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RIPPEROLOGIST

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The Great American Doctor and Anatomical Knowledge

Part 2 – Tumblety and Canada East

By

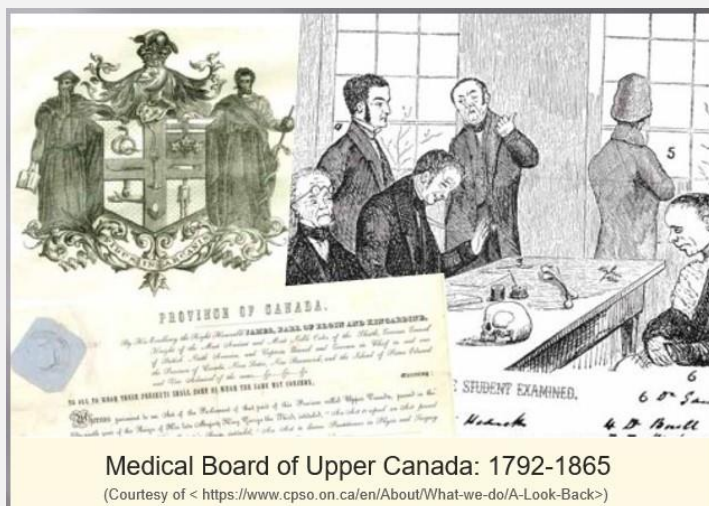
Michael Hawley

A seismic event occurred to Francis Tumblety in March 1857, which may have spawned a trajectory that placed him in the crosshairs of Scotland Yard detectives in the Whitechapel murders investigation in 1888. Part 1 of this article discussed how Francis Tumblety began his quack doctor business in the spring of 1856 claiming to be an Indian Herb doctor in Upper Canada (now Ontario Province), or Canada West. He scammed the sick and elderly out of their money by diagnosing a shocking disease, then offering a miraculous herbal cure for an exorbitant price. He opened up offices in small towns and cities and by December 1856, he had established himself in Toronto. By this time, Tumblety had become independently wealthy, a millionaire by today's standards. At first Toronto was a cash cow, but this abruptly ended on March 27, 1857, after two successive court cases caused him to shelve his highly successful disease diagnosis scam. Adolphus Binkert, a lithographer, took Tumblety to court for "taking money and property under false pretenses." This caught the attention of Dr John A Grant who quickly realized Tumblety was claiming to be a qualified medical doctor complete with a medical diploma yet was practicing medicine in Canada West without a proper medical license. In order to combat quackery, or fake doctors, Upper Canada required all physicians from the US with a qualified medical diploma to prove themselves to the medical board, which was composed of physicians and surgeons. Grant was the president of the Upper Canada Amendment Committee whose focus was to root out

quack doctors and would take advantage of this requirement against these impostors.

The Upper Canada medical licensing board quickly took Tumblety to court on March 27, 1857, and won; issuing a large fine and giving a warning that if he continues to practice physic he will be jailed for six months.¹

Tumblety presented to the court an eclectic, or herbal, medical diploma out of Philadelphia, which if true meant he went to an accredited medical school and received training in the disciplines of physic, midwifery, anatomy, and surgery. The



Boston Pilot, May 16, 1857, reproduced the actual comments in court, where Tumblety said to the judge, "I have a diploma from the Medical College of Philadelphia," and he then produced it. In 1857, the only medical school was the Eclectic Medical College of Pennsylvania and American University of Philadelphia, which had received its charter from the State Legislature on February 25, 1850. It did not work, since he never applied for a license with the Upper Canada Licensing Board.

Incidentally, newspaper reports in the United States subsequent to the *Montreal Gazette*, November 22, 1888, such as the *New York World*, November 27, 1888, misread the word eclectic and published "electric." Note the original statement in the *Gazette*, "In 1860 or 1861 the doctor cut a great dash in this city [St. John, N.B.]. He purported to be an eclectic physician." The *New York World* rephrased this, "The first appearance of Twombly was in 1860 and 1861, when he cut a great figure at St. John, N.B. He claimed to be an electric physician..."

After April 1857, Tumblety was no longer allowed to diagnose and treat patients with overly expensive medicine, which put an end to his perfected and lucrative diagnosis scam in Canada West. He was still allowed

¹ *Toronto Globe*, April 2, 1857

to practice as a druggist, though. It was legal in Canada to act as a pharmacist without a license before 1868, which was when the Pharmacy Act of 1852 was modified to include licensing.²

Thanks to proponents of the alternative eclectic herbal and homeopathic medicines, Tumblety found himself with some allies and a way to possibly practice medicine in Toronto and continue his exploitive, yet lucrative profession.³ Even though the Upper Canada medical establishment was dominated by physicians trained in traditional allopathic medicine, the liberal press and many in the public heavily influenced the politicians to offer a pluralistic approach to medicine, meaning offering both traditional and nontraditional doctors. Just two years after Tumblety's case, licensing in Upper Canada saw reform with bills in 1859 and 1861 creating the Eclectic herbal/botanical medicines and Homeopathic medicine licensing boards. The first president of the board was N. Hopkins, M.D. He was originally from Dunnville, Canada West, and attended the Eclectic Medical Institute of Cincinnati in Ohio.

Immediately after Tumblety lost his court cases he abruptly stopped his multicolumn newspaper ads. Two months later on June 3, 1857, in the *Toronto Globe* he advertised again, but with a much shortened "Consultation Free" advertisement. These ads were very short without any testimonials of his skill at diagnosis diseases and only stating, "Can be consulted..." Tumblety was acting as a druggist. The advertisements make it clear that Tumblety was fully aware the medical community was watching and ensuring he acted strictly as a pharmacist selling his patent medicines.

Although he continued to maintain an office in Toronto with the help of assistants, Tumblety himself left town and opened up an office in Niagara Falls, New York.⁴ His first ad was on July 14, stating in his advertisement that he will be in Niagara Falls until September 14, 1857. In Niagara Falls, New York, it was perfectly legal for Tumblety to practice medicine, since New York State did not have the licensing regulations. He was free to use his strawman scamming techniques and charge huge fees. Maintaining an office in Toronto even though he left the country clearly meant that he saw future value in operating out of Toronto. His nephew Thomas Powderly stated under oath that Tumblety owned land just west of Toronto.⁵

It is understandable why Tumblety was so attracted to Toronto and the Provinces of Canada. While the US was filled with quack doctors and competition, this was not so in Canada because of the requirement for licensing physicians. It made him independently wealthy, which was a dramatic difference from his recent past of being part of the poorest of the poor in Ireland and then a laborer in Rochester.

Even though Tumblety's advertisements continued until September 1857, meaning he was physically present in Niagara Falls earning money, he certainly did visit Toronto. On July 30, 1857, Tumblety was arrested in Toronto for "Furious Driving." He was driving himself and a Mr Davidson aggressively in his horse and buggy down King Street when he accidentally hit a Moses Moore, as witnessed by a Captain R. Moodle. Tumblety was fined £2 10s and given a warning. This shows that Tumblety's Toronto assistant who was selling his patent medicine from the Toronto office was likely this Mr. Davidson.

In August 1857 after Tumblety left Niagara Falls, New York, he shifted his attention to Canada East, or Lower Canada, and to the largest city in the Provinces – Montreal. As noted, he continued to operate out of Toronto and even published in Montreal that he was headquartered in Toronto. Montreal had a population twice that of Toronto at around 60,000 with fully one third being English-speaking Irish Catholic immigrants. Tumblety set up his office at 18 Great St. James Street, then quickly placed his first advertisements in local newspapers, such as *The New Era* on August 22, 1857, and the *Montreal Gazette*, on August 25, 1857. The ad was his "Listen to the Voice of Truth and Reason" from the "Allwise Physician" advertisement, depicting

² Malleck, D.J., *Professionalism and the Boundaries of Control: Pharmacists, Physicians and Dangerous Substances in Canada, 1840-1908*. *Medical History*, April 1, 2004, v.48(2), p.175-198. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC546338>

³ Baehre, R., *The Medical Profession in Upper Canada Reconsidered: Politics, Medical Reform, and Law in a Colonial Society*, 1993, *Canadian Society of the History of Medicine*, Carleton University, <https://www.utpjournals.press/doi/pdf/10.3138/cbmh.12.1.101>

⁴ *Niagara Falls Gazette*, July 29, 1857

⁵ *Circuit Court Archives, City of St. Louis, State of Missouri, Case Number 31430, Series A, 1904-1908*

him in a botanical garden. It also stated that he will be in Montreal for nine months from September 1, 1857, to May 1, 1858, then return to Toronto.

