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MISCELLANY.

MR. BAYARD.

Mr. Reynolds of Tennessee, in the debate on the Direct Tax, Speaking of the Treaty of peace, and addressing himself to Mr. King of Massachusetts, said:

I humbly conceive, that the honorable gentleman has no just ground of complaint against the commissioners for the treaty they did make. On the contrary, he and his people owe them a debt of eternal gratitude! the chief of whom (Mr. Bayard) I regret is no more! I was delighted the other day to hear the gent. from Virginia (Mr. Randolph) pronounce such an eloquent eulogium in the memory of that great man. Sir, it does honor to his heart, to speak in such terms of his bold and powerful antagonist, with whom he had wielded the sword of argument so often in this house. That great man, sir, was the pride and boast of the American name at home and abroad, though he was a federalist.—And as long as the eloquent, patriotic and accomplished statesman is estimated among mankind, his name will be cherished and respected by the latest generation of his countrymen. Sir, I will not say with the honorable gentleman from Virginia (Mr. Randolph) that he would give all the glory acquired in the late war to restore the life of the celebrated and much lamented Davies, of Kentucky, but this I will say, that to have met with the late and much esteemed commissioner in this place now, to have an opportunity of returning to him my sincere acknowledgments for his friendship to me, certain I am that it would have been the greatest gratification I ever can enjoy on this side of the grave. I beg pardon, sir, for this digression, I should not have introduced the topic, however grateful to my feelings, had not the example of the honorable gentleman from Virginia (Mr. Randolph) presented the opportunity.

THE IRISH JURYMAN.

A Judge on the north-west circuit in Ireland, came to the trial of a cause in which much of the neighborhood was concerned. It was the case of a landlord's prosecution against a poor man, a tenant, for assault and battery, committed on a person of the prosecutor by the defendant, in the defence of his only child, an innocent and beautiful girl, from ravishment.—Not only the bench, but the whole bar dined with the prosecutor's father the day before the trial; and some of them praise the venison and the claret even to this day.

When this poor man was brought into court, and put to the bar, the prosecutor appeared, and wore most manfully to every tittle in the indictment. He was cross-examined by the jurors, who were honest tradesmen and reputable farmers. The poor man had no lawyers to tell his story; he pleaded his own cause—and he pleaded, not to the fancy, but to the judgment and the heart. The Jury found him—*Not Guilty*.

The court was enraged; but the auditors, gladdened to exultation, uttered a shout of applause. The judge told the jury, they must go back to the jury room and re-consider the matter; adding he was astonished they should return so infamous a verdict. The jury bowed, went back, and in a quarter of an hour returned, when the foreman, a venerable old man, thus addressed the bench: My lord in compliance with your desire, we went back to our jury-room, but as we there found no reason to alter our opinion on our verdict, we return it to you in the words as before—*Not Guilty*.

We heard your lordship's language of reproof, but we do not accept it as truly or warrantably applying to us. It is true my lord, that individually concerned, in our private capacities, we may be poor insignificant men; therefore, in that light, we claim nothing out of this box above the common regards of our humble but honest stations; but, my lord, assembled here as a jury, we cannot be insensible to the great constitutional importance of the department we now fill.

We feel, my lord, that we are appointed, as you are, by the law and the constitution. Not only as an impartial tribunal to judge between the king and his subjects, the offended and the offender, but that we act in a situation of still greater confidence; for we form, as a jury, the barrier of the people against the possible influence, prejudice, passion, or corruption of the bench. To you, my lord, meeting you without these walls, I, for my own part, might possibly measure my respect by your private virtues; in this place your private character is invisible; it is veiled in your official one, and to your conduct in that only we can look. We do not in this business presume to offer to the bench the smallest degree of disrespect, much less of insult; we say it is the respect which one tribunal should pay to another, for the common honor of both. This jury, my lord, did not accuse that bench of partiality, prejudice, infamous decision, nor yet of influence, corruption, oppression, or tyranny; no, we looked to it as the mercy-seat of royalty—as the sanctuary of truth and justice; still, my lord, we cannot blot from our minds the records of our school-books,

nor erase the early inscriptions written on the first page of our intellects and memories. Here we must be mindful that monarchs and judges are but fallible mortals, and the mercy-seat of royalty and the sanctuary of justice have been polluted by a Tresilian, a Scraggs, and a Jefferies."

