

ADDRESS TO CHEERFULNESS.

THOU, Cheerfulness, by heav'n design'd To rule the pulse that moves the mind, Whatever trifling passion brings, Whatever chance or nature brings, To frigate the unequal pulse within, And mix the sweet machine, Thou, Goddess, with a faithful hand, Dost each attempt to my command, Refine the soft, and quell the froag, Till all is concord, all is song.

Come, Cheerfulness, triumphant fair, Shine through the painful cloud of care, O virtue of language, mild of mejo; O sweet'st friend, and pleasure's queen; Fair guardian of domestic life; Best banisher of hombred strife; Nor follen lip, nor raunting eye; Deform the face where thou art by, From thee our board with flowers is crown'd,

By thee with songs our walks rebound; By thee the frighly mornings thine; And evening hours in peace decline.

From the Philadelphia Gazette.

Mr. Brown, FROM a desire to lessen the mortality and distress occasioned by the bilious remitting yellow fever which now prevails in different parts of the union, I have extracted some remarks upon the appearance of the remission after bleeding, from a second volume upon that disorder, which I have prepared for the press. I have felted like-wisely from that work a few observations which are intended to remove the objections to blood-letting in fevers. They will appear to a disadvantage on account of the present form, they prove useful to the physician, or become the means of saving a valuable life in any part of the United States. I shall cheerfully submit to the temporary injury to which I may probably thus expose my principles in medicine.

BENJAMIN RUSH,

September 29th.

After blood-letting has been performed, the appearance of the blood should be attended to, in order to judge of the propriety of repeating it. I shall briefly describe these appearances, and arrange them in the order in which they indicate the different degrees of inflammatory diathesis, beginning with the highest.

Diffused blood. This occurs most frequently in the malignant state of fever. I have ascribed this decomposition of the blood to a violent degree of stimulus upon the blood vessels as to displace them to a paralytic state. It is generally considered by authors as a sign to lay aside the lancet. If it occurs in the first stage of a fever, it indicates a very opposite practice. By repeated bleedings the vessels recover their natural action, and the blood becomes retracted (to use a chemical allusion) to its original texture. If this diffused blood appears at the close of a malignant fever, no other benefit can be expected. In repeating the bleeding, than the moderate one for few days, or an entire remission, even though it be indicated by a tenacious pulse, for the vessels are generally so much choked by the long continuance of violent action in the blood vessels, that they are seldom able to discharge the blood which diffends them into the cavity created in the vessels by the abstraction of blood from a vein. There is some variety in the appearance of this state of the blood which indicates more or less violent pressure upon the blood vessels. It threatens most danger to life when it resembles molasses in its consistence. The danger is less when the part which is diffused occupies the bottom of the bowl, and then its surface is covered with a grey pellicle or coat.

Blood of a scarlet color without any separation into crassamentum or serum, indicates a second degree of inflammatory action. It occurs likewise in the malignant state of fever.

Blood in which part of the crassamentum is diffused in the serum forming a remanence to what is called the lotan crassamentum, or whitening of the water.