There is also an eyewitness account of Tumblety having opened up an office in Ottawa in 1857, and if the year is correct, it was likely before he opened up in Montreal and even before opening up an office in Niagara Falls. In the *Boston Globe*, November 27, 1888, it states:

“The writer first met Dr. Twombly in 1857, in Ottawa, where he opened an office and advertised himself as a specialist. His principal place of business at the time was in Toronto, from which city he travelled with two horses—one an Irish hunter, the other a cob—two dogs and a basket phaeton. He dressed in a very “loud” manner, and had with him a private secretary.”

The court case that Tumblety lost in April 1857 in Toronto only dealt with practicing medicine without a license in Upper Canada in violation of their Medical Act of 1827, but Montreal was in Lower Canada, or Canada East. They had their own medical licensing board called the College of Physicians and Surgeons of Lower Canada, which was established by the Medical Act of 1847 (amended in 1851).⁶ It also mandated that physicians were required to have a local medical license, which was signed by the Governor but controlled by the licensing board. A major difference, though, was physicians from the United States—as Tumblety claimed—did not have to prove themselves and take an exam as they had to in Upper Canada. They merely had to prove to the satisfaction of the medical board that they were of good character. This was done by testimonials, something Tumblety arrived with in volumes.

Tumblety’s advertisements and theatrics quickly got attention, but unwanted attention. His advertisements received criticism from those towing the line of the opposing conservative party. On September 16, 1857, a letter from a person, or persons, named Civis appeared in the *Montreal Pilot*, stating:

“When a new “Doctor” takes up his residence amongst us, apparently without certificates, references, or perhaps Colonial Diploma, should not the medical men of the city call the attention of the chief magistrate to the fact? Failing redress in that quarter, let them find out a case where some unfortunate being has perhaps been made miserable for life, by swallowing some horrible mixture destructive to both stomach and bowels, and thereon take action.”

Tumblety quickly found himself challenged by the traditional medical establishment, or at least by one member, but they did not take him to court for practicing without a license as proposed by the above letter from Civis. There may be two possible reasons for this. First, Tumblety may have quickly duped the board into giving him a license by bathing them in his “Credentials from prominent Rochester citizens.” Second, if the application process was still ongoing, it demonstrates that the medical establishment did not yet catch him practicing medicine. Operating for only a month likely meant there were no patients, or potential eyewitnesses, who realized that they just got scammed. Tumblety may have learned his lesson in Toronto and was acting as a pharmacist by merely selling his medicines until he officially received a license.

Regardless, certain physicians in the Montreal medical establishment did indeed act against Tumblety, but in a different way. They took him to court for illegally attempting to chemically induce an abortion on one of his patients, a local prostitute named Philomène Dumas. This would mean he was not of good character and would be denied a medical license by the Lower Canada Licensing Board. The whole thing was a set-up. Indian herb doctors were not professing their ability to perform abortions, so how did the Montreal traditional physicians get the idea to pursue this avenue? It was his private medical treatise pamphlet. Private/sexual disease doctors, like Tumblety’s mentor Lispenard would have been rumored to know how to perform chemical abortions. There is direct evidence that Tumblety was distributing his “Dr. Tumblety’s Private Medical Treatise” pamphlet in Montreal in the early fall of 1857, just as he was in Toronto. In November, the Roman Catholic Bishop of Montreal denounced Tumblety’s publications:

⁶ Price, M, *The Professionalism of Medicine in Ontario during the Nineteenth Century*, McMaster University, April 1977, <https://macsphere.mcmaster.ca/bitstream/11375/12231/1/fulltext.pdf>

*“DR. TUMBLETY AND THE R. C. BISHOP OF MONTREAL. – The R. C. Bishop of Montreal has denounced Dr. Tumblety’s publication as an immoral one. The condemnation is contained in a pastoral address to the Prelate’s flock.”*⁷

Tumblety’s impact must have been significant enough for the Bishop to make a denouncement, so it makes sense that traditional doctors would have been aware of him.

According to the *Montreal Gazette*, September 24, 1857, Tumblety was arrested on Tuesday, September 22, 1857, and was in front of the police court

DR. TUMBLETY AND THE R. C. BISHOP OF MONTREAL.—The R. C. Bishop of Montreal has denounced Dr. Tumblety’s publication as an immoral one. The condemnation is contained in a pastoral address to the Prelate’s flock.

magistrate, Charles J Coursol, Esq, the following day. A Detective Jean Baptiste Simard stated under oath that on Monday, September 21, 1857, he had received instructions to go to Tumblety’s office “to satisfy himself whether he could get anything to cause a miscarriage for a girl who was *enceinte* (meaning pregnant).” Tumblety asked if he was a Protestant, and after Simard affirmed this, then said, “Were you a Catholic, I would not give what I will give you since you are a Protestant.” Simard then claimed that Tumblety told him to come back in an hour and he would give him the medicine to kill the child. Tumblety also told him to let others know he helped him for the purpose of gaining more customers.

Simard then stated he actually returned to Tumblety’s office the next morning on September 22. Tumblety told him to bring the girl and he would arrange everything. When Simard arrived with the girl that day, Tumblety examined her “and told her she was *enceinte*, but he would give her something to relieve her of the child.” Tumblety gave her a bottle of fluid and tasted it himself to show her it was not injurious. Tumblety then gave Simard the bottle of pills and charged a large sum.

Philomène Dumas then testified that she was a spinster. She said on Tuesday, September 22, 1857, she went to Tumblety’s office around noon with a Detective Jean Baptiste Simard, then corroborated Simard’s account of events. Under cross examination by Tumblety’s counsel, Bernard Devlin, Dumas admitted that she lived in Mrs. Foley’s boarding house, a house of ill-fame, meaning a brothel. She also admitted that Detective Simard frequented the house at least twice. Devlin then asked Dumas, “Who requested you to make false representations to the prisoner, by pretending that you were pregnant when you were not?” Dumas admitted, “I do not know the gentleman’s name, I think he was a doctor.” Devlin then asked, “Is it not true that the prisoner advised Simard to marry you, which would be the best means of getting rid of the difficulty under which you pretended to labor as before mentioned?” Dumas replied, “He did.”



Bernard Devlin

What Tumblety’s attorney revealed was that Detective Simard deceptively approached Tumblety as a man who unexpectedly got his girlfriend pregnant and ask Tumblety to induce an abortion so that the

family would not know. He also revealed that this scam was conspired by “a doctor” and Simard.

Possibly fearing the negative publicity he was going to get in the newspapers because of this case, Tumblety countered by placing in the local newspapers on September 24, 1857, a massive four-column advertisement packed with testimonials from every city and town he worked in since the spring of 1856. It was also filled with prominent citizens attesting to Tumblety’s medical skills and character, including the Rochester, New York, testimonials from “prominent men of the City of Rochester, N.Y.” certifying that their “esteemed fellow-townsmen,” Dr. Francis Tumblety is entitled to public confidence. In the case of the *Montreal Gazette*, the advertisement was part of a page-five “Supplement to” the normal four-page paper.

⁷ *Toronto Globe*, November 20, 1857

One interesting difference between his earlier advertisement and this one is how long he claims to stay in Montreal. Originally, Tumblety stated that he was going to return to Toronto on May 1, 1858, and in this large ad, he published his return for March 1, 1858. In both cases, Tumblety planned on returning to Toronto, which hints at why he opened up an office in Montreal in the first place. If he did indeed receive a medical license in Lower Canada, it would indicate to the Upper Canada Licensing Board in Toronto that he was not a quack doctor. He would still have to demonstrate to the board his knowledge of anatomy and surgery. It is likely the reason he bought the anatomical sketches before opening up an office in Montreal. Recall in the June 19, 1857, edition of the *Toronto Mirror* titled *Medical Improvements* Tumblety did indeed treat his medical institute as a place of learning the human anatomy:

“Dr. Tumblety has recently purchased a splendid set of physiological engravings and representations, which can be seen at his rooms, opposite the St. Lawrence Hall. They consist of no less than ten set of fine plates, superbly mounted o rollers, and exhibiting the nerves, muscles, bones, and aorta, so clearly and beautifully as to convince the beholder, in truth and in very deed, that “we are fearfully and wonderfully made.” They have been imported at considerable expense from Rochester, in which city the Doctor practiced his peculiar department of medicine with success for several years.”

Notice that Tumblety acquired these engravings just after losing his court case on practicing medicine without a license and while his druggist business was the only source of income.

The case continued in police court on Friday, September 25, 1857. According to the *Montreal Gazette*, September 26, 1857, the next witness to be deposed was John Guy, a young man who had been living with Tumblety “now in custody” for a week before his arrest and was still living at his office. He remembered the event when Simard and Dumas entered Tumblety’s office, and recalled Tumblety saying, “The best thing you can do is to marry him.” Dumas replied that she would not “as her friends would be displeased with her.” Guy claimed Tumblety gave her medicine for her headaches, nervousness, and pain in the back. He also recalled that Tumblety was arrested at 4pm that day.