The bench frowned at these words, but the intrepid juror thus proceeded: "Nay my lord, I am a poor man, but I am a free-born subject of the kingdom of Ireland—a member of the constitution: nay, I am now higher, for I am the representative thereof. I therefore claim for myself and fellow jurors, the liberty of speech, and if I am refused it here, I shall assume it before the people at the door of this court-house, and tell them why I deliver my mind there instead of in this place."

The bench here resumed its dignified complacency, and the honest orator continued his address. "I say, my lord, that we have nothing to do with your private character; we know you here only in that of judge, and as such we would respect you; you know nothing of us but as a jury, and in that station we look to you for reciprocal respect, because we know no man, however high his titles or his rank, in whom the law or the constitution would warrant an unprovoked insult towards the tribunal in which they have vested the dearest and most valuable privileges they possess. I before said, my lord, that we are met here not individually, nor do we presume pre-eminence; but in the sacred character of a jury, we should be wanting in reverence to the constitution itself, if we did not look for the respect of every man who regards it. We set here, my lord, sworn to give a verdict according to our consciences, and the best of our judgments, on the evidence before us. We have, in our own minds, acquitted our duties as honest men. If we have erred, we are answerable, not to your lordship, nor to the bench, nor to the king who placed you there, but to a higher power—THE KING OF KINGS." The bench was dumb, the bar was silent. The poor man was discharged.

Elastic Marble of Massachusetts.—Some time ago, Dr. Mitchell exhibited to the New-York Philosophical Society a specimen of American *Elastic Marble* measuring four feet in length, three inches in breadth, and one inch in thickness. The slab was of snow whiteness, of a grained structure, and of a remarkable flexibility. He had received it from Messrs. Norris and Kain, who got it from the quarry in Pittsfield, Massachusetts. Since the receipt of this extraordinary sample, another one, of a far more considerable size has been procured by Mr. Meyer, from Stockbridge. This he is preparing for a place in Dr. Mitchell's cabinet of mineralogy. The dimensions of this stone are as follow: breadth 1 foot and ten inches, length 5 feet, and thickness two inches; making a mass of two thousand six hundred and forty cubic inches of elastic marble.

This slab when shaken undulates sensibly backwards & forwards; when supported at the two extremities the middle forms a curve of about two inches from a horizontal line; and when turned over recovers itself, and inclines as much the other way. It has many other curious properties. The substance under consideration has been already described by Mr. Meade, in a memoir printed in the American Mineralogical Journal; and New-York now probably contains the largest piece that the world can produce.

MEDICAL.

FROM THE COLUMBIA TELESCOPE.

Peculiarities and Anomalies of the late Epidemic.

This subject would appear at first view to be more curious than useful; but when it is considered how far the peculiarities and anomalies concomitant on a disease may tend to establish the identity of its character, it will be found not to be destitute of utility. It may also be of importance to the practitioner upon any new recurrence of the disease, to be apprised of its anomalies and the consequences to which they lead, and thereby saved from those perplexing embarrassments which new and singular appearances sometimes impose upon him.

It has been the practice of medical writers to denominate all catarrhs which have prevailed epidemically by one common appellation implying an identity of character. "From Sydenham upwards to Hippocrates it was known and is mentioned by the name of *catarrhis febris epidemica*. Since Sydenham's time it has been variously named, but is now generally known by the name of *influenza*." How far this may be correct and proper requires investigation. In examining the history of epidemic catarrhs we find a very great diversity both in the symptoms and in the methods of cure; scarcely any two of them in immediate succession presenting a sameness of character. If nosological terms are to be continued in use, it is important that they should be applied with the utmost discrimination and strictest precision; otherwise unwary practitioners and others, seeing a method of treatment prescribed for a disease under the usual name by which it is known, will take it for their guide, right or wrong, and perhaps not discover their error until after the loss of several valuable lives. A great source of this want of precision in former times was doubtless the seldom recurrence of these epidemics, as according to Dr. Fothergill they had appeared at uncertain intervals in England during the two hundred and fifty years last preceding the year 64, on an average of only once in thirty one years; but unfortunately for us in mo-

dern times this excuse does not apply, for since the year 1768, they have returned in England upon an average of once in only about six years, and in this country since the year 1757 the average has been once in only about every seven years. It prevailed in America in the years 1737, '61, '72, '81, '89, '90, 1807, '16, so that in this ratio it may return under the observation of one man, during an ordinary lifetime, six or eight times, which affords but too ample an opportunity to industry and attentive remark to make accurate observations and useful distinctions.

