. Badenoch, surgeon to the forces, and Dr. Sharpey, to act for him, giving them full powers, and expressing his anxiety that they might bring the matter to a conclusion as speedily as possible. It was arranged that Dr. Sharpey should wait upon Dr. Mackintosh, which he did, first at half-past two o'clock, and afterwards at seven o'clock the same evening. The following are the minutes of these interviews :—

“ ‘ Dr. Sharpey waited on Dr. Mackintosh at half-past two o'clock on Wednesday, the 26th September 1832, on the part of Mr. Syme, and required an apology from him for having written a letter addressed to Mr. Syme, dated the previous night, and stated that on Dr. M. doing so, Mr. S. was prepared to admit that his having dictated the note alluded to was inconsiderate, and that he regretted his having done so.* Dr. Mackintosh declined making any apology ; on which Dr. Sharpey requested Dr. Mackintosh to name a friend with whom Dr. S. might arrange. This Dr. Mackintosh declined doing.’

“ After some conversation, Dr. Mackintosh made the following proposal :—‘ If Mr. Syme will say that he regrets having acted as he did in the first instance, and if all restrictions be taken off from Miss Willis’ actions, then Dr. M. will say that he regrets having written the letter.’

[*This in inverted commas was minuted at the time.*]

“ Dr. Mackintosh stated that this was the only proposal he would listen to ; and on Dr. Sharpey’s again requesting him to name a friend, he refused to do so. He farther stated that he would not even have made that proposal, had it not been on account of ladies’ names being unpleasantly introduced, and old recollections. Dr. Mackintosh was obliged to leave town immediately after this interview, and said that he would return again at six in the evening.

Dr. S. again called upon Dr. Mackintosh at seven, at which meeting the above minute was written by Dr. S. as his distinct understanding of what had taken place at the previous meeting, Dr. Mackintosh also assenting to the same, with this difference, that Dr. M.’s impression of Dr. S.’s proposal was that Mr. Syme requested an apology for

* Neither then nor now can Dr. M. see any reason why Mr. S. should apologize merely for “ having dictated the note.” It was the barbarous means he used to get the note written, and the mean unmanly act of making Miss Willis the medium of his insulting the ladies of Dr. M.’s family that required an apology from him.—J. M.

the letter, and that on this being given, he, Mr. Syme, was prepared to express his regret for his conduct in the matter which led to the letter; under which impression Dr. M. now states that he made his proposal.'

(Signed) 'W. SHARPEY.

'JOHN MACKINTOSH.'

" The above minute being written out and signed, Dr. Sharpey stated that Mr. Syme declines Dr. M.'s proposal, and again calls on Dr. Mackintosh to apologize for the letter which Dr. M. wrote to Mr. Syme; on Dr. M. doing which, Mr. S. is prepared to admit that he regrets having dictated the note alluded to by Dr. Mackintosh.

" To this Dr. Mackintosh gave a positive refusal, and stated, that taking Mr. Syme's conduct into view from the beginning of the affair until now, when he has refused so reasonable an offer as the one made by Dr. Mackintosh to Dr. S. at three o'clock, he declines appointing a friend, or treating Mr. Syme any longer as a gentleman, for the following reasons :—

" 1st. Mr. Syme did not call upon him to account for his conduct, when he supposed he had acted in such an infamous manner towards his sister-in-law, and towards Mr. Syme—in having traduced the character of the lady, not to injure her alone, but that it might be reported to Mr. Syme to injure his feelings. If he had done so, the explanation could have been readily afforded—that the whole story originated in a misapprehension of Dr. Belfrage, and that Dr. Belfrage has since completely exonerated Dr. Mackintosh to Mr. Fraser, who waited on Dr. Belfrage on the part of the lady, and Dr. Robertson on the part of Dr. Mackintosh.

" 2dly. Because Mr. Syme insulted the honour of his family in a covert way, by writing the note for Miss Willis

to copy, thus making her the instrument of conveying the insult.

“ 3dly. Because although he would have given Mr. Syme the satisfaction of a gentleman if he had sought it in proper time, he will not now consent to place his body unnecessarily as a target, upon which Mr. Syme may try to restore his lost honour.”

(Signed) “ J. MACKINTOSH.”

“ ‘ *Note by Dr. Sharpey.*

“ ‘ Dr. Mackintosh having signed his statement of reasons, declared that he would hear no more on the subject that evening. Dr. S. remonstrated against this, and required to be permitted to minute a reply, which he assured Dr. M. he had full power to do without farther consultation with Mr. Syme’s friends; at the same time telling him that he considered the reasons assigned by him to afford no ground for refusing Mr. Syme satisfaction for the letter; that the statement of them could only be looked on by that gentleman as insulting to him; and that if Dr. M. persisted in his resolution to refuse satisfaction, he must abide the consequences. To which Dr. M. replied that he was prepared to do so. While Dr. S. was writing a memorandum to the above effect, Dr. M. bade him good night, and left the room.’