A chemist named John Birks was sworn in and testified for the prosecution. Birks was asked to analyze the contents of the bottle of fluid and bottle of pills on September 23. He testified that the ingredients in the pills included hellebore and cantharides, which “have the effect of causing a miscarriage.” Under cross-examination, Birks admitted that he did not know if the fluid and pills he analyzed were the same as those Tumblety sold. Birks also admitted that he did not know the concentration of these ingredients and used taste and smell to detect their presence. Two physicians, Pierre Picault and William Sutherland, attested to Birks’ skill as a chemist.

The case continued on Saturday, September 26, 1857. As published in the *Montreal Gazette*, September 28, 1857, Kenneth Campbell, witness for the defendant and assistant druggist, was deposed. He stated he worked at the shop of Johnson Beers & Co., known as the Medical Hall, and on September 14, 1857, a young man employed by Tumblety handed him a paper containing a prescription for making pills, which consisted of socotrine aloes, cast steel soap, gamboge, colicinch, gentian, mandrake, capsicum, and oil of peppermint (sp). He made no liquid for the doctor. He has seen the two pills said to have been analyzed by Mr. Birks, and “believed that they were made from the above prescription.” He examined the pills and fluid and judged by taste and smell that they contained no hellebore.

According to the *Montreal Gazette*, September 28, 1857, “The prosecution is brought forward under the Provincial Act 4 and 5 Vic, cap. 27, which is an exact counterpart of the English law, 1st Vic. Cap. 95. The Act says: “that whoever shall unlawfully administer, with intent to produce abortion, and poison or noxious thing, or by any other means whatsoever, with a like intent, shall be guilty of felony, and being guilty thereof, shall be liable, at the discretion of the Court, to be imprisoned in the Provincial Penitentiary at hard labor during the term of his natural life, or for any term not less than seven years, or to be imprisoned at the discretion

of the Court for a term not less than two years,” therefore decisions rendered in like cases in England, must be recognized here.

The magistrate stated that his job was to not try the case, “but to see if there is sufficient legal evidence to send the party to trial.” The magistrate committed Tumblety to prison to stand trial “at the ensuing term of the Court of Queen’s Bench.” The magistrate refused bail because Tumblety was “a stranger in the Provinces,” meaning he was a flight risk. According to a report published in the *Montreal Gazette*, October 5, 1858, the Court of Queen’s Bench declined to issue a writ of habeas corpus by both the Chief Justice and by a Judge Aylwin, but after yet another application for a writ on October 1, 1857, to Judge Guy, a “circuit judge of a court of inferior jurisdiction to that of the Queen’s Bench,” Tumblety was finally granted bail.

There has been a suggestion that the police magistrate, Charles J. Coursol was in on the trap, because “the doctor,” detective Simard, and the prostitute Dumas met in his office before Simard went to Tumblety’s office. The doctor brought the medico-legal knowledge and plan, the detective brought the enforcement, and the magistrate brought the conviction power. This is slightly unfair to Coursol, because in 1857, he was also a detective inspector and the superintendent of police. Wearing the hat of the superintendent of police, Coursol, should have been informed of these events. Today, we see an official being both superintendent of police and the police magistrate in the same jurisdiction as a serious conflict of interest, but not then. Coursol was not hiding this fact, because even in his role as police court magistrate in this case, the *Montreal Gazette*, September 24, 1857, gave the professional title of Coursol as “Inspector and Superintendent of Police.” Also, Coursol never judged this case and merely passed it onto the next judicial level to the Court of Queen’s Bench and even assigned a grand jury. Coursol did refuse bail, but his reasoning was appropriate. Tumblety was only recently residing in Montreal and it is reasonable to assume he may be a flight risk.

It was argued in the October 17, 1857, issue of *The New Era*, by its proprietor Irish Catholic political activist Thomas D’Arcy McGee that Tumblety was attempting to prejudice potential jurors in the upcoming Grand Jury on his case with his massive multi-column ads. McGee stated:

“[Tumblety] is busily employed these last few days in flooding the city with certificates of the wonderful cures he has performed in other places. The Gazette issued a whole supplement filled with his puffs; the Transcript, Argus, and Pilot have had two or three columns per day. The Advertiser, his special organ, keeps up a continued fire of certificates from all sorts of places and all sorts of persons. Even editorial endorsements have begun to appear within a few days past... Bogus certificates of this description are easily procured from the vain, the needy, or the corrupt. The genuinely educated physician scorns them – the quack only solicits them... The imposing documents are calculated, if not intended, to predispose a jury, on extraneous grounds, in favor of the accused... We warn the advertiser to refrain from this patent attempt to stuff the public, and if he does not heed the warning now given, and modestly look to his defence [sp], like any other accused person, we promise him the other story will be about his ears before his is a week older.”

Biasing potential jurors may very well have been part of Tumblety’s hidden agenda. The *Montreal Gazette* did not issue one supplement to their daily with Tumblety’s massive advertisement, as McGee stated, but they actually issued four and periodically spaced. The first ad was in their September 24, 1857, issue, and it was then reprinted as a supplement in their September 28, October 2, and October 9, issues. The ad was then stopped in the *Montreal Gazette* and the grand jury did not occur until the end of October. The problem, though, was the first two supplements were published prior to the completion of the police court case, meaning, a grand jury was not yet part of the equation. This suggests that Tumblety’s initial motive was to counter the negative publicity of the abortion case. Recall, in order for Tumblety to receive, or maintain, a medical license in Lower Canada, the medical board had to be convinced of his good moral character, and that was being attacked.



Tumblety's earlier advertising campaign in Toronto suggests that he was going to publish a large testimonial ad at a certain point in time, anyway. There is a difference, though. In Toronto, his large full-column testimonial ad began three months after he opened up his office and it included testimonials from Toronto residents. This particular Montreal four-column ad was published less than two months after he opened up the office, and of significance, it did not have any Montreal testimonials.

On October 24, 1857, the grand jury threw out the bill of indictment against Tumblety, recording it as "No Bill," thus, the case was dropped.⁸ The purpose of a grand jury is to have representatives of the community examine the evidence to see if there is probable cause to return an indictment. It is a shield against unfounded and oppressive prosecution, and in this case, the jurors believed the case against Tumblety was unfounded. McGee may have thought Tumblety's bias advertisements did the trick, but when it was a doctor who attempted to deceptively set Tumblety up - and it was doctors in the same traditionalist fraternity who have the chemist fluid and pills to be tested- it is not a surprise that the case was dropped.

The conservative-leaning French paper, *Le Courier du Canada* quickly published a commentary in their November 4, 1857, issue titled, *Legal Medicine. Tumblety Affair*, demanding further legal action against Tumblety:

"Tumblety whom the Grand Jury in Montreal has just acquitted, and thereto we have only one word to say: if this individual has escaped the penalty of the law, despite the serious facts proved against him in the inquiry conducted before the police magistrate, because of the specialised nature of the accusation, it is, it seems to us, the duty of the authorities to take up again the pursuit of other areas of accusation which may develop from the evidence of the inquiry..."

The commentary then made an important distinction about Tumblety either being a deceptive quack doctor or being a true abortionist who easily sidestepped the law. In both cases the paper believed the medico-legal field was in need of serious reform:

"It is to provide proof of the need for reform in the method of procedure that we offer the public the present Tumblety case in that it concerns the medico-legal expertise that has been produced in this matter. Tumblety had sold pills and liquids which were supposedly made up of abortive substances, or at least those which would fall within that category of medicines defined in English criminal law under the name of "noxious substances." The affair promptly and directly revealed one aspect of legal medicine: for if the medicines were of a completely inoffensive nature Tumblety had committed a deception in aggravated circumstances, and if on the other hand the medicines were of a type to cause the least danger to health, under the alleged circumstances, then Tumblety was guilty of an atrocious crime."

If Tumblety lost the case, then he knew the maximum penalty for violating Provincial Act 4 and 5 was seven years in prison. As we will see, when Tumblety was convinced he was going to prison, he vanished, never to return. Tumblety was finally released on bail in this abortion case. Because he did not jump bail, Tumblety was likely convinced that the ongoing chemical analyses would return with negative results for abortive substances. Either he did tell Simard and Dumas he was treating her headaches, as Tumblety's assistant claimed, or just as he did in Toronto, he was practicing his usual quack techniques and deceptively

⁸ *The Gazette*, October 26, 1857

claiming abortive properties. The fact that an amount of twenty dollars was exchanged suggests Tumblety faked the ingredients and exploited a paying customer.