Cassamentum sinking to the bottom of a bowl in yellow fever. Cassamentum floating in serum which is as thick turbid, but which afterwards becomes yellow and transparent by depositing certain red and febrile particles of the blood in the bottom of the bowl. Sixty blood, or blood covered with a buffy coat. The more the crassamentum appears in the form of a cup, the more inflammatory action is said to be indicated by it. This appearance of the blood occurs in the pleurisy, the rheumatism and in all other common fevers or inflammations of fevers. It occurs too in the mild state of malignant fevers, and in the close of recovery of this febrile coat on the blood in the yellow fever is always favourable. It shows the disease to be tending from an uncommon to common degree of inflammatory diathesis. From the facts it would seem as if the power of coagulation in the blood, was lessened in an exact ratio to the increase of stimulus upon the blood vessels, and that it was increased in proportion to the diminution of that stimulus; to that degree of action which constitutes what I have called common inflammatory action. The remarks upon the relative signs of inflammatory actions in the blood vessels, and the result of repeating observations, that they should be admitted with a recollection that they are all liable to be varied by a moderate or violent exacerbation of fever, by the size of the stream of blood, and by the heat, coldness, quality and form of the cup into which the blood flows. This occasional uncertainty in the indications of the state of fever by the blood, should lead us back to the pulse. When time, and the application of a greater portion of medical attention to this index of the state of the system in fevers, shall have brought to light all the knowledge that the pulse is capable of imparting, the appearance of blood in fevers will be regarded as little as the appearance of the watery excretions of the body. BLOOD-LETTING should always be copious, when there is danger of congestion, inflammation, effusion, and abscess in vital parts. This danger is indicated most commonly by pain, but there may be congestion and inflammation in the liver, bowels, and even in the head, without pain. In these cases the state of the pulse should govern the lancet. What quantity of blood may be taken with safety from a patient in an inflammatory fever? To answer this question it will be necessary to remark, 1st, that in a person of an ordinary size there are supposed to be contained between 25 and 28 pounds of blood; and, 2dly, that much more blood may be taken when the blood vessels are in a state of morbid excitement and excitability, than at any other time. One of the aims of the lancet is to stimulate the blood vessels, and in this way to originate and preserve animal life. In a healthy state of the vessels, the whole mass of the blood is necessary for the purposes of life, but in their state of morbid excitability, a much less quantity of blood than what is natural, perhaps in some cases, four or five pounds are sufficient to keep up an equal and vigorous circulation. Thus very small portions of blood and food are sufficient to excite vision and hearing in an inflamed and highly excitable state of the eyes and ears. Thus too, a single grain of opium will often produce delirium in a fever, in a full grown man, who is in the habit of drinking a quart of wine every day, without having his pulse quickened by it. An ignorance of the quantity of blood which has been drawn by deigo, or left by accident, has contributed very much to encourage prejudices against blood-letting. Mr. Chor, of London, drew 320 ounces of blood in 23 days, from a patient in St. Thomas's Hospital, who laboured under a contusion in the head. But this quantity is much surpassed with the quantity lost by a number of persons whose cases are recorded by Dr. Keil. I shall mention a few of them.—One patient lost 9 pounds of blood, a second 12, a third 15, a fourth 22, from the nose, at one time, a fifth lost 12 pounds by vomiting 13 one night, and a sixth 22 from the lungs. A gentleman of Angola lost between three and four pounds daily from his nose. To cure it was bled 97 times in one year. A young woman was bled 1020 times in 10 years, to cure her of a plethoric which disposed her to hysteria. In none of these instances was death the consequence of the great evacuations of blood. On the contrary, all the persons alluded to, recovered. Many hundred similar instances of the safety of blood-letting in profuse discharges of blood by nose and ear might be mentioned from other authors. I will mention only one more, which shall be taken from Dr. Sydenham's account of the cure of the plague. "Among the other cal-

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Hampshire Gazette.

NORTHAMPTON, (Massachusetts) PRINTED AND PUBLISHED BY WILLIAM BUTLER. [Vol. X.] WEDNESDAY, NOVEMBER 11, 1795. [NUMB. 480.]

From the WESTERN STAR. THE COUNTRY LAWYER, No. X. WILL now endeavor to canvass the proposed arrangement of the Supreme Judicial Court.

It does not inform us whether he means to abolish the present Courts of Common Pleas or not. I presume he does so; for if he does, the addition of two judges, and making two circuits, will not infer the purpose. Can any man in his senses suppose that seven men can possibly do all the Judicial business of this Commonwealth, and criminal? I do not believe that it is in the power of nine to do it. If nine does not mean to abolish the courts of Pleas, then his objection, as to expenses, are answered; for it will increase the sum, which government live to pay in salaries, if only two are added, of £. 800, and fill up the void (if not an unnecessary expense of 60, or 70,000 Dollars annually.