“ It was late when this last meeting ended. Mr. Syme’s friends felt some difficulty in determining what steps should next be taken in circumstances so unexpected;* and as Mr. Syme was under a call to go to the country early next morning, and as there was no prospect of his presence being im-

* This is a most extraordinary statement, if contrasted with Dr. Sharpey’s minute above recorded, viz. that he had full power to act, “without further consultation with Mr. Syme’s friends;” therefore the circumstances ought scarcely to be called “unexpected.”—J. M.

mediately required, it was thought unnecessary to detain him. They ultimately determined, that on Mr. Syme's return from the country, he should be advised to address a letter to Dr. Mackintosh, couched in such terms as his conduct might seem to him to require. Mr. Syme returned at three o'clock on the morning of Friday the 28th, and at eight o'clock A. M. sent the following letter:—

“ ‘ 2, *Forres Street*, 28th *September*.

Friday Morning.

“ ‘ SIR—You have refused to grant me satisfaction for the insulting expressions contained in your letter of the 25th of September. Therefore, the only recourse left me is, to tell you that you have forfeited all claim to the character of a gentleman and a man of honour.—I am, Sir, your obedient servant,

“ ‘ JAMES SYME.’

“ ‘ I was in a distant part of the country yesterday, and did not reach town till three o'clock this morning.’

“ ‘ J. S.’

“ Dr. Robertson called at the Surgical Hospital about eleven o'clock, and stated that he came from Dr. Mackintosh. Mr. Syme replied, that in that case his proper course would be to communicate with Dr. Sharpey. Dr. Robertson said that he had no authority from Dr. Mackintosh to communicate with any but Mr. Syme himself. That he held in his hand a letter sealed and addressed to Dr. Mackintosh by Mr. S., which he was instructed to return. He added that he had not been consulted in the affair further than as to the disposal of the letter in question, which he had advised to be returned on account of the delay between the time of its being received by Dr. Mackintosh and Dr. Sharpey's last communication with Dr. Mackintosh. The following note was written upon the cover:—‘ Given into

Dr. Mackintosh's hand at half-past nine on Friday morning, and sent to Dr. Robertson immediately with the seal unbroken.' " ' J. MACKINTOSH.'

" Mr. Syme stated that he did not consider it right to enter into explanations with Dr. Robertson, but that he could not refrain from telling him that he had gone to a distant part of the country at eight o'clock on the previous morning, that he did not return till three o'clock that morning, and that the letter was sent to Dr. Mackintosh at eight."

It is not considered necessary to give an account of the nature or particulars of the conversation between Dr. Belfrage and Dr. Mackintosh, out of which so much trouble has arisen ; because it will be shewn, in the course of these remarks, that the Reverend Gentleman is now satisfied he took up erroneous impressions of what Dr. Mackintosh had said ; and because the lady in question,—her brother-in-law Mr. Fraser,—and her cousin Mr. Willis,—have all exonerated Dr. Mackintosh in the fullest manner from any blame.

Mr. Syme begins by mentioning that *on Saturday evening* Dr. Belfrage told him that Dr. Mackintosh had made statements calculated to injure a lady, his near connexion, and to be very painful to her friends ;—he then introduces a long letter which he received from Dr. Belfrage *on Monday afternoon* ;—he next mentions having " satisfied himself that these statements" (with regard to the lady) " were unfounded,"—then, that he caused " the lady to be made acquainted with what had occurred," and that she " applied to Mr. Syme to furnish her with a draft of a letter" to Mrs. Mackintosh, which he did,—the letter, or rather note,

is then quoted, and a statement is made, that it was sent on the *morning of Monday*, and that “ it was then thought proper to acquaint her (the lady’s) brother-in-law, Mr. Fraser, of what had taken place.” Such is the statement of Mr. Syme. How far it is “ the truth, the whole truth, and nothing but the truth,” will presently appear.

The lady in question is the sister-in-law of Mr. Syme, as well as of Mr. Fraser,—she has no brother, or other immediate male relation in Edinburgh,—and therefore her honour was in the hands of her brothers-in-law. Mr. Syme admits having been told of the alleged calumny on Saturday evening, and says it was calculated, besides injuring the lady, to give pain to her friends. In these circumstances, what would have been the conduct of an honourable right feeling gentleman?—would he have allowed Saturday night to pass over without calling Dr. Mackintosh to account?—assuredly he would not;—he would, the moment he returned to town, have waited upon the alleged defamer to procure an explanation; or he would have sent a friend to require one, and an apology, if it were due,—or a hostile meeting, if that were declined.