Tumblety's legal issues to this point were over in Montreal, but as evidenced by his new advertisement, he felt it was time for the Montreal residents, especially members of Lower Canada's medical board, to hear from him. Tumblety placed an ad in the Montreal papers on October 30, 1857, titled, "To the Citizens of Montreal," where he publicly announced his innocence. The significance of this announcement is that it was the very first time that Tumblety used MD after his name. For Tumblety to have applied to the medical board for a license, the prerequisite for an American was a medical diploma, so Tumblety now publishing this fact makes sense. By November 2, he flooded the local papers with numerous advertisements; the largest being the multicolumn testimonial ads, but still without testimonials from Montreal. This occurred in a big way on December 5, 1857, when he placed an ad which had testimonials from Montreal residents, titling the ad, "Certificates from the Citizens of Montreal." This date, December 5, 1857, has a significance with an Irish Catholic man named Thomas D'Arcy McGee, and publishing testimonies from satisfied prominent Montreal citizens had a second purpose.

Published in the October 31, 1857, issue of *The New Era*, was the first instalment of a large two-part article, or biography on Tumblety. It was a fanciful biography titled, *Memoir of Tumblety*, which began with how he was born in Western New York with miraculous events. Part two of the article was in the November 3, 1857, issue. The author, Thomas D'Arcy McGee claimed that this memoir was translated from the "Original Dutch of the Tonawanda *Volksblatt*, September 31, 1857, which was supposedly the "leading German Medical Paper of the United States." The memoir begins with, "A Memoir of Francis Tumblety, 'The Indian Herb Doctor,' Graduate of the University of Paris, Member of the Royal College of Pharmacy H.B.G.; Q.U.A.C.K., &c. &c." In the brief introduction, it states:

"We commence to-day the Volksblatt's History of the renowned "Medicine-man," "Doctor" Tumblety. Though we summarily dropt [sp] the Doctor's advertisement, on the first appearance of his pamphlet (a copy of which may be seen in our office, in evidence of the nature of his "private practice"), still our duty to the public will not permit us to deprive them of the unspeakable gratification to be derived from the Volksblatt's chronicle. We can assure our readers, on most respectable authority, that although, like most biographers, our Dutch contemporary may dress up his story with some fanciful additions, the basis of it is plain matter-of-fact, and, if the "Doctor" really courts inquiry, can be proved to be such."

The use of "Q.U.A.C.K." makes it quickly apparent that the memoir is a satire, or parody, about Tumblety with the author, Thomas D'Arcy McGee, making every effort to follow through with his October 17, 1857, warning. He clearly responded to not only Tumblety continuing his massive advertising campaign but also to his case being dropped, and he responded with a smear campaign. In his October 27, 1857, issue, all he wrote was, "Dr. Tumblety.-The Grand Jury, on Saturday, returned 'No Bill' against the accused." In his very next issue, October 29, McGee announced his upcoming Memoir of Francis Tumblety, stating, "On Saturday next [October 31, 1857] will appear in the *New Era* (to be completed in successive numbers) A Memoir of Francis Tumblety, Graduate of the University of Paris; Member of the Royal College of Pharmacy; H.B.G.; Q.U.A.C.K., &c. &c." Tumblety referred to Aesculapius in his advertisements in an attempt to place himself within the group of qualified medical doctors, and the author of the memoir exploited this to explain Tumblety's medical origins:

"One night, as our adventurer sat dozing by a bar-room fire, in a country inn somewhere in Cataaugus [sp] county, a most remarkable vision appeared to him. He thought Aesculapius, the ancient god of medicine, appeared to him in the disguise of an old crone, who made up herb medicines in that neighborhood, and after anointing his temples, nostrils, and palms, with poppy-juice, thus addressed him – "My son, I am the divinity that of old presided over the primitive schools of medicine. Modern science has displace me from my tripod. My wand had

ceased to charm, and my ring to work wonders. Attend to me and your fortune is secure. Rise to-morrow morning, buy yourself a cane, a pair of spectacles, and a medicine chest, with printed directions. Commence seven miles at least from the place, and call yourself a doctor. Write letters to yourself, post them at one office, and release them at another. If they ask you what university you studied in, say Paris, or any other place far enough away. Go on courageously, my son. Lie and fear not. The world loves to be well humbugg'd, and it is your own fault if you do not make them pay well for it." With these words, Aesculapius embraced Tumblety..."

McGee then went into a long-winded story of Tumblety's very first cure, which occurred in a made-up rural town in Cattaraugus County, named Beersheba. In it, Tumblety is approached by a local peddler whose ass "that he raise from a colt" was sick. After initially refusing to treat the ass, Tumblety finally agreed, so he first examined it. The memoir continues, "Then the Doctor having sounded its lungs, pronounced the patient far gone in consumption, and ordered everyone present to leave the outhouse." For two days Tumblety isolated the ass and fed it food and medicine from "a bag which might hold a half bushel at least." On the third day, Tumblety led the now healthy ass out of the outhouse for the villager to see. Tumblety's reputation for curing incurable diseases spread through the neighborhood. The landlord of the outhouse inspected Tumblety's bag and discovered it was only oats, yet sworn testimonies then swamped the local newspapers about the amazing doctor.

By the style the story of the ass is written, it is clear that Thomas D'Arcy McGee knew the difference between a quack doctor and a well-intentioned nontraditional botanical doctor. Notice the scamming strawman technique of Tumblety professing to all that the ass had consumption. Since the ass was "cured" by merely eating oats, and oats does not cure consumption, the author is ensuring the reader understands that this was a scam.

In his very next *New Era* issue on November 5, 1857, McGee kept the issue alive with the following statement, "The Volksblatt containing the continuation of the "Memoir of Tumblety" can hardly reach us before the end of the week. The sequel of our translation will appear as soon as we receive the original."

Recall, reprinted in the *Toronto Globe*, November 20, 1857, the Roman Catholic Bishop of Montreal denounced Tumblety's immoral publication. In the *New Era*, November 17, 1857, McGee responded to the Church's denouncement in an article titled, "The Last of Dr. F. Tumblety." He states:

"We learn with satisfaction, which has no tinge of personal triumph in it, that the highest ecclesiastical authority of this city has felt compelled to warn the laity against the infamous publication issued by this shameless mountebank." [Note: the definition of mountebank is a person who deceives others, especially in order to trick them out of their money; a charlatan]

In the article, we see McGee expounded on his reasoning for his two-part Tumblety memoir:

"We hope that our friends, whose sympathies had been so artfully appealed to, in order to interest them in this utterly unworthy person's behalf, are now satisfied that we did not warn them against him in vain. We were restrained from drawing direct attention to his filthy pamphlet by the fear that, if we quoted it, we might be unintentionally instrumental in increasing its circulation. We tried the legitimate weapon of ridicule, and not without effect."

The *Montreal Herald* then had to make a correction. In their November 23, 1857, issue, they stated, "No Episcopal Denunciation of Dr. Tumblety's book.-With reference to this subject, we have been informed that the denunciation in question was without any authority from the R.C. Bishop of the Diocese. In their November 25, 1857, issue, they had to make a correction. In the December 1, 1857, issue, they reproduced, "You will be good enough, I trust, to retract this your statement, and to inform your readers that I, the undersigned, am the clergyman who denounced the pamphlet; and that the denunciation in question was with the authority of the R. C. Bishop of Montreal. -J.J. Connolly, Priest of the Seminary."

Just as in Upper Canada, the Conservative Tory party supported the traditional medical community in Lower Canada and the radical party supported the nontraditional medical community. Non-practicing physicians made up a large number of politicians, making medicine and politics even closer bedfellows. A subtle difference in Lower Canada, including Montreal, was that the residents were also split between the Anglican English-speaking citizens and the French-speaking citizens. There was a large concentration of Irish immigrants within the English-speaking community in Montreal, thus, they already had significant political representation in the parliament.

Thomas D'Arcy McGee, the proprietor of Montreal's *New Era* newspaper, was not only a journalist, but he was also deeply involved in Irish social and political issues.⁹ He was born in Ireland in 1825 and was raised Roman Catholic. He quickly got involved in radical Irish social causes against Catholicism and openly opposed British rule, thus, supported Irish independence. In 1847, he edited *The Nation*, which was the voice of the Young Ireland movement. He participated in the Young Irelander Rebellion in 1848, and had to flee to the United States in order to avoid arrest. While living on the east coast of the US, he began a number of newspapers which focused upon Irish interests. Soon his political views changed dramatically, upset with democracy and republicanism in America. He became conservative, now espousing Catholic doctrine. McGee now preferred Canada over the US, because Catholic rights were recognized. It was at this time in the spring 1857 that McGee moved to Montreal, at the request of Irish immigrant leaders.

