

Bussey

A REPLY TO DR. A. Y. P. GARNETT, SR.

[ by D. S. C. Bussey ]

WASHINGTON, D. C., January 8, 1885.

To the Board of Directors of the Children's Hospital:

GENTLEMEN: I learn that Dr. Garnett has printed and circulated a pamphlet addressed to you, making a personal attack upon me, which he justifies in the following paragraph:

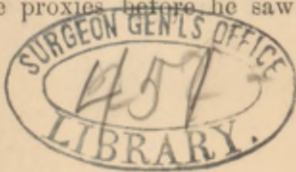
"Deeming it important in the interest of the Children's Hospital that your Board should be fully informed of facts directly affecting its integrity and usefulness, growing out of certain developments made at its meeting on Monday, December 1, and which are of a semi-official character, I respectfully submit the following correspondence and information relating thereto for your consideration."

Although a member of the Board addressed, and presumably an interested party, I have not been favored with a copy of this remarkable production, and have been compelled to borrow one to learn what this brave gentleman, who chatises with the valor of his pen, has felt free to say in this bold and manly manner.

The burthen of his plaint seems to be (1) that the use of proxies at the late election originated with me; (2) that I induced Dr. Marmion to procure the majority of those used; (3) that my action was inspired by malice towards him; and (4) that my refusal to give HIM the name of my authority for an incidental statement, justifies his charge that I originated that statement for the purpose of injuring him, although Dr. Marmion told him he had heard it from at least one other source.

As to the first and second of these, I believe Dr. Garnett knew when he wrote his pamphlet that they were both absolutely untrue, because I believe Dr. Marmion has told him that he had determined to procure proxies before he saw or

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talked with me ; and as to the third, which is only his opinion—a thing quite valueless on any subject—it is only necessary to read his pamphlet and mark his exhibitions of venomous rancor throughout its pages, to satisfy any unbiased reader that he and not I

“ Of hell's vile spirit, rancorous malice,  
Stands convict, from his own mouth.”

On the question of the right to use confidential communications without giving the authority, Dr. Garnett says he demanded of Dr. Marmion the name of his informant, and he, “ as an honorable gentleman, recognizing my right to do so, *after two days' delay*, gave me the name, etc., etc.” The cunning fellow carefully omits to add *what he knew to be the case*, that the two days' delay was in consequence of the fact that Dr. Marmion, though recognizing his right to know me as *one* of his informants because my statement to him was *not* confidential, *declined* to give him *my* name without first obtaining my consent, (which, however, was promptly conceded as soon as asked for,) and that he, Dr. Marmion, has *always* refused, and still refuses, to give the name of the others, whose communications *were* confidential, because Dr. Marmion, being, as Dr. Garnett says, an honorable gentleman, does not think it proper to do so without their consent. But let us see if Dr. Garnett has always held to the views on this question which he now professes to entertain.

The curious in such matters will find in the library of the Surgeon-General, U. S. A., a contribution to medical literature entitled “ EXPOSITION OF FACTS, BY A. Y. P. GARNETT, M. D.” For violating the “ code of ethics ” in the publication of this paper he was tried and found guilty by the standing committee of the Medical Association of this District, though the Association itself refused to confirm the verdict, mainly through the exertions of the very man against whom he is now directing his malice under cover of an attack upon me. From this “ exposition ” I make the following extracts, only omitting names and irrelevant details for reasons obvious to the gentlemen of the Board.

"The specifications submitted in support of the charge preferred by me \* \* \* embrace only a portion of similiar statements which were made to me by parties *who positively declined to have their names mentioned.*"

"Among such reports, \* \* \* I was informed by a gentleman of this city, (*who refused to have his name used in this connection.*") \* \* \*

\* \* \* \* \*  
 "A lady of undoubted veracity and of high social position, whose name I am not permitted to use, was my informant in this case." (All from page 21.)  
 \* \* \* \* \*

It thus seems that he has not *heretofore* considered it so very improper and "mendacious" to *use* information derived from confidential sources, not "unwittingly," but deliberately and with perfectly frank malice prepense, provided, however, he himself was the user, and he defends his then views in the following passage from the same paper, (pages 26 and 27:)

\* \* \* "It is not to be presumed that I should have considered it obligatory upon me to institute an investigation into the *truth* of such statements. It is sufficient that they were made by honorable and respectable parties, whose veracity I had no reason to doubt, and that I *believe them to be true.*"

Now let us see his past position on the other point which he now so confidently asserts, that an *honorable gentleman* should recognize the right of the injured party to demand the name of the author of a confidential communication, and should—after two days' delay, of course—give the name of the informant. I again quote from this remarkable "exposition:":

\* \* \* "In direct contrast with this, they receive and place on the records as evidence \* \* \* a *telegram* sent from Cincinnati by a certain Dr. ———, who, I have good reason to believe, *enjoys no enviable reputation amongst his professional brethren.*" (Page 32.)

When the distinguished gentleman who was thus wantonly maligned wrote to Dr. Garnett demanding to know the source

of the information on which he based his "good reason to believe," he replied, in substance, that the *communication was confidential, and declined to give the name.*

There is a striking difference between the case involved in the "exposition" from which the above extracts are taken and the one now existing between Dr. Garnett and myself. In the former he wantonly and maliciously printed and published allegations accompanied by the statement that his informants would not permit their names *to be used*, and attacked a gentleman with angry venom whose sole offence was that he was a witness in the case, while in the latter I simply mentioned, in a private conversation, a statement which had been made to me by a person whose veracity I have never had cause to doubt, and expressed my belief in the truth of it as an incident of my opinion.