Now, was this the conduct of Mr. Syme? No; in place of acting a manly and honourable part, and going at once to the defamer, he contented himself with making Mrs. Syme write a letter to her sister desiring her to come to his house without delay.

Miss Willis accordingly went to Mr. Syme’s house early upon Sunday,—was then informed of the calumny by Mr. Syme, in presence of her sister Mrs. Syme, and that therefore she must give up all connexion with Dr. Mackintosh’s family, and must write a letter to that effect to Mrs. Mackintosh. Miss Willis was utterly confounded with this communication, and asked Mr. Syme what she could say; when he wrote and gave to her the draft of the note which he quotes in his statement. Miss Willis having always re-

ceived very great kindness from the family of Dr. Mackintosh, and having a great regard for them, demurred to this dictum of Mr. Syme, whereupon he told her that if she did not give up all intercourse with the Mackintoshes, his wife and he would disown her; and it was by these means that Miss Willis was made "*sensible that she ought to discontinue*" her acquaintance with the family of Dr. Mackintosh. Mr. Syme made use of *a still stronger threat*, which Dr. Mackintosh is unwilling to expose. Miss Willis having asked Mr. Syme's permission to make the communication to Mrs. Mackintosh in the form of a letter, and to begin it "My Dear Mrs. Mackintosh," he refused to allow this; upon which she observed that they (meaning Dr. Mackintosh's family) would know the note was not her doing; and she asked if he (Mr. Syme) would be responsible for the consequences, to which he said he would; and he added "if they trouble you about it, send them to me." After this Miss Willis took her leave, agreeing to copy over the note at home, and to send it to Mrs. Mackintosh upon Monday morning.*

Now, it could only be upon the principle of Miss Willis having been injured by what Dr. Mackintosh had said, that she could be asked to give up the acquaintance of his family; and if Mr. Syme really believed that such injury had been committed, was he as a man of honour justified in allowing the matter to remain in this shape? Assuredly he was not; he was bound to have procured an immediate explanation from the supposed offender; and nothing can account for his not doing so on Saturday evening, or in the course of Sunday, but the fear of exposing himself to the natural consequences.

On Monday morning Miss Willis wrote the note to Mrs.

* These circumstances were communicated to Dr. Mackintosh by Mr. George Willis, and were afterwards confirmed by Mr. Fraser and the lady herself.—J. M.

Mackintosh, and gave it to her cousin, Mr. George Willis, to be delivered ; but he, considering that Mr. Syme was not entitled to compel her to give up a family from whom, he was well aware, she had received so much kindness, and wishing to give her time to consider maturely the step which she was taking, did not then deliver the note.

Mr. George Willis, however, influenced by the more usual feelings of a gentleman, felt that justice must be procured for the lady, and he therefore conveyed notice to Dr. Mackintosh, that he had been informed of his having traduced the character of his cousin to Dr. Belfrage, and that he would wait upon him at a certain hour, to procure from him an explanation of the circumstances. This was the first notice which Dr. Mackintosh had of the matter, and he immediately sent his son with a letter to Dr. Belfrage, requiring to know what account he had given of their conversation, and to whom he had given it.

Mr. Syme was not aware of this interference of Mr. George Willis, and although unwilling himself to call Dr. Mackintosh to account, he seems to have considered it necessary that some other person should do so, and therefore he, *the brother-in-law* of Miss Willis, fixed in his own mind that this should be done by *her other brother-in-law* Mr. Fraser ; and accordingly he says, in his statement, that it was “ thought necessary to acquaint her brother-in-law, Mr. Fraser, of what had taken place.”

With this view, Mr. Syme early on Monday forenoon sent his wife to call for Mr. Fraser at the Register Office, to tell him what had happened, and to ask him to meet with Mr. Syme upon the subject. They met accordingly. As might have been expected, Mr. Fraser said Dr. Mackintosh must give an account of his conduct. He went to Dr. Mackintosh's to procure such an account, and there he found the Doctor and Mr. George Willis discussing the business. While they were together, Dr. Mackintosh's son

returned with the letter from Dr. Belfrage, and Dr. J. A. Robertson, the intimate friend of Dr. Mackintosh, having come in, the letter was read, and the mistakes of Dr. Belfrage were explained by Dr. Mackintosh, whereupon both Mr. Willis and Mr. Fraser declared themselves satisfied; and it was only after this that Mr. Willis delivered the note to Mrs. Mackintosh, with which he had been intrusted by Miss Willis, giving an account at the sametime of how it had been got up by Mr. Syme.