The reason McGee started the *New Era* newspaper was to gain a foothold into a career in Montreal politics and champion the Irish Catholic immigrant cause. He used the newspaper to defend Irish Catholic rights for representation, and attacked the influential Protestant-based Orange Order which attacked anything to do with Catholicism. McGee also wrote about the future of Canada and promoted the goal of confederation, or the federal union of New Brunswick, Nova Scotia, and the Province of Canada. Ultimately, he was concerned for the betterment of Irish Catholic Canadians. In view of this, it makes sense that McGee attacked Tumblety and his exploitation of Montreal citizens.

According to the *Baltimore Sun*, November 14, 1857, McGee was presented with an expensive gift from "The Canadian admirers of Mr. Thomas D'Arcy McGee." It was a writing desk "containing the purse of \$2,000." The fact that this gift made the US and Canadian papers suggests this was connected to his political aspirations, since it demonstrated prominent Montreal citizens would spend money on him.

The *New York Times*, December 3, 1857, reported that Thomas D'Arcy McGee was nominated by the "Irish citizens of Montreal," as a Montreal representative in the Legislation Assembly of the Province of Canada. This occurred on December 1, 1857, at the Conference for Irishmen and Catholics of Montreal, which met at Bonaventure Hall. The minutes of the entire meeting were published in the *New Era*, December 3, 1857. The members discussed that approximately one third of the population of Montreal was Irish Catholic, so one of the three Montreal provincial parliamentary representatives should be Irish Catholic. It was none other than Tumblety's defense attorney Bernard Devlin, Esq, barrister, who addressed the conference and proposed the resolution to nominate Thomas D'Arcy McGee as their candidate. Devlin gave a long and eloquent speech on McGee and why he should represent Montreal Irish Catholics. The proposal was seconded, which then received a unanimous vote.

Although unanimous, there was a contingent of Montreal residents who rejected McGee because he hailed from the US. The *Buffalo Morning Express*, December 25, 1857, commented upon reports coming from Canadian papers, stating, "...as the instance of Mr. D'Arcy McGee, one of the candidates for Parliamentary honors from the ancient borough of Montreal. In a recent speech, after being violently assailed for having been an American citizen, he expressed his opinion in very candid terms." The Montreal elections were held on

⁹ Burns, R B, McGee, Thomas D'Arcy, *Dictionary of Canadian Biography*, v.9, University of Toronto, rev. 2020, http://www.biographi.ca/en/bio/mcgee_thomas_d_arcy_9E.html

December 21 and 22, 1857, and McGee narrowly won. The *Chicago Tribune*, December 30, 1857, reported, “McGee was elected over Starnes by 29, in a poll of 9,100 votes.”

In Tumblety’s 1866 autobiography, he stated he was approached by a group of prominent Montreal “first citizens” asking him to challenge McGee in the elections:

“I had been practicing my profession in Canada with distinguished success, and, in the course of a prosperous career, I accumulated an equal amount of profit and of fame. So far as the latter went, I trust the reader will not deem me an egotist, when I state that in the British Provinces I had acquired the respect and consideration of the first citizens, in proof of which I was importuned by an influential body to represent them in the Colonial Parliament, in opposition to the celebrated Thomas Darcy McGee, a gentleman whose literary and political reputation is well known in this country. In order to substantiate this position—for I do not wish the public to take my word upon credit—I will here introduce some documentary evidence, which must speak for itself. In the year 1857, after being waited upon by a delegation representing a large body of Canadian citizens, urging me to enter the political arena, a course which my habits and my inclination strongly repudiated, and which I declined, it was rumored that I was nevertheless about to become a parliamentary candidate, and paragraphs to that effect found their way in the Canadian press. One of many I have before me. It was in the Union, Ottawa City, and reads as follows:

“It is hinted that Dr. Tumblety will offer himself as a candidate on grittish principles, in case of a vacancy in this constituency, and that he is now feeling the pulse of the people. The Doctor having amassed a fortune in the treatment of all ‘the ills that flesh is heir to,’ in which treatment he has ever been successful, now philanthropically proposes to devote his brilliant abilities to the cure of the dangerous diseases affecting the body politic, and is proudly conscious of the success that awaits him in the effort.”

The report was circulated so universally, that I deemed it incumbent to put forth a public disclaimer, which appeared in the Montreal Commercial Advertiser, of Dec. 7, 1857, of which the following is an extract:

*Sir: I notice in your valuable journal of the 3d instant, a short paragraph, in which it is intimated that it is my intention to offer myself, at the ensuing election, as a candidate to represent the suffrages of the people of Montreal, in opposition to D’Arcy McGee, and **that I am about to receive a most numerously-signed address**, and, I may add, have resolved to come forward for the representation of the Irish interest. In allusion to the above statements, I may say that it is not my intention at this present time to contest an election, but I have every hope, were I to do so, of ultimate success. [Author emphasis added]*

I have merely recalled the above, in evidence that my position at that time, in the city of Montreal, was such as to induce what I conscientiously believe to have been a majority of the voters to offer me their suffrages in a “parliamentary contest.””

With Tumblety only having been in Montreal for just three months and much of that time he was known by Montreal residents as being charged with inducing an abortion, plus, having the Roman Catholic Bishop denounce his pamphlet, it seems strange that prominent citizens would have approached him to challenge Thomas D’Arcy McGee to represent them in parliament. Even if many liked Tumblety, there is plenty of baggage surrounding Tumblety for him possibly losing to a person not representing the Irish Catholic residents. Also, Tumblety’s so-called documentary evidence is incomplete, since it made no comment about receiving a “numerously signed address.” Note an article in the *Commercial Advertiser* published in the *Montreal Gazette*, December 5, 1857, the same newspaper that Tumblety responded in just two days later:

“ANOTHER CANDIDATE:-We understand that the celebrated Dr. Tumblety is about to receive a most numerous signed address, requesting him to come forward as a candidate for the representation of the Irish interest in Montreal, in opposition to Mr. McGee. We have not yet learned the Doctor’s decision, but understand that the objects on the ground of damaging his professional character by a contest with such an opponent.”

This is clearly the newspaper announcement that Tumblety was referencing, since it states the identical phrase, “most numerous signed address.” This over-the-top phrase is exactly how Tumblety’s self-aggrandizing, Allwise-Physician advertisements sound. Combined with the fact that no Montreal “first citizens” group ever came forward admitting to this is highly suggestive that the announcement was yet another Tumblety ploy. He wrote it. Having Montreal readers believe that “a majority of voters” are so convinced Tumblety was such an upstanding and prominent figure that they wanted him to represent them in parliament, would certainly help his business. Now it makes sense that on the very same day, December 5, 1857, Tumblety published testimonials from prominent Montreal citizens that purportedly raved about him as a miraculous physician and quality person.

Another likely reason why Tumblety publicly hinted at challenging McGee’s candidacy is vindictiveness; a motive he will use on numerous occasions in the future, including against journalists and editors. Recall Prior’s comments about Tumblety’s vindictive action to him that very month. Publicly announcing that there was a majority of prominent Irish citizens who opposed McGee –enough publicly endorse another candidate– had to give McGee some level of anxiety only weeks before the election. Ever since Tumblety’s abortion court case, McGee had made it a point to publicly rebut Tumblety’s multicolumn ads. We know Tumblety read the *New Era*, as evidenced by the following editorial comments in the *New Era* on October 3, 1857, when Tumblety’s abortion case was in full swing. In the previous issue of October 1, 1857, the *New Era* stated that they would hold off on discussing Tumblety’s case and hold off on his advertisements until the experts analyzed the contents of the bottle Tumblety gave to the prostitute for an abortion. The *New Era* reported that if it came back as to induce abortion, then they will report this. Tumblety was not happy with how the paragraph portrayed him. The October 3, 1857, issue, an editorial stated:

“Dr. Tumblety was on Thursday admitted to bail by Mr. Justice Guy. A friend of the accused has called to ask us to qualify our paragraph of Thursday, in relation to this case. This we must positively decline. –When the trial is over, and the sentence found, we will then, as we said, exercise our right as journalists in an impartial review of the complete evidence. Till then, we have nothing further to say.”

The very last sentence in the October 1, 1857, editorial stated, “Pending the trial, we felt it due to ourselves to omit his advertisement from our columns, since last week.” Ever since he arrived in Montreal, Tumblety had an advertisement in the *New Era*, and the very last issue that published this ad was on September 22, 1857. This definitely got Tumblety’s attention. This also suggests that Tumblety met McGee at the end of August at his office, which was located 42 St. Francois Xavier Street. While McGee has a man named Frederick Dalton do the actual printing, he was the proprietor, meaning, he controlled the content and would have had to approve Tumblety’s ads. It also shows that Tumblety’s quack reputation did not precede him, as far as McGee was concerned.

Historians who have assumed that a group of concerned Montreal citizens did indeed attempt to nominate Tumblety in opposition to McGee also suggested that these citizens were the very group who publicly opposed McGee at the outset. This is highly unlikely based upon Tumblety’s own background, since the very reason why the group opposed McGee can also be applied to Tumblety. The group rejected McGee because he hailed from the US and that is exactly where Tumblety advertised his origins in the massive multi-column advertisement, Rochester, New York, he published beginning on September 24, 1857.