The revising Committee, of which the Chief Justice is Chairman, in a vote of nine to one, in the General Court made June 5, 1788, reported a Judicial System. That part of it, which arranged the Supreme Judicial Court, is as follows, to wit, "That the Commonwealth be divided into three Districts, or Circuits; that the Supreme Judicial Court consist of nine Judges, of whom two to make a quorum on the Circuit, that three of the Judges be assigned every six months; for each Circuit; that there be three terms annually in each of the middle counties, viz. Suffolk, Essex, Middlesex and Worcester, and two terms in each of the other counties, except Dukes County and Nantucket, where there shall be one Court in each, to be held for both those counties at the same time; that the Judges at each term in the several counties have the same powers and jurisdiction as the Supreme Judicial Court now has for all matters civil and criminal, and also original jurisdiction by process immediately to that Court in all civil actions, except as hereafter mentioned, so that all acts respecting Courts of Common Pleas may be repealed. A Clerk of the Supreme Judicial Court is to be appointed for each county, to reside therein, and for the safe of the people, the records to be kept there; that the records of the Courts of Common Pleas be removed over to the new Clerks of the respective counties, and to be in their custody; that the terms of the said Court, called law terms, be held at annually, wherein not less than six of the said Judges shall make a quorum, for the purpose of determining difficult points of law, sitting in the circuits, on writs of error, certiorari, special verdicts, de-murrers, bills of exceptions, motions for new trials, and causes continued for adjournment, any of which may be referred to the same terms; by order of the Judges in their several circuits; that the same jurisdiction in all civil causes under £. 100, which is now exercised by the Courts of Common Pleas, be hereafter held, with appeal immediately to the Supreme Judicial Court."

Let us now see "if there are no well founded arguments against the proposed arrangement of the Supreme Judicial Court." And whether it be Sales's arrangement or adding two, or that of the revising Committee of adding four more Judges to the bench of that Court, the objections are the same, and equally strong; the proposals are more and more of the same kind, and are calculated to end in the same thing, an abolition of all intermediate jurisdiction between the Court of Single Justice of the Peace and the Supreme Judicial Court, and the establishment of a system that will bring the final decision of all causes to the town of Boston.

First. It is an objection to this plan, that being as all the criminal business is done in the same Court in which the civil business will be tried, the suitors in civil actions will be subjected to great inconvenience, for it will always be a matter of uncertainty how much time of the

term will be consumed in getting through the criminal list; every person concerned in our Courts will know the propriety and even necessity of getting over the criminal business first. Hence the suitors in the civil causes are obliged to wait, sometimes two or three days, before a trial can be had; and the inconveniences will increase as the population of the country, and of course the multiplication of criminal suits, increase. At Hampshire, April term last, the largest part of the term was taken up in the criminal business, to the real damage of those, whose civil business could be completed; and this happens constantly at every term, in every County, where the Supreme Judicial Court now sits.

Secondly. As the salaries of the Judges are paid out of the public chest, there is no reason to be given for the convenience of the three distant counties, which would be to that of the four middle counties. Why should not the business of Hampshire, in which the same business is done as in Worcester, stand on the same bottom? According to this arrangement, four Counties would have about half as many terms as thirteen—But I do not believe two terms in each could possibly be sufficient to transact the business of the thirteen Counties. Six terms have been found none too many—there are now two terms of the Supreme Judicial Court at Hampshire, and more than 400 continue from such a system, why, if 4 Judges were added, they would be to pay the proportion of the additional salaries, would have many of them to go twice to Boston annually, to attend the law terms, & would not gain a shilling advantage by the different arrangement. Why should the courts of justice as to promptitude be different in different parts of the Commonwealth? The term of the duration of a lawsuit, in the 13 distant Counties, would be a third longer, than in the 4 middle ones. Hence, a person living in the middle Counties, may have an execution against him for months sooner, than he could have against his debtor living in one of the distant counties.