But although Mr. Fraser and Mr. Willis were satisfied, it was considered by Dr. Mackintosh to be necessary to put Dr. Belfrage right, and accordingly it was agreed that Dr. Robertson, as his friend, and Mr. Fraser, as the friend of Miss Willis, should have a meeting with Dr. Belfrage. Such a meeting took place on Tuesday. Before dinner, that day, Mr. Fraser waited upon Dr. Mackintosh, and told him that he had been exonerated from all blame by Dr. Belfrage; and Mr. Fraser then waited upon Mr. Syme, and gave him a full account of the whole business. After this Mr. Fraser made out a written statement of all he had done, and Dr. Robertson and he made a minute of their meeting with Dr. Belfrage, both of which documents were given to Dr. Mackintosh; and Mr. Willis also addressed to him a letter, stating his concern in, and opinion of the proceedings. As these documents prove all that has now been stated, and completely exonerate Dr. Mackintosh from blame, it is necessary here to embody them, although they will very seriously add to the length of this paper.

1.—MR. FRASER'S STATEMENT.

“ On Monday 24th September, Mrs. Syme called upon me at the Register House, and stated that they were in dreadful distress at home—that Dr. Mackintosh had gone

to Dr. Belfrage upon the Friday night preceding, and told him that Mr. Liston had been drinking tea with Miss Willis, and that Dr. Mackintosh, by his conversation with Dr. Belfrage, had left an impression upon that gentleman's mind, highly injurious to Miss Willis's character—that Dr. Belfrage had communicated this to Mr. Syme upon the Saturday—that he (Mr. Syme) had sent her to me in order that I might act in the matter on Miss Willis's account as I might think proper—that he would be glad to see me on the subject—and that he had come to the positive determination that Miss Willis must either renounce Dr. Mackintosh's family, or cease to have any further intercourse with his ;—and Mrs. Syme at the sametime requested that when Mrs. Fraser and I happened to have Dr. Mackintosh or any of his family with us, we should not ask Miss Willis. Upon this, to me, very extraordinary request, I remarked that she knew that Miss Willis was frequently with us for several weeks together—that she was thus liable to meet Dr. Mackintosh at all times (who is the medical attendant of my family)—that when we had a few friends with us, if he and certain members of his family were not of the number, their company was generally solicited—that upon all these occasions we would certainly never fail to ask Miss Willis, who was surely old enough to judge for herself in all cases, and that in the exercise of that judgment she would decline or accept of our invitation as she thought proper.

“ After this I accompanied Mrs. Syme to Forres Street, and almost immediately upon parting with her there, I met Mr. Syme. I returned with him to his house, and after adverting shortly to what had passed betwixt Mrs. Syme and me, Mr. Syme said, that Dr. Mackintosh had certainly gone to Dr. Belfrage, and told him that Mr. Liston had drank tea with Miss Willis,—he would not say that Dr. M. had done so for the purpose of traducing Miss Willis's character,

—but that, at any rate, he had done so in order that the circumstance might come to his (Mr. Syme's) ears, and hurt his feelings,—not hesitating to sacrifice the young lady's reputation to effect that end. The impression said to be left upon Dr. Belfrage's mind by Dr. Mackintosh, Mr. Syme gave to me, as he said, in Dr. Belfrage's own words—‘that Dr. Belfrage considered Miss Willis a person of such levity, that liberties could be taken with her that could not with any other young lady in the same situation.’ I at once observed, that I could hardly suppose any man guilty of an act so base as that now laid to the charge of Dr. Mackintosh,—that he whose family had for many years shewn Miss Willis the most marked friendship and attention,—a gentleman, too, whom I myself much esteemed, and of whom I always had good cause to entertain the highest possible opinion, would be the very last man to do any thing dishonourable, and that I could not believe it possible. Mr. Syme still, however, assuring me that such was the case, I went on to observe, that such an impression having been made upon the mind of Dr. Belfrage, whether intentionally or innocently on the part of Dr. Mackintosh, the effect was, in either case, equally injurious to the young lady, and that it must be removed;—that I was sure Dr. Mackintosh would leave nothing undone to rectify the error, wherever it lay;—and that all I had to do in the matter, as acting for Miss Willis, was to see that these injurious impressions were completely removed by Dr. Mackintosh; and to be satisfied that he had no intention whatever, in his conversation with Dr. Belfrage, to injure Miss Willis's good name. Mr. Syme stated, that he was glad to see I had taken so proper a view of the matter, and in answer to a question which I put to him, as to what credit he thought Dr. Mackintosh's word was entitled to, he answered, ‘I put no confidence in Dr. Mackintosh.’ I then went on to observe, that Miss Willis being in no way to blame in the matter, it ought not, in my opinion, to affect