Further evidence is it is his MO. He will do this again, where he not only takes advantage of communicating with the locals using newspaper announcements after he has been wronged but he also adds the event in his

autobiographies. After he was wronged and arrested in St. Louis and received bad publicity, "complimentary notices" from important people coming to his side made it in the same papers. After he was released from the Old Capital Prison and came to New York, the editor of the Sunday Mercury made a huge, gushing announcement.

There is evidence that the gold medal Tumblety claimed to have received from the citizens of Montreal was considered a scam by the Montreal mayor at the time. After Tumblety was arrested on suspicion of conspiracy in the Lincoln assassination in May 1865, a Philadelphia reporter recognized this was the same person who opened up an office in their city in May 1863. An article in the *Philadelphia Press*, May 9, 1865, titled, "The Philadelphia Adventures of Dr. F. Tumblety," stated:

*"On the 21st of May, 1863, the doctor [Tumblety] entered the Central Station, and made the following affidavit, recorded in Mr. Bulkley's blotter: "Dr. Tumblety, of Washington – 333 Chestnut street – **Stolen, this morning, a gold medal, presented to deponent by citizens of Montreal, Canada; name on it; valued \$800; Taken by a man named St. Clair, stopping at Girard House; was showing it to him; he ran off with it. –F. Tumblety, M.D.**" A warrant was issued by Alderman Beltler, and placed in the possession of Messrs. Callahan and Carlin. St. Clair was arrested on the succeeding day, and arraigned on the day following at the Central Station. The defendant gave the name of Joseph Aspinwall alias St. Clair. Dr. Tumblety, upon being sworn, testified as follows: "The defendant called to see me and said he had seen me in Montreal: I said yes, I had been there; I showed him the gold medal at the time; a party came in to see me; I went into the hall; when I came back the defendant **and gold medal were gone; medal worth \$800; it was presented to me by the citizens of Montreal.**" The case was duly reported to Benjamin Franklin, Chief of Police, and there being a lingering doubt in the mind of officer Callahan as to the true character of the doctor, the chief wrote to the proper authorities of Montreal, and an answer was received that no such medal had ever been presented by any of the citizens, and that the doctor was an impostor, a charlatan, and a suspicious person. Before this answer was received, the doctor called at the office and said that he had recovered the medal; someone had placed it beneath the door of his office. The prisoner, who had been committed on the charge of stealing, was at once liberated. As soon as the answer was received from Montreal by Chief Franklin, he sent for the doctor, who responded in a short time. The Chief opened on him in the most unmistakable terms; charge him with being an impostor; has sent an innocent person to prison, &c. The Doctor became impudent, whereupon Dr. Blackburn, the Fire Marshal, came to the assistance of the Chief, and denounced the impostor in language respectful but decidedly emphatic. He was given twenty-four hours to leave, as he was an impostor and probable rebel emissary. He did leave, and proceeded to Brooklyn..."*

According to the *Union Record*, January 24, 1889, a reporter from the *Cincinnati Enquirer* asked a resident about his experience with Tumblety and he replied that he met him in Pittsburgh in the spring of 1870 and showed him, "a heavy gold medal which purported to have been presented to him by the citizens of Sault Lake, Utah." Before considering that the Cincinnati resident was misremembering where Tumblety claimed to have received the gold medal, there is further evidence that he would change the story. In February 1881, Tumblety told young Richard Norris his gold medals came from the British government. Being deposed under oath Norris stated:

"He then opened a large trunk (but in the meantime ordered some more ale) and he pulled out a velvet vest which had, I judge, four – three or four medals on each side – they looked to me like gold medals. He told me they were awarded to him by the English Government."

One month later on the same trip to New Orleans, Tumblety was arrested in a possible pick-pocket case. This time, Tumblety claimed his gold medal came from the citizens of Montreal and gave the exact date of receipt. In the *Times-Picayune*, March 25, 1881, it states:

*“In the doctor’s room was found a number of decorations –whether genuine or not remains to be seen. **He has a gold medal, alleged to have been presented by the citizens of Montreal, Canada, for services rendered and for skill and science, presented March 4, 1858, on the obverse side of which was the inscription, “To give light to those that sit in darkness,” what purported to be a cross of Legion of Honor, the Iron Cross of Prussia, a cross from the Emperor of Austria, and one presented by his Royal Highness the Prince of Wales.**”*

Recall, on November 17, 1857, Thomas D’Arcy McGee published an announcement in *The New Era* expressing his satisfaction that Tumblety received a major character blow by the Catholic bishop, who denounced his pamphlets as immoral. Tumblety would have known that the medical board would never approve of his medical license after the bishop denounced his pamphlets as immoral.

The gold medal may have had its origins in McGee’s playbook. Recall, in November 1857, McGee had his \$2,000 writing desk, a gift from Montreal citizens, published. Tumblety likely recognized this as a very positive story that promoted his electability, so he copied the idea.

Coincidentally, on that very day, Tumblety’s morality was showcased in police court involving an event at the Theatre Royal. Tumblety was known to love the theater and regularly attended performances at respective local theaters, and he would even buy a ticket for his dog. Montreal was no exception. On Monday night, November 16, 1857, Tumblety was attending a performance at the Theatre Royal when a large commotion ensued. According to the *Toronto Globe*, November 21, 1857, a young man named John O’Brien was performing a “burlesque on Dr. Tumblety” in the pit, which caused indignation by those attending the performance. One witness stated that the noise was “unusual.” Apparently, many in the audience began to throw objects at O’Brien’s so-called performance of Tumblety. As the crowd began to leave the theater in disgust, an employee, Mr. Buckland, rushed into the pit to stop the obscene activity. O’Brien then struck Buckland in the eye. A police constable then took O’Brien into custody. O’Brien was fined the next morning £5 and cost or two months in prison. The morning of November 17, 1857, also saw three men, a Blake, Prior, and McDonald, arrive at Tumblety’s office, threaten to knock down his door, break his head, and then cowhide him. They did not, but also found themselves in police court. The magistrate ordered Blake, Prior, and McDonald to pay £50 bail each, to be held for six months as an incentive to keep the peace for that length of time.

Further details of the incident arose thirty-one years later. The man named Prior, was James P Prior, and was actually interviewed by a reporter on November 26, 1888, just after it was discovered that Tumblety was arrested on suspicion for the Whitechapel murders. According to an article in the *Boston Daily Globe*, November 27, 1888, James Prior recalled this event at the Theatre Royal and added additional details. He stated he “appeared in a burlesque of the eccentric doctor” and saw Tumblety’s dog near him. Prior stated that as the burlesque was going on, he sang to Tumblety’s dog “a topical song of which the doctor himself was the subject, The first stanza went something like this: I am the famous medicine man, My name is Tumble Tie, And I can cure all diseases, In the twinkling of an eye.” Prior stated that Tumblety was so indignant of the insult that he “hired toughs to waylay” him one night. Prior added that he was not alone and he and his friend “gave the sluggers a slugging.” Prior then claims “arrests followed” and shortly afterward Tumblety vanished from Montreal.

It now makes more sense as to why Prior, along with Blake and McDonald, were upset enough to visit Tumblety’s office the next day in addition to having the magistrate concerned enough to issue such a long cool-off period. In the 1888 interview, Prior knew Tumblety was the person who ordered the beating, so it stands to reason he brought along two others the next morning to give Tumblety a good beating. It also explains why Tumblety had enough sense to have the door locked before they arrived, when walk-in businesses

generally required an unlocked door. When Prior stated later that arrests (in plural form) followed, as opposed to “Tumblety was arrested,” suggests he and his friends got arrested just as what occurred. Incidentally, this impromptu burlesque show in the theater pit seems to be the very first time we have evidence of Tumblety’s sexual activities with young men.

Tumblety did leave soon after, as Prior claimed, but he returned in March 1858. The fact that Prior did not know this, yet he was still in Montreal, means Tumblety’s return was much more subdued and he did not aggressively advertise. There may have been a good reason...