Dr. Rush remarks that "the influenza passes with the utmost rapidity through a country, and affects the greatest number of people, in a given time, of any disease in the world," in which he is corroborated by many other writers. But our late epidemic was peculiarly slow in its progress in pervading the country. In its march from the northward to the southward its progress appears to have been only from about one hundred to two hundred and fifty miles per annum. In the winter of 1813 it was in Philadelphia; in the winter of 1815 it had advanced as far southwardly as Salisbury, N. C. and in this winter it has visited most parts of South-Carolina. Since its invasion of this State, its progress from place to place has been equally peculiar; appearing in spots or neighborhoods only thirty or forty miles distant from each other, at periods of four, five, six or eight weeks apart. It was also peculiarly capricious in the circumscribed locality of its prevalence, attacking one particular community, raging for eight or ten weeks, and then passing over a large intermediate tract of country and seizing on another circumscribed community. In this way it has been meandering through the State ever since early in last November, and at this time it is still raging in some neighborhoods adjacent to others where it prevailed early in the winter, and from which it had long since passed off.

It has been peculiar in raging with the greatest severity in the interior of the country, whilst the sea coast has been exempted or suffer'd comparatively but little. And yet in the interior of the state, the most swampy situations, margins of rivers and places most subject to the endemic autumnal bilious fevers, have suffered most severely from the epidemic.

It was likewise peculiar in its manifest predilection for male subjects in preference to females. The proportion of females attacked did not perhaps exceed one tenth or one fifteenth part; but some few who were attacked seem'd to have the disease equally as violent as the males. Children under four or five years of age were remarkably exempted, and amongst children above that age the males most generally suffered. It was not peculiarly fatal to the aged, nor to such as had a prior tendency to pulmonary affections, but on the contrary some very old people recovered who had the disease severely; and, indeed, it fell with its greatest severity and mortality on the robust, and on such as were in the prime of life. Corpulent persons appear'd to enjoy an exemption;—and it was thought that Europeans and the natives of the Eastern States were much more exempted than the natives of more southern latitudes. Females in a state of pregnancy were not more liable to abortions in this disease than in others of equal violence, which unhappily is not the case in epidemical catarrhs generally. To drunkards, as might have been expected, it was generally fatal.

This disease was peculiar in its universal tendency to determine on the chest in the form of pneumonia. For although a small proportion of cases determined to the head, blood-vessels only, or throat, yet the tendency to the chest was so general as almost to warrant the denomination of an epidemic pleurisy or peripneumony rather than that of influenza. It may also be remarked that relapses were more seldom than in ordinary influenzas. It was peculiarly under the influence of temperature and humidity. Upon the recurrence of cold damp weather, of which we have had an unusual share this winter, the cases immediately multiplied, and those who had been previously ill never failed to become worse. It was perhaps from this circumstance that it proved in many cases peculiarly fatal to negroes, as they were more exposed to the vicissitudes of the weather, and their lodgings generally cold and uncomfortable. Exposure to the external atmosphere and cold, seem'd constantly to predispose to the disease, and hence, perhaps, is the reason why females, children and corpulent people were more exempted from it than others, as corpulence serves as a defence against the influence of cold.

In two anomalous cases in this town the local determination to the brain was so sudden and violent in two robust men as to occasion convulsions, without any premonitory symptoms.—Both these cases proved fatal, one within 48 hours and the other within a few days. In a lad of 14 or 15 years of age, the disease was ushered in by a sudden attack of stupor. He was travelling on the road in company with some others and complain'd of nothing before he fell down in a state of insensibility. This case recovered. A pneumonic case occurred, of a typhus nature, accompanied with a cough in every respect resembling the whooping-cough, except that the matter of expectoration was uncommonly copious and purulent from the beginning. This is a recent case, and after a tedious illness seems likely to recover. In three pneumonic cases towards the period of the crisis the disease precipitated itself upon the extremities, producing an alarming state of plegmionic inflammation, which terminated the constitutional disease by establishing copious

suppurations. In two of these cases it fell upon the arms, and the inflammations and enormous swellings extended from the fingers to the shoulders. The suppurations took place around the elbow in both cases, forming extensive sinuses from which the discharge kept up for many weeks. These are both recovering, but threaten an anchylosis. The other case fell upon the leg, suppurated copiously and is doing well.