her with her relations. Immediately upon parting with Mr. Syme, I waited upon Dr. Mackintosh. Mr. George Willis was with the Dr., who, I found, had called upon this business, and while conversing together, a letter from Dr. Belfrage, in answer to one which Dr. Mackintosh had addressed to that gentleman upon the subject, in the early part of the day, was handed in; it was read aloud, and appeared to me satisfactory in all respects, excepting where it says that Dr. Mackintosh had told Dr. Belfrage that Mr. Liston had met Miss Willis on the street in the forenoon, and said he was coming to her party in the evening, and that he went accordingly. When thus engaged, Dr. Robertson having accidentally called at Dr. Mackintosh's, it was arranged that he, on the part of Dr. Mackintosh, and I on that of Miss Willis, should wait upon Dr. Belfrage on the following day. Dr. Robertson and I did accordingly wait upon Dr. Belfrage at his house at Slateford, at three o'clock of that day, having in our possession a letter from Dr. Mackintosh to Dr. Belfrage, in regard specially to that part of Dr. Belfrage's letter above referred to, and after conversing with that gentleman on the subject of our visit, he stated that he fully exonerated Dr. Mackintosh from all intention whatever of creating upon his mind an impression injurious to any party concerned in the matter, and that he was now convinced that the impressions which he, Dr. Belfrage, entertained previously of the whole circumstances were erroneous,—that he regretted having communicated these erroneous impressions to Mr. Syme, without having had a further conversation with Dr. Mackintosh, and thereby having had an opportunity of making himself fully acquainted with all the bearings of the case, and that Mr. Syme was not entitled to make use of the communication made to him by Dr. Belfrage without intimating his intention to Dr. Belfrage of doing so. Dr. Belfrage likewise stated that he was perfectly satisfied that Miss Willis was in every respect free from blame. Having

thus fully and satisfactorily accomplished all I had to do in the matter, as Miss Willis's friend, and, as before stated, the impressions upon Dr. Belfrage's mind injurious to her being altogether removed, and Dr. Mackintosh fully exonerated of any intention whatever to injure Miss Willis's good name, I again waited upon Dr. Mackintosh and stated the satisfactory result of the meeting with Dr. Belfrage. After this, I called for Mr. Syme in the evening, who, after I was seated, asked me what I had done in this affair. I answered him as follows :—‘ I waited upon Dr. Belfrage to-day, in company with Dr. Robertson as Dr. Mackintosh's friend, and who you know was with Mr. Liston when they met Mrs. Mackintosh and Mrs. Fraser, on their way to Miss Willis's.’—Here I was interrupted by Mr. Syme asking if Mrs. Fraser was really with Mrs. Mackintosh. I answered Yes, that she had spent the day with Mrs. Mackintosh, and Mr. Syme added, ‘ Mrs. Mackintosh and Mrs. Fraser then asked Mr. Liston to drink tea with Miss Willis.’ I here remarked that I would not pretend to say what had actually taken place from the time the party met until they arrived at Nelson Street; but this I was ready to acknowledge, having no wish to conceal it, that in company with Mrs. Mackintosh and Mrs. Fraser, Dr. Robertson and Mr. Liston walked in to Miss Willis's.* Mr. Syme immediately said ‘ then Mr.

* The tea-drinking affair, out of which the whole matter has arisen, is thus explained by Dr. Robertson :—“ On the evening of Tuesday 11th September, Mr. Liston and myself, on ringing Dr. Mackintosh's bell, were met by Mrs. and Miss Mackintosh, Mrs. Fraser, and Mr. J. Mackintosh, who informed us that Dr. Mackintosh was not at home, and at the same-time that they could not receive us, as they were on their way to drink tea with Miss F. Willis, the sister of Mrs. Fraser, but that they had no doubt she would be happy to see us, being acquainted with both, and that we would probably meet Dr. Mackintosh there. We accordingly accompanied Mrs. and Miss Mackintosh, Mrs. Fraser, and Mr. J. Mackintosh, and passed the evening at Miss Willis's house, where we also met Mr. Fraser, Dr. Mackintosh, Mr. Willis, and others.”

Fraser all further communication betwixt your family and mine is at an end.' Mr. Syme then asked if he were to understand that I was satisfied with Dr. Mackintosh's conduct in the matter ; I answered certainly—that Dr. Belfrage fully exonerated Dr. Mackintosh, and declared Miss Willis free from blame, and that my meeting with Dr. Belfrage was so very satisfactory that I felt perfectly satisfied with Dr. Mackintosh's conduct in all respects ; that, as I remarked yesterday, I thought Miss Willis should not in any way be the sufferer,—that she should act independently and upon her own footing, neither making Mr. Syme's friends her friends, nor his enemies her enemies,—that such would be my advice to her, and that if, in consequence of her still visiting Dr. Mackintosh's family, and my family, now placed on the same footing by him, he shut his door in her face, I said that the sin and iniquity of it must rest on his shoulders,—that it never could injure Miss Willis. He told me that I must not apply iniquity to any part of his conduct,—that I must modify my expressions. To this I had no objection, giving Mr. Syme liberty to do so as he thought proper, taking care to preserve the sense. Mr. Syme then remarked that we seemed to understand each other, and that it was unnecessary that his time or mine should be longer taken up in the matter. I then wished Mr. Syme good night ; after which I returned to Dr. Mackintosh's, and made him acquainted with all that had passed, and that Mr. Syme had not expressed the least regret for his conduct either towards Miss Willis or Dr. Mackintosh. On that day Miss Willis accompanied Mrs. Fraser to Colinton Bank, my residence, and next day wrote the following letter to Mr. Syme :—