There were numerous other incidents that made the newspapers of Tumblety seeking revenge in the form of physical harm against those he believed embarrassed or slandered him. On one occasion in 1871 or 1872 in New York City, Tumblety challenged an editor/reporter to a duel, meaning, he was willing to cause a person’s death for him being wronged:

“Sixteen or seventeen years ago the Doctor had a difficulty with Editor Ralston, of Frank Leslie’s Weekly. The result of this trouble was that certain doings of Tumblety when in Nova Scotia were fully exposed. Some days after the exposure he met Mr. Ralston in the barroom of the Fifth Avenue Hotel. The editor at the time was chatting with Supervisor Briggs and Central Office Detective J.T. Golden. Tumblety assaulted Ralston, and they had a lively fight in which the Doctor got the worst of it. Tumblety afterward wanted Ralston to fight a duel, but the latter said he was not really worth fighting. Detective Golden arrested Tumblety for assault, but Ralston declined to make any complaint.”¹⁰

Another police court event that occurred just two days later, on Thursday, November 19, 1857, again involved Tumblety, albeit indirectly. In police court on Saturday, November 21, 1857, yet again presided by Charles Joseph Coursol, Esq, there was an assault and battery case involving a porter named George Hunter and a young man named Joseph Palmer:

“George Hunter, porter, was charged with assaulting Joseph Palmer, a student of Dr. Tumblety. Palmer, being sworn, deposes as follows, to wit: - I am a student of Dr. Tumblety. A dog, which the doctor had received as a present a day or two before, happened to run out of the office, and I ran down stairs after it. Defendant, who was at the foot of the stairs, asked me where I was going so fast. I told him it was nothing to him; whereupon he struck me with his fist on the back of the head, and made two or three attempts at me, and said he would make a foot-ball of me.

Cross-examined. – This occurred at the foot of the stairs. There were several persons there at the time; defendant’s wife was there. When I ran down stairs, I was running after the dog – not after Mrs. Hunter. The dog is not mad. My professional teacher received the dog that morning. I had no dress on at the time.

Question by Counsel. – What? Were you naked?

Answer. –No; I had on my trousers.

This closed the case for the prosecution. Dr. Tumblety intended to appear as a witness on behalf of the prosecutor; but, when called upon, did not appear.

On behalf of the defence [sp], Edward Burke, carter, was sworn, and saith: - “On the 19th inst., I saw Mr. Palmer; I also saw defendant. There were no blows whatsoever given. Whilst I was there, Mrs. Hunter went up the stairs, and came running down again.

This closed the case. The judgment of the Court was, that the defendant pay a fine of 6d and costs.

¹⁰ New York Herald, December 4, 1888

*Mr. Smythe, of counsel for prosecution. Mr. Devlin for defence [sp].*¹¹

Knowing Tumblety's mania for young men, even three days earlier in the pit at the Theatre Royal, it is not a surprise that young Joseph Palmer was in a state of undress, or "no dress," as he rushed out of Tumblety's office. The fact that Tumblety was supposed to be a witness meant he was in the office with half-naked Palmer. It is also not a surprise that Tumblety did not attend court to help defend Palmer.

Reviewing Tumblety's advertisements that he placed in the *Toronto Globe* and the *Montreal Gazette* from December 1857 to March 1858 for evidence that he was actually at his office, with statements such as, "Call upon the Doctor," as compared to when he might not have been at the office, with statements such as, "Tumblety's Vegetable Compound for Sale at Tumblety's office," reveals a pattern. Tumblety was likely in Montreal throughout December 1857 until January 15, 1858, and in Toronto from January 15 to just before March 6, 1858. He was then back in Montreal, claiming to have received the gold medal on March 6, 1858. Tumblety was clearly travelling back and forth between Toronto and Montreal in the winter months. Between March 4 and May 21, 1858, the month that Tumblety originally claimed he was leaving Montreal to return to Toronto, Tumblety placed an ad titling it, "Certifications," where were selected testimonials.

ASSAULT AND BATTERY.
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On behalf of the defence, Edward Burke, carrier, was sworn, and said:—"On the 19th inst., I saw Mr. Palmer; I also saw defendant. There were no blows whatsoever given. Whilst I was there, Mrs. Hunter went up the stairs, and came running down again.
This closed the case. The judgment of the Court was, that the defendant pay a fine of 6d and costs.
Mr. Smythe, of counsel for prosecution. Mr. Devlin for defence.

With all of the incidents Tumblety was involved in, in Montreal, he may not have shown good character in the eyes of the medical licensing board and not receive a Lower Canada license to show the Upper Canada Licensing Board. How coincidental that Tumblety shifted strategies by calling his office spaces a medical institute. Tumblety maintained his headquarters in Toronto, and a major change occurred in his Toronto advertisements beginning on April 20, 1858; now having had an office open in Montreal for nearly nine months. He copied a new practice he used in Montreal and began using MD at the end of his name calling himself "principal" in charge of "the Medical Institute." His place of operation was still at the same location where he had his office; 111 King Street:

Special Notices.
Everlasting fame belongs to the "MEDICAL INSTITUTE," No. 111 King-street east, Toronto, and its successful principal F. Tumblety, M. D., who, it is acknowledged, has done and is doing more for his fellow creatures than all the other followers of Aesculapius together.
Mr. John Burke, of the Montreal Telegraph Co., Toronto, after suffering three years with a distressing dyspepsia, with pain and wind in his stomach, great debility of body and depression of mind, which none of the Doctors could cure, applied to Dr. Tumblety a few weeks since, and to-day, through the invigorating effects of his Herb Medicines, he is perfectly cured and well. If there is anything that can induce those afflicted with disease to try and get cured with safe and ever reliable medicines, it must be the myriads of facts which Dr. Tumblety has from time to time laid before the public.
Toronto, April 20, 1858. 2506-11 460-11

*"Everlasting fame belongs to the "MEDICAL INSTITUTE," No. 111 King-street east, Toronto, and its successful principal F. Tumblety, M. D., who, it is acknowledged, had done and is doing more for his fellow creatures than all other followers of Aesculapius together."*¹²

The *Toronto Globe*, April 20, 1858, advertisement continued on with a testimonial from Mr John Burke, who after years of going to regular doctors without success he, "applied to Dr. Tumblety a few weeks since, and to-day, through the invigorating effects of his Herb Medicines, he is perfectly cured and well." Tumblety changed the name of his Indian herb doctor offices to the Medical Institute. A medical institute is a place of learning, preparing students to be physicians, meaning, his medical institute was a medical school. It is likely not a coincidence that Tumblety had claimed he was an eclectic physician and the very first eclectic medical school was named the Cincinnati Eclectic Medical Institute, thus, using the very same title. There are additional pieces of evidence that confirm his Medical Institute was meant to be a medical school. First, Tumblety now called himself a principal, which is the administrator of a place of learning. Second, the statement involving Mr. John Burke being cured at the Institute specified that he "applied to," suggesting the Institute acted like a teaching hospital, where a person applies to the program and allows students to treat them under the supervision of a qualified medical

¹¹ *Montreal Gazette*, November 24, 1857

¹² *Toronto Globe*, April 20, 1858

doctor/professor. Third, Tumblety himself expounded upon his intentions with the Medical Institute in his advertisement when he stated, "...and its successful principal F. Tumblety, M. D., who, it is acknowledged, had done and is doing more for his fellow creatures than all other followers of Aesculapius together." Aesculapius was the Roman god of health and father of medicine, taken from Asklepios, the Greek god. He was the symbol of the healer and for centuries physicians were known as followers of Aesculapius. Hippocrates referred to himself as a follower, and all physicians today bind themselves to the Hippocratic Oath. Tumblety is letting the readers know that he, as the administrator and a fully qualified medical doctor, is supervising the training of followers of Aesculapius while simultaneously healing applicants, something a quack doctor would never do.

Lastly, records of a Dr Charles Jones make it clear that he not only was a student of Tumblety's but was a student of his in Toronto in the mid - to late - 1860s at a "Medical Institute." In the Biographical Sketches section of the History of Wyndot County, Ohio:

*"[Charles P Jones] was educated in the public schools of Cleveland, abandoning his studies at eighteen. He subsequently engaged in a mercantile establishment as a salesman, attending school at intervals, and began the study of medicine at Toronto, Canada, in 1856, under the instruction of Dr. F. Tumblety, remaining with him nearly four years. In 1857, he entered the Toronto **Medical Institute**, graduating in 1859. In 1860, he began the practice of his profession at Chicago, Ill., where he remained one year, when, on account of failing health, he was compelled to suspend his practice for about one year. He subsequently resumed his practice of his profession, and in 1865 located at Nevada, where he had since engaged. He has a good practice, and has accumulated considerable property as a result of his labors... Dr. Jones is a member of the Northwestern Medical Association; Medical Examiner of the Knights of Honor, of which order he is also a member; member of the Lutheran Church, and a Republican in politics."* [Author emphasis added] ¹³

There was no Toronto Medical Institute in Toronto in the mid-nineteenth century, with the exception of Tumblety's Medical Institute. Jones had a very respectable career, as evidenced by the local community adding him to the biographical sketches. He even acted as a coroner.