The worthy gentleman's "code of ethics," for which he seems to be such a stickler, appears to be an exceedingly flexible one, depending for its construction upon who is the owner of the gored bull. I have quoted the rule laid down by him in cases where he does the goring. It is but just that I should quote his rule where he thinks he is the gored:

\* \* \* "It is impossible to comprehend a source of information which can be revealed for the purpose of injury, but which must be concealed when it is needed for redress."

"Consistency, thou art a jewel."

But perhaps the best refutation of these charges will be found in the following plain statement of facts:

Friday evening, November 28, 1884, I received a message from Dr. Marmion that he desired to see me, and the next morning, on the way to my office, I called on him, and then learned for the first time from him that he had been told—certainly not by me, for up to this time I had not spoken with him on the subject—that certain members of the Board, of whom Dr. Garnett was one, had determined to force Dr. Busey, himself, and another physician out of the institution.

He asked me what I knew about this rumored combination, and I frankly told him I believed it was true; that I had heard the same thing, and that I had been informed that Dr. Garnett had said as much. Dr. Marmion said he proposed to protect himself from such an attack; that he had been considering the propriety of getting proxies to be used at this election, and we thereupon agreed to unite in doing so. He then showed me the list of contributing members whose proxies he intended to solicit, and struck out the names of some it was convenient for me to see. Up to this time I had not asked for one single proxy, and Dr. Marmion had procured, I believe, but one.

Monday evening Dr. Marmion handed me about 32 proxies 26 of which I used. Of the remaining six, two were from contributors who had paid after the first Monday of June, and four were signed by attorneys. I did not consider these valid, and therefore did not use them.

My name was inserted in Dr. Marmion's proxies, because, not being a contributing member himself, he doubted his right to vote the proxies of those who were.

I personally procured 10 proxies, and in each instance *distinctly* stated that they were to be used to elect Dr. Busey to the vacancy in the Board caused by the expiration of the term of Dr. Garnett.

At my request a gentleman connected with the Hospital procured 15 proxies which I asked him to get for me, and in doing so I instructed him to state distinctly the purpose for which they were to be used.

At the meeting of the contributing members, held on December 1, 1884, I voted these 51 proxies for Dr. Busey, *vice* Dr. Garnett, *term expired*.

Pending this vote, I was requested by Dr. Marmion to vote his proxies for Dr. Garnett, *vice* Mr. Harkness, *resigned*, and of course I did so, at the same time promptly and cheerfully voting all the others in the same way, although I preferred, and without consulting him, had nominated, another gentleman for this vacancy.

With the subsequent proceedings concerning this election you are all familiar.

Referring to the correspondence between Dr. Garnett and myself, which is reprinted herewith, I have only to say that if *he* is content to rest his reputation as a man and a gentleman upon his portion of it, Billingsgate and all, I am more than willing to do the same on mine. That he has *printed* this correspondence is a source of gratification to me, as I can now do the same without appearing to be "inspired by malice."

Quoting part of my remark concerning the failure of the combination to elect his son to the vacancy in the staff *vice* Dr. Johnston, he accuses me of "broadly insinuating" that he was a party to that combination. My exact language was: "[What you did say was said immediately after the failure of the combination to elect your son to the vacancy in the staff occasioned by Dr. Johnston's election as a director.]" I fail to discover in this simple statement of fact the "broad insinuation" referred to, and can only account for *his* discovery of it upon the theory that he *was* a party to it, though I did not suspect it before.

In this connection he says: "It is also a *matter of record* that when Dr. Johnston was elected to go on the Board [whatever that may mean] and his place made vacant thereby, I nominated and *voted* for Dr. Acker to fill the vacancy." As the vote was by *ballot*, and therefore *secret*, at least one of his "appeals to the record" fails him, and as to the other, here is an exact transcript from the record, which I think fully demonstrates his remarkable skill in abusing facts:

"On motion of Mr. Fendall, the Board then proceeded to the election of an Attending Physician in place of Dr. Johnston, whereupon Mr. Fendall nominated Dr. A. Y. P. Garnett, Jr.; Dr. Garnett nominated Dr. G. N. Acker, *but subsequently withdrew the same, and it was thereupon renewed* by Mr. Saville. Dr. Thompson nominated Dr. S. S. Adams, but subsequently withdrew the same.

“ Mr. Niles and Mr. Fendall, tellers, having canvassed the ballot, the result was announced as follows: Whole number of votes cast 13, of which Dr. G. N. Acker received 8, and Dr. A. Y. P. Garnett, Jr., 5; whereupon Dr. G. N. Acker was declared elected.”

As to his purely gratuitous assertion that Dr. Adams was Dr. Busey's candidate for the place, it is only necessary to remark that Dr. Busey was on his way from Europe when the election took place, to develop the malice of that statement. On the whole, in dealing with this subject, “ methinks he doth protest too much.”