“ ‘ *Colinton Bank, 26th September 1832.*

MY DEAR MR. SYME—I have been informed by Mr. Fraser that you last night declared all further communication betwixt your family and his to be at an end. Little,

you are aware, as the intercourse has been, I am grieved to think that it must now altogether cease. I sincerely trust, however, that it is not to follow, as appears to Mr. Fraser to be your intention, that if I visit my sister Mrs. Fraser, where of course I must necessarily meet Dr. Mackintosh's family, you will no longer permit me to visit my sister Mrs. Syme. You cannot forget that I stand in the same relation to both, that I entertain the same respect, the same love and affection for each; and that if deprived of the society of either, my highest comfort and happiness in life is at once taken from me. But I cannot suppose that you will inflict a punishment so awfully severe, and so unmerited, upon me; since you, as well as all others concerned in this unfortunate affair, do not even for one moment hesitate to pronounce me wholly guiltless and free from blame.—Anxiously waiting your reply, I remain, my dear Mr. Syme, yours very sincerely, “ ‘ FANNY WILLIS.’ ”

“ No notice having been taken of this letter for four days, Miss Willis again wrote Mr. Syme as follows :—‘ *Colinton Bank, Monday, 1st October.*—DEAR SIR, I beg leave most respectfully to refer you to my letter of Wednesday last. I have waited till now expecting your answer; and from your silence take it for granted that I may consider myself at liberty to visit my sister as formerly.—Yours very sincerely, “ ‘ FANNY WILLIS.’ ”

“ Upon the same day Miss Willis wrote to Mrs. Mackintosh a note, of which the following is a copy :—‘ MY DEAR MRS. MACKINTOSH—You know the circumstances which led me to write my former note. I regret exceedingly having done so, and hope you will now have the goodness to allow me to continue on that footing of friendship in your family which I have so long and so happily enjoyed.—Yours most affectionately, “ ‘ FANNY WILLIS.’ ”

“ ‘ *Colinton Bank, Monday, 1st October.*’ ”

“ The second letter to Mr. Syme, above quoted, and dated 1st October, was put into the Edinburgh general post-office at twelve o'clock of that day ; and the mail which left Edinburgh at near five o'clock in the evening of the same day carried the following note to Miss Willis, and which was delivered to her at Colinton Bank about half-past six o'clock.

“ ‘ *Sunday, 30th September.*

“ ‘ MY DEAR FANNY—We will be glad to see you when you come to town. Mr. Syme received your letter, and requested me to write to you, which I should have done sooner.—Yours ever sincerely,

“ ‘ ANNE SYME.’

“ What is above stated, I declare to be a full and correct account of my interference in, and concern with, this unfortunate misunderstanding.

(Signed) “ C. M. FRASER.”

2.—MINUTE BY MR. FRASER AND DR. ROBERTSON.

“ On Tuesday the 25th September, Mr. Fraser and Dr. Robertson waited upon Dr. Belfrage, the former on the part of Miss F. Willis, the latter on that of Dr. Mackintosh. After conversing on the subject of dispute, Dr. Belfrage stated that he fully exonerated Dr. Mackintosh from all intention whatever of creating upon his mind an impression injurious to any party concerned in the matter, and that he was now convinced that the impressions which he, Dr. Belfrage, entertained previously of the whole circumstances were erroneous ; that he regretted having communicated these erroneous impressions to Mr. Syme, without having had a further communication with Dr. Mackintosh, and thereby having had an opportunity of making himself

fully acquainted with all the bearings of the case; that Mr. Syme was not entitled to make use of the communication made to him by Dr. Belfrage, without intimating to Dr. Belfrage his intention of doing so. Dr. Belfrage likewise stated that he was perfectly satisfied that Miss F. Willis was in every respect free from even the shadow of blame.

(Signed)

“ C. M. FRASER.

“ J. A. ROBERTSON.”

“ *Edinburgh, 28th September 1832.*”

3.—LETTER FROM MR. WILLIS.