Thirdly. Sales thinks that "a free people, who have been in the exercise of the right of appeals, would be sneering under the restriction of that right." And on this point, Sales, that the humanity of the General Court of Massachusetts will ever submit their citizens, for life and death, to a commission of three Judges, and those perhaps, one only two Judges, and those of that Court of the least talents, judgment, learning, and integrity. Their views do you think the people of Massachusetts would be easy under such an arrangement?—Blush, Sales, blush that your attachment to a system, by which you may possibly derive to yourself one or two hundred dollars annually, could stimulate you to offer an objection to a reform, which may be returned on you with ten fold force! The very great and general uneasiness discovered in Hampshire and Berkshire, at the last September and October Terms here, on account of the delay of the Supreme Judicial Court, convinced me that the people of those counties will never consent to such a plan.

Fourthly. "That two law terms of the Supreme Judicial Court are to be held at Boston," perhaps at Bolton. This is an exact copy of the practice in England, which has drawn all questions of importance to the city of Westminster; which supports two thirds of the Lawyers in England at the Capital; and which, in fact, if one of the parties is a poor man, gives the cause in his hands the longest time.

Fifthly. Another objection, and which of itself alone is sufficient to counterbalance all benefits expected from that arrangement, is that it is to subject all intermediate jurisdiction. The theory of a republican form of government is bottomed on balances and checks, and the principle of competition for public estimation is the main spring of action in the practice under our constitution. The lower officer, eligible by the votes of the people, is by this prin-

iple strongly bound to his good behaviour; this operated on all the inferior offices in the government, from the Justice of the Peace to the Governor; it operates also on the Judicial officers, whose tenure in their office is for a limited time. It has been thought, that had the Justices of the Supreme Judicial Court by the Constitution been liable to removal at the end of a given term, would be re-elected or re-appointed, it would have made the Constitution more perfect, and his has been offered as a reason, in many parts of the Commonwealth, for a revision of the Constitution. In the Legislature we find the Senate and House of Representatives are mutual checks on each other; and in the executive part of government checks also are introduced, and have their effect; but this plan of Sales's would forever shut out the hope of creating any jurisdiction, which might operate as a check in the Judicial department.

The 29th article of the bill of rights declares, that "it is the right of every citizen to be tried by Judges, as free, impartial and independent as the lot of humanity will admit;" therefore, says a friend in Worcester, Massachusetts, ought not to have any check on the Justices of the Supreme Judicial Court. This article does not provide that the Judges should be independent, but "as independent as human affairs will permit;" surely then they are not to be made independent of the good or ill opinion of their fellow citizens; and are to hold their offices during good behavior. That system therefore which creates the strongest inducements to this good behavior must be the best.

Should the Supreme Judicial Court be enlarged to 700, and the courts of Common Pleas be abolished, posterity would find that those Judges, in less than half a century, would exhibit a conduct very different from that which is shown by the present Judges—a conduct which human nature has ever exhibited when raised to great power, over which no suitable control is held by frequent elections. Should there be no other court in the Commonwealth, the conduct of whose Judges might be controlled by those of such a Supreme Court, from which Sales's friends would be the greatest of their power, and whose vain hearts were puffed up by the influence of office, immense inconveniences might result to the public before they could be removed. But on the other hand, if the Circuit Court of Common Pleas system is adopted, you raise up four Courts in the Commonwealth, composed of men equally respectable as the Justices of the Supreme Judicial Court, for integrity, learning, and integrity. Their views do you think the people of Massachusetts would be easy under such an arrangement?—Blush, Sales, blush that your attachment to a system, by which you may possibly derive to yourself one or two hundred dollars annually, could stimulate you to offer an objection to a reform, which may be returned on you with ten fold force! The very great and general uneasiness discovered in Hampshire and Berkshire, at the last September and October Terms here, on account of the delay of the Supreme Judicial Court, convinced me that the people of those counties will never consent to such a plan.

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