Dr. Garnett's allusion to Dr. Marmion's letter deserves only silent contempt. He *knows* that Dr. Marmion wrote it *of his own volition*, and that I did not even see the copy of it, made from memory by its author, until after the correspondence between Dr. Garnett and myself had ended. He *also knows* that the letter owes its existence to *his request* that Dr. Marmion would put in writing for his, Dr. Garnett's, consideration the proposal it contains, which Dr. Marmion first made to him orally. His labored defence of his course in regard to the proposal of that letter, and his appeal to “ logic,” “ ethics,” and “ Christian charity ” in defence of its rejection, can hardly be without purpose. What can that purpose be?

After nearly thirty days' effort among his “ warmest and most steadfast friends,” Dr. Garnett obtains and prints four letters, three from gentlemen whose proxies were used and one from the brother-in-law of a lady who gave me her proxy, this last being the only one of the four obtained by me personally. These letters are as follows:

WASHINGTON, D. C., Dec. 6, 1884.

A. Y. P. GARNETT, M.D.:

DEAR SIR: I herewith certify that on November 29th instant Dr. S. S. Adams has solicited my vote by proxy in favor of S. C. Busey, M.D., to fill the vacancy in the Board of Directors, Children's Hospital, caused by the death of the late Johnson Eliot, M.D.

Respectfully yours,

CHAS. FISCHER.

507 E STREET N. W., 6th Dec., 1884.

DEAR SIR: In the matter of which we have talked my sister-in-law states that the proxy given by her in favor of Dr. Busey was at the solicitation of her friend, Mr. Saville, on the statement that you were about to resign.

Very truly yours,

SAM'L W. CURRIDEN.

Dr. A. Y. P. GARNETT, 1313 N. Y. Avenue.

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WASHINGTON, D. C., Dec. 3, 1884.

A. Y. P. GARNETT, M.D.:

DEAR DOCTOR: My proxy was given to Dr. Marmion on his personal application. No conditions accompanied it or questions asked.

Yours truly,

J. M. TONER.

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WASHINGTON, D. C., Dec. 19, 1884.

*To whom it may concern:*

Our proxy as subscribers to the children was given to Mr. Saville, through a gentleman who called for it, and in support of our friend, Dr. Busey.

GIBSON BROS.

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Following his own order, the letter of Dr. Adams printed herewith is the only answer needed to the letter of Mr. Fischer. I *believe* Dr. Adams is a personal friend of mine, and I *know* that I am a friend of his, and consider him a gentleman of merit and capacity in his profession. My friendship for and estimate of him, however, did not so blind me to the claims of justice as to induce me to sustain him for the Johnston vacancy, to which Dr. Acker, by reason of position in the line of promotion and his seniority of service, was entitled. But, personal friend or not, he did *not* see the printed ballots, though he knew that my intention was to vote the ticket which those ballots disclose. He also knows the high esteem I have always

expressed for the personal and professional character of Dr. Hagner, and could not for one moment have thought that I proposed to deprive the Hospital of his services.

Dr. Garnett introduces his next letter by saying that when I rose to cast the votes by proxies, I declared, in substance, that I had nothing to do with obtaining them, but that they had been given me to vote. Dr. Garnett seems to be quite famous for the nice inaccuracy of his memory, and in this instance he does not belie his fame, as every one who was present and heard my remark will attest. What I did say was that a *majority of them* had been obtained by others, and had been given me to vote. I think Dr. Garnett knew when he wrote this statement that Dr. Marmion had obtained 26 of the 51 proxies voted, and if he did, I think, perhaps, the letter hereinafter printed may explain the reason for his inaccurate memory in this instance, and his failure to use the manifest point of Mr. Curriden's letter. It would seem that no "rule of logic, code of ethics, or conception of Christian charity" interferes with his nicely-inaccurate memory when he wants facts to suit his case. I have alluded to the *manifest point* of Mr. Curriden's letter. Over the signature of a perfectly reputable gentleman, the charge is made that a lady who gave me her proxy did so on the statement that Dr. Garnett was about to resign. If this is correct, I obtained this proxy by making an unauthorized statement.

I sincerely deplore the introduction of a lady's name into this controversy, which seems all right according to Dr. Garnett's "code of ethics,"—he has done the same thing before, as anyone may see by referring to his pamphlet heretofore quoted from. In this instance he has not scrupled to quote her to misrepresent me, and I feel I may be pardoned for printing the following correspondence between the lady quoted by him and myself. It seems to me this effectually disposes of the only point under Mr. Curriden's letters—a point not made by Dr. Garnett, it is true, but one that must occur to every right-thinking man.

JANUARY 1ST, 1885.

MY DEAR MRS. A——: Dr. Garnett has printed a letter from Mr. Curriden, in which you are reported as saying that the proxy given by you in favor of Dr. Busey was at the solicitation of your friend, Mr. Saville, on the statement that Dr. Garnett was about to resign, and Dr. Garnett says the statement in Mr. Curriden's letter corresponds exactly with that made to him verbally by you.

I regret very much that Dr. Garnett has seen fit to quote a lady under any circumstances or for any purpose, but since he *has* done so for the sole purpose of injuring me, I am constrained to ask you to favor me with your recollection of what I did say to you when I asked you for your proxy.

You will certainly recall that I asked you for your proxy to elect Dr. Busey to the vacancy in the Board caused by the *expiration* of the term of Dr. Garnett, and that I stated at the same time that this was the only means of retaining Dr. Busey's services, as he had determined to resign as attending physician because of his inability to spare the time from his private practice to properly attend to the duties of that position, and that we agreed that his total retirement would be an almost irreparable calamity to the Hospital.