Because Dr Jones was a coroner for a certain period of time, he must have had a working knowledge of the human anatomy, which suggests that Tumblety's Medical Institute was focused upon more than just the practice of medicine, specifically, botanical medicine. Jones made it a point to add his training and education under the tutelage of Tumblety for a reason. In Tumblety's 1866 autobiography, he actually published what he believed medical schools should be giving young physicians a solid foundation in - human anatomy:

"The only sure foundations of medicine are an intimate knowledge of the human body... The anatomical and clinical schools, therefore, are those in which the young physician should be formed."

Tumblety's medical institute would have been considered a proprietary medical school. There were two types of medical schools in Canada and the United States in the nineteenth century. The first type was directly affiliated with an accredited University or hospital, such as the Faculty of Medicine at McGill College in Montreal, and according to the Medical Act of 1827, a diploma meant they were automatically licensed to practice medicine.¹⁴

The second type, the proprietary medical school, was an independent commercial enterprise and was more common, but priority was generally profit and not quality medical education in the interest of the public. Because they were not accredited, or granted a charter, graduates still had to go through the province's medical licensing board after graduation in order to receive a license to practice. Sometimes proprietary medical

¹³ Biographical Sketches section of the History of Wyndot County, Ohio, Chicago: Leggett, Conaway & Co., 1884, p. 709

¹⁴ Romano, T.M., Professional Identity and the Nineteenth-Century Ontario Medical Profession, 1993, History of Medicine, Queen's University


schools had an excellent reputation and would work with local hospitals or universities. For example, the University of Toronto opened its medical school in 1843, but in 1853, it was forced to close, so the university transferred their teaching duties to three proprietary schools in Toronto, Trinity Medical College, the Toronto School of Medicine, and the Women's Medical College. Proprietary schools could not grant recognized degrees, so the University of Toronto held exams and then issued their own degree. According to Romano, "...their affiliation with universities meant that their graduates, no matter how poorly trained, were automatically licensed to practice medicine."

By the mid-nineteenth century in Upper Canada, receiving a medical diploma was becoming more significant. Romano states, "Although a medical degree [in Upper Canada] was never required for practice, by the 1860's the cachet of an MD had become important. In the 1850s and 1860s, many long-time practitioners obtained their first medical degree." In view of this, there is another interpretation of the biographical comments on Charles Jones. If the biographer had mistaken the Toronto School of Medicine for the Toronto Medical Institute, then Jones entered medical school at the Toronto School of Medicine a few months to a year after he began studying with Tumblety. Still, Jones claimed he stayed with Tumblety as a student for four years. It also means that Jones was studying with Tumblety *before* he renamed his office a Medical Institute. With Tumblety's great interest in anatomy and surgery, especially so he could pass the local exam in the future, it stands to reason that Jones practiced anatomy and surgery with Tumblety at his office. Because he was practicing anatomy and surgery, as well as "eclectic" medicine, Tumblety may have decided to call himself a principal and his office a Medical Institute in order to convince the board that he was an eclectic physician, as opposed to a quack.

An anatomy course for training prospective physicians cannot be just taught out of a textbook and requires actual specimens for illustration in lecture and for students to receive hands-on training. In view of this, it now makes sense why Tumblety was an opportunist and attempted to steal Portmore's heart and liver off the examination tray in St. John during Tumblety's manslaughter case.

Tumblety's Medical Institute advertisements continued through the summer and into August 1858 and ended. Tumblety continued to maintain his office, and according to Dr Jones, his training continued "for four years" up to 1859. Tumblety began calling his Toronto office an Institute nine months after he left to open up an office in Montreal, and as we will see, he had students in Montreal, as well.

BE PROFITED BY IT.



THIS time has come that all who will, can escape the iron grasp of Mercury, and other mineral poisons, by calling without delay to see the well known and justly celebrated Herb Doctor, F. TUMBLETY, Principal of the "Medical Institute," where he will administer those only true and safe medicines from Nature's Garden which has for his author the great and ill-wise physician above.

The following diseases can be cured by Dr. T. in the most obstinate stage of their existence, viz.:—Diseases of the Lungs, Heart, Liver, and Throat. Also, Dyspepsia, Dropsy, and all diseases of the blood, such as Scorbutus, Erysipelas, Salt Rheum, Fever, Sore, and all other chronic complaints of years' standing.

P.S.—The Doctor will also give particular attention to all diseases peculiar to females and children.

The poor will be liberally considered.

Below we give a few of the many thousands of cases of Chronic Diseases, cured at the MEDICAL INSTITUTE, No. 111 King street east, Toronto, under the management of its successful principal, Dr. F. TUMBLETY, (the renowned Indian Herb Doctor). The names and addresses of the persons are given in full, so that it will afford an opportunity to many who may desire to ascertain, personally, the facts of the cases mentioned:

Cough and Paralysis Cured.

Mr. JOHN KENNY, Toronto.—Cured of a very dangerous cough and smothering on the chest. He had also lost the use of his arm from a paralytic stroke, but by the scientific application of remedies obtained at the "Medical Institute" 111 King street east, he has completely recovered the power of it, and it is now as strong as ever.

Tumblety's very last newspaper advertising campaign in the *Toronto Globe* began on November 5, 1858, and lasted into February 1859. They had significant changes from his summer advertisements. First, his suite of offices changed from 111 King Street to 140 King Street, and second, he no longer used Medical Institute.

There is an eyewitness account as to why Tumblety switched offices. In the *San Francisco Examiner*, November 27, 1888, an eyewitness who knew Tumblety in Toronto in 1858 stated, "His [Tumblety's] eccentricities were so pronounce that he was once "frozen out" of a hotel in Toronto in which he had engaged rooms."

Note that it was April 20, 1858, when Tumblety began calling his Toronto office "the Medical Institute," and maintain this advertisement until August. Supporting the notion that Tumblety spent most of his time in Toronto in the late spring and summer of 1858 is on May 21 (to July 23), his Montreal advertisement not only called his office a "Medical Depot" merely offering medicine, but it also changed locations to 212 Notre Dame Street. Between July 23 and August 1858, Tumblety changed his Montreal ad, which was titled, "\$500 reward," but it was still located at 212 Notre Dame Street and was called Medical Depot.

Tumblety published a significant announcement in the *Montreal Gazette* beginning in August 1858, which demonstrates he was leaving Montreal and not maintaining an office:

“A Rare Chance to Make \$3000 Per Annum, without Risking Your Life By Going to Fraser River.-Dr. Tumblety is about to retire from the practice of his profession, in consequence of not finding persons competent to manage his real estate, consisting of upwards of 3000 acres of good land in the vicinity of the G.T.R.R. [Grand Trunk Railroad], U.C. [Upper Canada] The Doctor will sell out at a bargain his institution on Notre Dame Street. Parties desirous of purchasing, call without delay. P.S.-Rent is paid in advance. No difficulties of any kind to contend with, as the Doctor owes no one a trente-sous.” [Author emphasis added]

Notice that Tumblety did not call his rented office spaces Medical Depot, but called it his institution. How coincidental that he was calling his Toronto office the Medical Institution between April and August 1858, but there is one difference. Tumblety never published his Montreal office as an institution in his ads as he did in Toronto. It was not the brick-and-mortar building he was selling, since he was renting, so it must have been the contents he was selling. With respect to medical institutes, Tumblety continued his business for two more decades, so he was likely not selling his private patented medicines. In every city he left, he never sold his “institution.” If this truly was set up as a medical institution, then he likely purchased medical equipment; items possibly too large to bring with him. Is there any evidence that Tumblety treated his offices in Montreal as a place of learning as he was in Toronto? The answer is yes. Recall, the Montreal assault and battery case involving Joseph Palmer. Palmer stated under oath that he was a student of Dr Tumblety and not an office boy. He also referred to Tumblety as “my professional teacher.”



The Gazette, August 4, 1858

Tumblety then left the Provinces and spent the entire next year of 1859 and half of 1860 opening up offices in the US; away from the requirement of operating with a medical license. Still, he was not done with the northern neighbors and in June 1860, Tumblety opened up an office in St. John, New Brunswick, a city that at the time boasted a population that even rivaled Toronto. Medical licensing was even easier in the Province of New Brunswick. In part 3 of this article, we will see Tumblety’s plans to continue operating out of the Canadian Provinces come to an abrupt end when one of his patients dies. This event also reveals his desire to obtain anatomical organs and how callous he was in obtaining them.

FIVE QUESTIONS WITH A RIPPEROLOGIST

For this edition we’ve invited esteemed researcher *extraordinaire* **Debra Arif** to answer our five standardised questions. If you recall from our last edition, answers can only contain a maximum of two words, so here’s Debra’s responses for you to cogitate over:

1. How many people did ‘Jack the Ripper’ kill? *Indeterminate number*
2. Who is your preferred suspect? *Local man*
3. Who has influenced you the most in this subject? *Paul Begg*
4. Will the case ever be solved? *Definitely not*
5. How would you describe the current state of Ripperology? *Moving backwards*