“ *9th October 1832.*

“ DEAR SIR—According to your request, I shall state all the particulars, in so far as I am concerned, in the affair between you and Mr. Syme. On the return of my cousin, Miss Willis, from Mr. Syme’s on Sunday the 24th September, after having heard the statement which was made against you by Mr. Syme to her, I resolved, as her relative, to call upon you for an explanation. From the candid statement you then made, and from a knowledge of your character, I was perfectly satisfied that Dr. Belfrage had laboured under some strange misconception in the communication he is represented to have made to Mr. Syme. While I was with you, Mr. Fraser, who stands in relation of brother-in-law to Mrs. Syme and to Miss Willis, called for a similar purpose. At this juncture an answer was brought to a letter which you had written to Dr. Belfrage on the subject, which you opened before us and read aloud. After this, I became more than ever convinced that Dr. Belfrage had given a distorted view of the subject to Mr. Syme, which might have been prevented had he taken the precaution of having another discourse with you, to make himself correctly acquainted with the whole story. I think

Mr. Syme's conduct, from beginning to end, has been most unjustifiable towards you, and unkind and tyrannical to Miss Willis; for I have her authority for stating that the paragraph in your letter to Mr. Syme respecting his conduct towards her, is perfectly correct. I should have regretted if my cousin had been debarred the society of your family, at the command of Mr. Syme, after so many years of intimacy. While I exonerate you, I cannot help condemning the conduct of Mr. Syme, not only for his unjustifiable abuse of you, but likewise for the unmanly part he has acted in dragging his sister-in-law's name, which ought to have been as dear to him as that of his own wife, before the public. In conclusion, I beg to state that your conduct in this affair has been most honourable and gentlemanly.—I remain, dear Sir, yours truly, “GEORGE WILLIS.”

“*Dr. Mackintosh.*”

It has thus been shewn that by Miss Willis, Mr. Fraser, Mr. Willis, and Dr. Belfrage, Dr. Mackintosh was considered blameless, and that this was communicated by Mr. Fraser to Mr. Syme early on Tuesday evening. It would not therefore have been too much if Dr. Mackintosh had expected Mr. Syme instantly to apologise to him for what he had done, and at the same time to remove the ban under which he had placed Miss Willis if she associated with his family. But Mr. Syme did no such thing. He did not communicate in any shape whatever, either with Dr. Mackintosh or with Miss Willis, *nor did he express even the least regret to Mr. Fraser* for the unjust imputations which he had cast upon the former, nor for (what Mr. Willis well styles) his “tyrannical” conduct to the latter.

Dr. Mackintosh, therefore, most naturally felt, not only that throughout the whole business he had been exceedingly

ill-used by Mr. Syme, but that by that person's want of spirit in the first place, in not seeking to redress the injury which he supposed had been done to his sister-in-law and to himself, and by his want of manly candour in not subsequently acknowledging that he had acted in error in blaming and abusing Dr. Mackintosh, he (Mr. Syme) had forfeited all title to be treated as a gentleman. Acting under these irritated feelings, Dr. Mackintosh, in the course of Tuesday night, wrote to Mr. Syme the letter which he quotes in his statement, and which was written for the express purpose, as is apparent from its terms, of telling Mr. Syme that he had forfeited the character of a gentleman.

In this state of matters, Mr. Syme was driven to the necessity of either putting up with the insult given to him by Dr. Mackintosh, or of sending a friend to deliver him a challenge ; his remedy, in the event of the challenge being refused, was either instantly to post Dr. Mackintosh, or to inflict personal chastisement upon him.

To pocket the affront seems to have been rather too much even for Mr. Syme, and therefore, after taking all the forenoon of Wednesday to consider of the matter, he, between two and three o'clock, sent his friend, Dr. Sharpey, *to require an apology* from Dr. Mackintosh. The minutes of this meeting are given in the statement, and they bear, that " Dr. Mackintosh declined making any apology ; on which Dr. Sharpey requested Dr. Mackintosh to name a friend with whom Dr. S. might arrange. This Dr. M. declined doing."

In such a juncture, the only thing Dr. Sharpey could do *with honour to his friend*, was to report this result, in order that Dr. Mackintosh might either be posted or caned by Mr. Syme. But what did he do ? He entered into a lengthened conversation with Dr. Mackintosh as to the terms upon which mutual apologies might be made ; not only so, but he allowed the meeting to break up without

anything being done, and made an appointment to meet again in the evening.