Very truly, your friend,

J. H. SAVILLE.

MY DEAR MR. SAVILLE:

I have your letter of to-day, and in reply say that I recall distinctly that when I gave you my proxy it was upon the statement by you that it was to be used to elect Dr. Busey to the vacancy in the office of Consulting Physician and Director caused by the expiration of the term of Dr. Garnett, which I *understood* meant that he was going to resign—that I did this with no wish to offend Dr. Garnett, whom I most highly esteem as physician and friend.

Most sincerely regretting the misunderstanding, I am, your true friend,

I—— W. A——

JAN. 1st.

Concerning the certificate of Gibson Bros., extended comment would seem to be unnecessary. The certificate accurately and correctly states the facts, and Dr. Garnett is entitled

to all the comfort he can find in it. As to his report of his interview, it would seem only necessary to invite attention to his other demonstrated inaccuracies to warrant the suspicion that this was but another specimen of the same sort. Dr. Garnett says: "It is quite clear to me that the chief object of that gentleman, [Mr. Saville,] and those who were co-operating with him, was my removal from the Board, and that the machinery of the Board of Directors of the Children's Hospital has been utilized to gratify personal malice."

From this it would seem that the gentleman believes he has a vested right to continue forever in the office of Director, and that any vote cast against him *at a meeting called expressly to elect, among others, his successor*, must of necessity be directed by malice. To the ordinary mind this would seem like nonsense.

That my chief object was *not* his removal from the Board is abundantly demonstrated by the fact that I cast every proxy I held, as he admits, to elect him a member of it in the place made vacant by Mr. Harkness' resignation. To be sure, he says that after the adjournment of the Board, (by which I suppose he means after most of the contributing members present had voted and retired, since the "Board" did not meet until a week after the election,) I did vote these proxies for him, "being fully aware at the time that no such vote could be legally cast after the adjournment of the Board."

The sapient gentleman seems not to know the difference between the "Board of Directors" and the "Contributing Members," between the creature and the creator, and seems yet to be ignorant of the fact that the meeting of December 1 was a meeting of contributing members, and not a meeting of the Directors. Under these circumstances, one would say his opinion on the "legal" point would hardly be reliable. At all events, in the judgment of that distinguished lawyer, Col. Enoch Totten, whose opinion is now before your Board for consideration, the aforesaid vote *was* legally cast, Dr. Garnett to the contrary notwithstanding.

He complains that we did not elect Dr. Busey to the Harkness vacancy, and intimates that if we had he would have been perfectly satisfied. The pertinent reply to this is that as, for some reason, this vacancy did not seem to please Dr. Garnett, who *was* elected to it, so it is just possible that for the same reason it would not have pleased the gentleman who was *not* elected to it.

His explanation of why I voted the proxies for him for the Harkness vacancy is purely imaginary. The vote was cast for him at Dr. Marmion's suggestion, who had a perfect right to dictate how 26 of them should be cast. My sole object in following his lead with the other 25 was to show that I did *not* want to put him out of the Board, although, as I have said before, I preferred and had nominated another gentleman for this vacancy.

Dr. Garnett concludes his paper by utterly condemning and denouncing the practice of "using the Children's Hospital as an instrumentality to gratify personal hostility." In this sentiment I most heartily concur. I would remark, however, that his conversion to this view would have seemed more disinterested if it had occurred before he and his friend or friends had *begun the practice* by log-rolling to prevent the transfer of a distinguished associate to the professional vacancies in the Board which death had created.

As I have expressed my willingness that Dr. Garnett should hold me responsible in any forum he might select, and as he seems to have selected the "Board of Directors of the Children's Hospital" as that forum, although, from the covert manner of his seeking it, he evidently expected to have the court to himself, I have felt constrained to make this communication to you in reply, otherwise I should have deemed this maundering effusion unworthy of notice.

Very respectfully yours,

J. H. SAVILLE.

1525 I ST. N.W., WASHINGTON, D. C.,  
Jan. 8, 1885.

*To the Board of Directors of the  
Children's Hospital, D. C.:*

GENTLEMEN: Through the kindness of a personal friend I have been permitted to read a pamphlet issued by Dr. A. Y. P. Garnett, sr., and addressed to you. This pamphlet purports to be a defence of its author from alleged wrongs and injuries done him by an organization of conspirators, among whom, by indirection and innuendo, he seeks to class me.

If I were alone concerned, I might dismiss the subject-matter of this publication with the simple statement that the exhibition of anger, malice, and rancour, together with the manner of its publication and covert distribution to a chosen few, thereby having it, to use his own words, "snugly placed where it could do the most good in effecting its purpose," without supplying those assailed with a copy, was a sufficient answer to its inaccuracies, misrepresentations, and innuendoes. But as others, because of their friendship for me, have been most grossly assailed, my silence might be misconstrued into a tacit acquiescence in the truth of these allegations. It is not that his enmity towards me is any less, but that it is so comprehensive that no one person is a *quantum sufficit* for the display of his pyrotechnic vocabulary, that he seeks to strike my friends under cover of alleged wrongs committed in my behalf. Nor is it necessary that three or more persons should engage in a conspiracy to effect his injury or disgrace, for he can accomplish by his own unaided efforts a result entirely satisfactory to his most unrelenting enemies.