I was informed by the physicians of this place of three cases in which hæmorrhages from one or both ears occurred, in which the patients lost from ten to sixteen ounces of blood. One of these cases recovered. Three or four cases occurred in which the eruption of a rash on the 2d or 3d day, put an end to the disease; and in one it appeared as late as the 4th or 5th week, in conjunction with the other usual symptoms attending the crisis, and seem'd to be beneficial.

Two pneumonic cases occurred in which uncommon copious bronchial or pulmonary secretions took place at a late stage of the disease, & after the conditions of the patients had given hopes for several days of convalescence. This secretion occurred suddenly and the matter of it was expectorated by an exhausting paroxysm of coughing. The quantity expectorated at one time was from about four ounces to two pounds, in the space of from fifteen minutes to two hours. In one of these cases it recurred periodically with nice precision, at the same hour and almost at the same minute in every twenty-four hours, for four or five times.

The matter of this secretion had an intermediate appearance between pus and mucus, of a white colour with a taste not easily described, but more nearly resembling the taste of a raw egg than anything else. This secretion was followed by evident and immediate relief to the chest. The respiration became more free, the lungs more easily expanded, the remaining pains and uneasiness about the chest were mitigated, and the convalescence was visibly more rapid.

These discharges gave an impression that they proceeded from the rupture of vomis or abscesses which had formed in the lungs. But that this opinion was erroneous is obvious from the following circumstances. The matter was obviously different from the matter of common abscesses as an experienced eye would readily perceive. If, however, it had been real pus yet this alone would fall very far short of being proof that it proceeded from an abscess; for it is a fact long since established that pus may be, and very often is formed from inflamed secreting surfaces, and the secreting surfaces of the bronchia most especially are liable to take on this kind of secretion. The expectoration of his matter was more cover regularly periodical after certain intervals. It continued at each period about the same length of time and then gradually but rather abruptly ceased; after which not a single particle of it could be expected by any effort of coughing, either spontaneous or intentional, until the next regular period of its recurrence. Now it is obvious that if this matter had proceeded from a ruptured abscess, however rapid and copious the first discharge might have been, yet a supply of more or less matter must have been constantly formed in it until the abscess was healed; and must necessarily have been brought up, from time to time during the intervals, by coughing. To suppose the contrary we must believe each discharge to have been the consequence of the rupture of a distinct abscess and the more especially as each succeeding discharge and even the last was equally as copious as the first; and then we must admit the preposterous conclusion that each abscess was instantly healed upon being emptied. A conclusion, unfortunately for the subjects of pulmonary abscesses, contrary to all experience.

Upon the whole I conclude that these discharges were the effect of bronchial and pulmonary secretion; and that it was a mode of evacuation attending the protracted crisis of the disease by which the lungs were unloaded of infractions & possibly the whole system relieved of offending matter; for it ought to be remarked that both these cases had long passed the usual period of termination of the disease without the usual symptoms of expectoration, &c. attending the crisis.

In very many pneumonic cases a pain remained on the seat of the inflammation during the whole time of convalescence. This pain from the circumstances of its being so suddenly variable, sometimes better and sometimes worse in the course of a few minutes, and seldom giving any uneasiness except by an expansion of the thorax or some exertion of the muscles about the part, was most probably of rheumatic nature. In one case they seem'd to occupy every intercostal muscle, giving considerable pain upon every expansion of the chest, as by deep inspirations, &c. but occasioning little or none of uneasiness when these muscles were relaxed or only in their ordinary state of exertion. Although these pains were evidently seated in the intercostal muscles, yet there was an evident connexion between them and the state of the lungs, in so much that a few coughs and even small expectorations would occasion a mitigation of them for some time.

I have given the principal peculiarities and anomalies that have attracted my attention, and beg leave to close this communication with a notice of some popular notions with regard to the prevention of this formidable disease. I am informed that the inhabitants of Williamsburgh district where it has made great ravages, believe that the progress of the disease has been completely stopped by burning their woods, and it is said that several circumstances afford considerable grounds for the opinion. I am also informed that