It is necessary here to observe, that Dr. Sharpey resolutely declined entering upon the consideration of the affair *antecedent* to Dr. Mackintosh's letter to Mr. Syme, and with which he said he had nothing to do. Had Dr. Sharpey made himself master of the *whole* circumstances, as is *usual*, even before acting as a friend to one of the parties, he would at once have been convinced of the groundless nature of Mr. Syme's cruel accusation against Dr. Mackintosh, and the absolute necessity of an apology coming from Mr. Syme, before Dr. Mackintosh could be fairly asked to express his regret for having written the letter. Nay, Dr. Sharpey would have seen that he was in duty bound to compel Mr. Syme to apologize for his previous conduct, and to have accepted Dr. Mackintosh's proposal to that effect, as noted in the minutes. This would have satisfactorily arranged the whole affair, and with more credit to his principal than can arise from the form which matters have now assumed. When Dr. Mackintosh assured Dr. Sharpey that he had been completely exonerated by Dr. Belfrage, upon whose erroneous statement the whole business was founded, he would refer only to that gentleman's letter of Monday, then rendered nugatory. Dr. Mackintosh in vain referred to Mr. Fraser's communication to Mr. Syme, the previous evening, when he informed him of Dr. Belfrage's exoneration of Dr. Mackintosh; but Dr. Sharpey would go no further back than the period of Dr. Mackintosh's letter to Mr. Syme, except by making a reference to the reverend gentleman's letter. In fact, Dr. Sharpey would not enter into the consideration of the extreme provocation which Dr. Mackintosh had received from Mr. Syme. If Dr. Sharpey and Mr. Syme's other advisers had acted wisely towards their principal, and fairly to Dr. Mackintosh, they would have made a point of communicating personally, not only

with Dr. Belfrage, but with Mr. Fraser and the lady herself, in order to have ascertained the correctness of all the facts, before they came to Dr. Mackintosh in the first instance; at all events, it was their imperative duty to have done this between Dr. Sharpey's first and second visits to Dr. Mackintosh. It is perhaps fortunate for their future peace of mind, considering that both the principals have families depending for support upon their active exertions, that Dr. Mackintosh knew better what he was doing than they appear to have done. They ought besides to have known human nature well enough to be aware that even if Mr. Syme had been in real earnest, and Dr. Mackintosh had been rash enough to wish to fight, a meeting had been rendered impossible, by the former person having (in this respect) most judiciously alarmed the minds of so many women and children early in the affair, which set them on the watch to prevent bloodshed, instead of calmly seeking a reasonable explanation, as he ought to have done.

A second meeting took place in the evening, at which Dr. Mackintosh adhered to his refusal to make an apology as demanded, or to name a friend; whereupon Dr. Sharpey, losing command of his temper, threatened to make the quarrel his own, and was told by Dr. Mackintosh to do so at his peril. At this time Dr. Mackintosh, from dangerous illness, was scarcely able to sit up, and was totally unable to use his right hand; and therefore he politely asked Dr. Sharpey to minute his reasons for adhering to his refusal to name a friend; this Dr. Sharpey rather impetuously refused to do, and Dr. Mackintosh was actually compelled to write his reasons with his left hand.

Even after this, Dr. Sharpey attempted to discuss the matter further, but Dr. Mackintosh refused to hear him, and said, "I will not hear more. You are under irritation, and had better go and consult with Mr. Syme's friends, to whom you have alluded; I feel very unwell, and must re-

tire. If you have any thing more to say to me, do it in writing—my servant will furnish you with any thing you want.” Dr. Mackintosh upon this went up stairs, and Dr. Sharpey shortly afterwards left the house.

This was about ten o'clock on Wednesday evening. Dr. Mackintosh sat up till a late hour that night, and remained at home next morning, in the belief that a hostile message from Dr. Sharpey himself would have been delivered. This Dr. Mackintosh was led to expect from Dr. Sharpey's threat, although he had neither directly nor indirectly given that gentleman the slightest cause of offence. Thursday passed over, and Dr. Mackintosh was neither challenged, posted, nor caned; and for six-and-thirty hours he heard nothing more from Mr. Syme or his friend; and then, after nine on Friday morning, the letter from Mr. Syme, which is quoted at the end of the Statement, was delivered at his house by a *street porter*. This letter he instantly docqueted in the way mentioned in the Statement, and, not wishing to rely on his own judgment, he sent it to his friend Dr. Robertson to decide what should be done with it; and he, considering all the circumstances of the case, decided that Dr. Mackintosh should not open the letter, and Dr. Robertson therefore returned it to Mr. Syme with his own hands, telling him the reason of doing so. It would rather appear, from the terms of this letter, that it was dictated by the envious feeling so well attributed by Lord Bacon to deformed persons in words like these, “*He that can't mend his own case, will do what he can to impair that of another.*”

Such, from first to last, is a correct account of this paltry and painful concern,—paltry considering the origin of the affair, and the conduct of Mr. Syme,—and painful to Dr. Mackintosh from being compelled to come himself, and to bring his friends before the public in the way which has been rendered necessary. But whatever may be the opinion

of Mr. Syme and his advisers, Dr. Mackintosh has the satisfaction to know that his brother officers, after having read and maturely considered Mr. Syme's Statement, and the several documents embodied in these Remarks, are of opinion that, throughout the whole matter, his conduct has been honourable.

Edinburgh, 11th October 1832.