In the pamphlet appears a certificate from Gibson Bros., which is the statement of a fact, but which he characterizes as "guarded and somewhat vague," and thereupon he proceeds to detail a conversation between that firm and himself in which he drags in the statement that in reply to an inquiry from him "they at once replied that Dr. Busey had asked for it." In a note now before me that firm state that "Dr. Garnett is

mistaken in saying that we stated to him that you had asked for our proxy."

In another part of the pamphlet he asserts that some of the proxies were "obtained from my (his) warmest and most steadfast friends." And among the four printed, presumably to substantiate the above assertion, is the certificate from that firm, when in fact they did not know him until he had introduced himself.

Further on, when referring to the election of Dr. Johnston to the Board of Directors in September last, and the filling of the vacancy in the office of attending physician, created by Dr. J.'s resignation, he says: "I declined, of course, to request the withdrawal of my son's name when it had been presented by Mr. Fendall, whilst Dr. S. S. Adams, who was Dr. Busey's candidate for the place, was his competitor." I had not returned from Europe, did not know of the meeting, could not have known such a vacancy existed, and, of course, could not have had a candidate. Moreover, he ought to have known that after my return I declared the election of Dr. Acker right and proper, because of his prior claim. He must have known these facts, and if not it is a confession of inexcusable ignorance. The selection of either dilemma is left to his discretion. But the animus is shown by striking Dr. Adams as "Dr. Busey's candidate." It is the malice towards me that animates the man and drives his pen unwittingly to its confession.

After seven years' service as a Director and consulting physician of the Hospital, he has not informed himself of the position Dr. Marmion occupies, for he twice refers to him as a member of the Board of Directors, yet he laments "facts directly affecting its integrity and usefulness," and condemns and denounces the practice of employing proxies "to defeat his re-election." Persons of ordinary business capacity would suppose that seven years was quite long enough to retain the services of an ornamental gentleman in such a responsible position.

He studiously avoids naming the gentleman who "had taken an active part in obtaining these proxies, many from my (his) personal friends," but seizes every occasion to parade the names of others; that he might exhibit "the plenitude of his malice" in the most offensive manner. "Whom the gods wish to destroy, they first make mad."

And now, in regard to the proxies. During the evening of Friday, Nov. 28, Dr. Marmion called at my house and stated that in view of communications made to him, he was considering the propriety of soliciting proxies to be used at the election of Directors to be held on the succeeding Monday, with the view of defeating the re-election of Dr. A. Y. P. Garnett, whom he had been informed was engaged with others in the design to displace him as soon as the pending amendment to change the life tenure of office of the attending physicians to a limited term could be adopted. In the conversation which took place I told him I had heard a statement of the same character, expressed more definitely in the words—"they would displace him and elect Dr. \* \* \*." I also told him I had determined not to interfere at the election, and had refused one or more proxies that had been offered to me. During the evening two physicians, who were contributing members, were referred to as proper persons to elect, but we separated with the statement by Dr. Marmion that he would give the subject further consideration, and decide upon the course he would pursue. The next morning Mr. Saville came to my office and said he had determined to make an effort to defeat Dr. Garnett's re-election, because he had been informed that he (G.) and others would make an attempt, as soon as practicable, to displace Dr. M. I related to him the substance of the conversation between Dr. M. and myself the night previous. He left my office, saying he had a message from Dr. M., and would call at his office on the way to his own. Thus far, neither of these gentlemen had declared to me their purpose to elect me to the vacancy created by the expiration of the term of Dr. Garnett. Mr. Saville did not do so until late on the day of

election ; Dr. M. did on Saturday night in my office, when he had already obtained some proxies upon the statement made by him to the persons that he would use them to defeat the reelection of Dr. Garnett and to elect me. I acquiesced in these proceedings, and do not wish or seek to escape any responsibility for the acts of my friends in my behalf. I do not believe that either of these gentlemen ever attempted to prejudice the persons whose proxies they solicited by any reference to the alleged purpose of Dr. Garnett to displace Dr. Marmion from the office of attending physician. I believed then and know now that they sought these proxies on the ground of personal preference for me.

The solicitation and use of proxies in this instance was precisely similar to that practiced several years ago, (the propriety of which was never questioned,) and which resulted in the election of Dr. Lovejoy to the direction, to fill the vacancy created by the death of the late James C. Hall, M. D. In the latter instance about one hundred proxies were voted ; in the former, fifty-one.

I have the honor to be, gentlemen, your obedient servant,  
SAMUEL C. BUSEY, M. D.

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WASHINGTON, D. C., *January 8, 1885.*

*To the Board of Directors of the Children's Hospital, D. C.:*

GENTLEMEN: On the 30th of December last I was informed by a friend that Dr. A. Y. P. Garnett, sr., had printed a pamphlet addressed to you, in which he endeavors to place me in a very unfavorable light before the representative body of an institution I have tried to serve faithfully for nine years. Although this pamphlet has been in circulation during the past week, he has not supplied either of the parties whom he attacks with a copy.

Of the generosity of his attack upon me before a body in which I have neither voice nor admittance, and in a manner so secretly that it was by mere chance the pamphlet came into

my hands, I have no comment to make; and if Dr. Garnett were the only member of the Board to be influenced by these secret and unjust accusations I should pass them by without notice; but I feel that I have some friends on your Board to whom I owe the demonstration that my conduct towards Dr. Garnett has not been ungentlemanly or inspired by malice, and that their confidence in me has not been misplaced.

I am charged with conspiracy in an attempt to put Dr. Garnett out of the Board. This conclusion is as unwarrantable as it is unjust. I knew nothing of the intention of Dr. Busey's friends until Saturday night, November 29th, when I was asked if I would try to obtain proxies to elect Dr. Busey to the vacancy created by the expiration of the term of Dr. Garnett, and I replied that I would. I was not surprised at this, because I had heard that it was proposed to displace Dr. Marmion and elect Dr. —, should the tenure of office be limited as proposed by the new by-laws. On Monday, December 1st, I secured about fifteen proxies, in every instance stating, when asked, that they were to be used to elect Dr. Busey to the Board, vice Dr. Garnett, whose term was about to expire.

The gentleman says that proxies were obtained from some of his warmest and most steadfast friends. As to this assertion I can only say that none of these were met with by me. Some of those I saw seemed to regard him with indifference, some had never heard of him, and others gave me their proxies in language not at all complimentary to him.

On a previous occasion I had obtained some of the proxies used at that time, and had never heard the propriety of that act questioned, so that I never dreamed there could be any doubt of my right to do so again. I did request the former matron to procure for me those of three ladies who had given me theirs on this former occasion, distinctly stating to her for whom they were to be voted.

Dr. Garnett says he has been informed by this former matron of the hospital that I "requested her to obtain certain proxies,

without stating to her for whom they were to be used." Since then, and in the presence of a witness, this lady has acknowledged that she informed the persons from whom she obtained the proxies that they were to be used to elect Dr. Busey.

January 3d I confronted Mr. Fischer with the certificate given by him relative to the proxy he gave me about 4 P. M. Monday, December 1st. He admitted that at the solicitation of Dr. Garnett he gave the written statement as published, and yesterday (January 5) he gave me the following, which speaks for itself:

WASHINGTON, D. C., *Jan. 5, 1885.*

In making the statement in regard to the words used by Dr. S. S. Adams when he obtained my vote by proxy in favor of Dr. S. C. Busey, I may have made a mistake in the sentence that the vacancy to be filled was Dr. J. Eliot's, as I was impressed that there was no other vacancy open than that caused by the death of Dr. J. Eliot, but I am quite certain that he avoided to give me the name of any [other] candidate.

C. FISCHER.

The proxy of Gibson Bros. was given to me to be voted for Dr. Busey, and at my suggestion the name of Mr. Saville was inserted because they were unwilling to give a blank proxy.

Dr. Garnett says that, as I "ostensibly co-operated with Mr. Saville in his effort to place Dr. Busey on the Board of Directors, it is scarcely possible to believe that Dr. Adams had not seen the printed ballots prepared by Mr. Saville to be used on Monday night; and how he could have made the mistake of supposing that the proxy he was then soliciting was intended to defeat Dr. Hagner, whose name had been retained on the printed ballot by Mr. Saville, will doubtless prove a matter of surprise to you all." In this assertion he not only perverts the facts to cast an imputation upon me, but seeks to drag in Dr. Hagner, to whose re-election he ought to have known there was no opposition, of which he had the proof before him. As a matter of fact, I never saw the printed ballots until a few days ago, when I found some lying on the parlor table at the Hospital.

Dr. Garnett accuses me of acting with malice aforethought. During my residence in this city I think I have in many ways shown my regard for him, and that his few acts of kindness to me have been fully reciprocated.

Several years ago Dr. Garnett complained that although he had been a hard worker in the profession, still he had never been elected President of either the Medical Association or Society, although others much younger than he had been honored by an election to these positions. Believing then, as I do now, that injustice had been done him by our profession, I cheerfully co-operated with another young physician in inducing the young men to join us in a successful movement to confer one of these honors upon him.

I might cite a more recent instance—one that occurred after I had heard of the ungenerous and unjust manner in which he had spoken of me in your Board—in which I demonstrated most conclusively that I bore him no malice.

Dr. Acker's election was a well-deserved promotion to a position which he was entitled to by seniority of service. I have frequently expressed my regret that my name was used in opposition to his.

It is not for me to determine who is the better qualified to be an attending physician, Dr. Garnett, jr., or myself; nor do I question the former's competency. If I have a claim to promotion, it is based on nine years of faithful and gratuitous services to the Hospital, during which I have been three times promoted, and that I believe the professional gentlemen upon the Board, who are unprejudiced judges, will concede my qualification and deserts.

I am, gentlemen, very respectfully, your obedient servant,

S. S. ADAMS, *M. D.*



## APPENDIX.

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No. 1.

WASHINGTON, D. C., *Dec. 6th*, 1884.

TO JAMES H. SAVILLE, Esq.:

SIR: Since the meeting of the Board of Directors of the Children's Hospital, on Monday night last, I have been informed by Dr. M. V. Marmion that some time prior to that meeting he was told that I had expressed a desire and declared a purpose to have him removed from that Board, and that you were his informant. As this is a most infamous and malicious falsehood, I demand to have your authority for such statement.

Very respectfully, etc.,

ALEX'R Y. P. GARNETT.

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No. 2.

WASHINGTON, D. C., *Dec. 8th*, 1884.

DR. ALEX'R Y. P. GARNETT:

SIR: I am in receipt of a note from you by the hand of a friend, the language of which is of such a character as to justify me in declining to notice it at all, but remembering that you are my senior in years, and that our relations heretofore have been friendly, and believing you will, on sober second thought, admit that your note is not such an one as you should have written or I have received, I waive this objection.

About a week ago I received a message from Dr. Marmion saying he desired to see me, and in response I called at his office on the way to my own. He then told me he had heard that certain members of the Board, you among the number, had determined to force Dr. Bussey, himself, and another member of the staff out of the Hospital, and wanted to know if I knew anything about it. I told him I had heard the same thing; that I also had been informed that you personally had said as much—[what you did say was said imme-

diately after the failure of the combination to elect your son to the vacancy in the staff occasioned by Dr. Johnston's election as a Director]—and that I believed it to be true.

Dr. Marmion, having been called to account by you for his use of proxies to elect Dr. Busey to the Board at the late election—these same proxies having been cast for you also—gave the above statement as to himself as one of his reasons for doing so, whereupon you demanded his authorities, and, *with my consent*, he gave you my name as one of them, explaining, as I understand, how I came to inform him. You now demand *my* authority. I fail to see what right you have to ask this, as the information was only an incident of my opinion, and not the sole basis of it. I must therefore decline to give you the name of my informant. I have no objection, however, to giving you the reasons for my opinion.

I knew of the vindictive course you and others had pursued respecting Dr. Busey; and I believed then, as I still think I have and had good reason to believe, that this knowledge, upon which I based my opinion, confirmed by the information, certainly correct in one particular, was correct in the others, and that the movement against Dr. Busey was the beginning of a scheme of which Dr. Marmion was to be one of the victims.

For this belief and opinion I am alone responsible, and my authority has nothing whatever to do with it.

If I have done you injustice, I am open to conviction; and it is only necessary that you show me that I have, in a manner befitting both of us, to command from me a retraction as willing and complete as you can desire, but until I can see my error I must alone assume the responsibility for my opinions and conduct.

Very respectfully yours,

J. H. SAVILLE.

After the foregoing letter had been sent, and was beyond recall, I received the following note :

No. 3.

406 FIFTH STREET,  
WASHINGTON, *Dec. 8th*, 1884.

JAMES H. SAVILLE, Esq.:

DEAR SIR: I am instructed by Dr. Garnett to say that unless he receives a communication from you by three o'clock to-day, giving the name demanded by him in the letter handed to you by myself on Saturday last, he will understand that you intend to assume the responsibility of the statement made to Dr. Marmion.

Respectfully,

LEIGH ROBINSON.

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No 4.

WASHINGTON, *Dec. 8th*, 1884.

Mr. J. H. SAVILLE :

SIR: I have received your letter of to-day, and can characterize it only as a letter of evasion. You were asked your authority for a definite statement of fact, and not your opinion, which last is a matter of indifference to me upon this or any other subject. Instead of replying to this categorical question, you give, what is, at most, only the basis of your conjecture, suggesting, however, that you have an informant behind you, whose name you decline to give. As it is impossible to comprehend a source of information which can be revealed for the purposes of injury, but which must be concealed when it is needed for redress, I am forced to consider that the statement, which I have already characterized as a malicious falsehood, is one which originated with yourself, and that the suggestion of an informant behind you is a subterfuge, adopted as a shield for a course of conduct which is as contemptible as it is mendacious. I therefore hereby denounce the statement made by you as a wilful and malicious falsehood, of which you are the author.

I am, etc.,

ALEX'R Y. P. GARNETT.

WASHINGTON, Dec. 12, 1884—2:30 P. M.

DR. A. Y. P. GARNETT:

SIR: Learning from Dr. Marmion that he, acting on his own responsibility, had submitted to you a proposal for the adjustment of the difference between us, I was required by my advisers to await your reply to him before taking notice of your letter of the 8th instant.

I have been furnished with your reply rejecting his proposal, but have been unable to procure a copy of his letter to you up to the present hour, though I have made every effort to do so. He showed the draft to my advisers, but he has since told them that before sending it he made material alterations in it. I do not, therefore, know the exact terms of his proposal, but I understand it was of a character which could not have compromised either of us to accept, and in effect proposed a plan by which I could have proved my assertion without involving a person I was in honor bound not to name.

In your letter to Dr. Marmion you seek to convey the impression that I have, through him, attempted to evade responsibility and have refused you satisfaction for an injury. In it you say "I cannot consent to any course looking towards releasing Mr. Saville from a responsibility which he has deliberately assumed." You know that neither I nor any one speaking for me has proposed that you should. I am now, and always have been, perfectly willing that you should hold me responsible in any forum you may select; but, on the advice of gentlemen familiar with such matters, I refuse to be forced to assume the false position of the aggrieved party.

I am, &c.,

J. H. SAVILLE.

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The following is a copy of Dr. Marmion's letter, alluded to in the preceding one, which I did not receive until more than *two* days after I had sent my letter to Dr. Garnett:

No. 6.

DR. A. Y. P. GARNETT:

DEAR SIR: In the interest of peace, and believing that a thorough investigation will pave the way to an amicable settle-

ment—in a manner equally honorable to both—of the unfortunate difficulty existing between you and Mr. Saville, I, of my own accord, and without the authority or suggestion of Mr. Saville, write to ask your assent to the following proposition, which, of course, is not to be acted upon until Mr. Saville's consent shall have been obtained also.

I base this proposition upon the following facts, as I read them: Mr. Saville *unwittingly* violated the secrecy of a confidential communication, and has been placed in the unfortunate position of having to assume the responsibility of it. I would propose that I select a gentleman—equally satisfactory to both of you—who, having been placed in communication with the informant, should make a thorough investigation of the statement made. If it shall prove that Mr. Saville had correctly quoted the informant and that he was now trying to repair this unintentional violation of secrecy by withholding the author's name, which every honorable man should do in dealing with communications of this nature, then I think you would see your way clear to recall your letters to Mr. Saville, and I know that he would be willing to meet you more than half way by apologizing for any annoyance this statement may have caused you.

Very truly yours,

W. V. MARMION.

Upon the copy of this letter now in my possession is the following indorsement:

SUNDAY AFTERNOON, *Dec. 14, 1884—4.25 P. M.*

This copy is made from memory, and is delivered to Dr. Busey at his request, a press copy of the original not having been preserved.

W. V. MARMION.

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The following is Dr. Garnett's reply to the foregoing letter:

No. 7.

WASHINGTON, *Dec. 10th, 1884.*

DR. WILLIAM V. MARMION:

DEAR SIR: Your letter containing the proposition in refer-

ence to the correspondence between Mr. Saville and myself received.

I have re examined that correspondence in the light of your letter to see if I had misapprehended any portion of it, either in spirit or letter; it consists simply of a demand by me upon Mr. Saville to know by what authority he had made to you a false statement concerning me.

In reply to this just demand, one in which you readily acquiesced when made upon you, he writes: "You now demand my authority. I fail to see what right you have to ask this, as the information was only an incident of my opinion, and not the basis of it. I must therefore decline to give you the name of my informant." He concludes his letter with the following sentence: "But until I can see my error I must alone assume the responsibility for my opinions and conduct."

As this letter was sent by Mr. Saville some forty-eight hours after the receipt of my demand on him, he had ample time for reflection and deliberation to determine upon the course he would pursue; in it he distinctly denies my right to the name of his alleged informant, and in the face of my declaration that the statement was a falsehood, assumes the responsibility for his conduct. Upon due reflection this position strikes me as one which Mr. Saville was at liberty to assume, and as it gives me no further right to demand the alleged informant, so it leaves me no further cause to consider information to Mr. Saville, which was only an incident, and not the basis of the statement to you; it was in recognition of this situation of affairs that I sent to Mr. Saville the last letter that passed between us.

While appreciating the motive which actuates you, I cannot consent to any course looking towards releasing Mr. Saville from a responsibility which he has deliberately assumed, as he had an undoubted right to do, unless he is prepared to at once furnish to ME this alleged authority.

With much respect for yourself, I am very truly yours, &c.,  
ALEX. Y. P. GARNETT.

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The following letter, from the gentleman who delivered my last communication to Dr. Garnett, furnishes an account of all the later facts in the case:

WASHINGTON, D. C., *December 16, 1884.*

MY DEAR MR. SAVILLE :

The letter which you gave me on the 12th instant, I took to Dr. Garnett's house about 3 o'clock of that day. Dr. Garnett was not at home, and I was informed that he would not be in until after 5 o'clock. I called at the latter hour, and waited until he came. Upon his being informed that the letter was from you, he refused to receive it, and at the same time referred me to three gentlemen, whose names he wrote on a card and handed to me, viz: Hon. G. D. Wise, of Va.; Mr. Page McCarty, of Va., and Mr. Leigh Robinson, as his friends, to any one of whom I could deliver it. I tried, but was unable to find either Mr. Robinson or Mr. McCarty, but finally found Hon. G. D. Wise at his rooms, No. 610 13th st. N.W. Mr. Wise insisted on my waiting while he read your communication. After doing so he took your address, and said that he would communicate with Mr. McCarty, and you would hear from him.

On Sunday following, Dec. 14, about 2 o'clock in the afternoon, Mr. Wise called at my residence and delivered a note from Dr. Garnett, addressed to *me*, and dated Dec. 13. Mr. Wise apologized at the time for not delivering it sooner, as he had been out of the city. Enclosed in Dr. Garnett's letter was the letter which he had refused to receive, and which I had delivered to Mr. Wise.

On the same afternoon I called on you and told you of my receiving Dr. Garnett's letter, briefly stating its contents. I offered to give it to you, but you refused to receive it, and said that you declined to receive a communication of that kind from Dr. Garnett.

You referred me to a gentleman to whom I immediately presented the note addressed to me; after reading it he said he could not receive it, but would consult another friend, then in Baltimore, and would advise me of the result as soon as possible. On Monday, Dec. 15, I was informed that your friends could not receive a communication of that kind from Dr. Garnett on your behalf. I thereupon, on Monday evening, the 15th instant, returned Dr. Garnett's letter to me (enclosing your letter to Dr. Garnett) to Mr. Wise, at his room on 13th st., informing him of your own and your friends' reply.

This morning Mr. Wise has, in person, returned Dr. Garnett's letter addressed to me, and also your letter addressed to Dr. Garnett, with a polite note from himself, declining to again deliver your note to Dr. Garnett.

These letters I have sealed up, and they are now in my possession. You have uniformly refused either to receive or read them, and I shall continue to hold them. I told Mr. Wise that I would seal them up in an envelope and keep them.

Yours truly,

A. A. BROOKE.

