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Nec araneorum sane textus ideo melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes.

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Legislative News.

New Brunswick:

HOUSE OF ASSEMBLY, March 3.

TRACADIE DISEASE.

Report of Medical Officer in charge of
Lazaretto at Sheldrake Island.

To His Excellency Sir William Macbean
George Colebrooke, K. H., Lieutenant Go-
vernor of the Province of New Brunswick.

May it please Your Excellency,

The Lazaretto on Sheldrake Island, appro-
priated for those afflicted with Leprosy, con-
tains at present eleven Males, seven Females,
and two unaffected Infants. Two Males have
lately elapsed; making a total number of twenty
cases that have been received.

My principal object at present is, to state,
agreeably to your Excellency's request, a few of
the reasons for considering this disease conta-
gious. I will endeavour to shew to what extent
it had spread, what opinions were held of
it in remote ages, what in more modern times,
and what at the present period.

"This malady," says Dr. Simpson, "from
the tenth to the sixteenth century, prevailed in
nearly every district of Europe. Laws were
enacted by Princes and Courts to arrest its
diffusion; the Pope issued Bulls with regard to
the Ecclesiastical separation and rights of the
infected." A particular Order of Knight-hood
was instituted to watch over the sick; and Le-
per Hospitals or Lazar Houses were every
where instituted to receive the victims of the
disease.

Louis VIII. promulgated a code of Laws in
1225 for the regulation of the French Leper
Hospitals, and these hospitals were at that date
computed to amount, in the then limited king-
dom of France, to not less than 2000 in num-
ber, (deux mille leproseries.) They after-
wards, as is alleged by Velley, were increased
in number, so much so, that there was scarcely
a Town or Burgh in the country that was not
provided with a Leper Hospital.

In his History of the reign of Philip II. Me-
zeray uses the same language in regard to the
prevalence of leprosy and leprous patients in
France during the twelfth century.

Muritori gives a nearly similar account of
the extent of the disease during the middle ages
in Italy, and the inhabitants of the Kingdoms
of Northern Europe equally became its unfor-
tunate victims.

Professor Simpson further remarks—"If we
deferred to the mere opinion of the older medi-
cal and historical authors, the contagious
character of the disease at that era would ap-
pear to be undoubted. These authors express
an unanimous opinion on its contagious propa-
gation, and it is not till we come down to the
professional writers of the seventeenth century,
as Fernelius, and For-sus, that we find this
doctrine ventured to be called in question."

Again—"The subjects of this 'fodisimus om-
nium morborum' were as a body regarded
alike by the church and by the people as ob-
jects of disgust. The Council of Ancyus de-
creed that lepers were only to be allowed to
worship among the Hyemantes, or those pub-
lic penitents, who on account of the enormity
and turpitude of some of their sins, were ob-
liged to stand in the open air, and not even al-
lowed to come under the porch of the church.
The Council of Worms granted to lepers a
liberty of receiving the Sacrament of the Body
and Blood of Christ, but not with those in
perfect health. Guido de Monte Rocher, in
his Manuel for Curates, states that to some
lepers the Sacrament cannot be given, because
"non possunt corpus Domini sic recipere
et tractare in ore suo, quin rejicerent ipsum, sic
multi, quibus reciderunt labia et dentes et sunt
totaliter corrosi usque ad guttur."

1 See particularly the Canon de Leprosi of
Pope Alexander III. in the Monasticon Angli-
canum, Tom. ii. p. 365; and Semler's Histo-
ria Ecclesiastica Selecta Capita, Tom. iii. p.
170.

2 Velley de Histoire de France, Tom. ii. p.
291.

3 Mezeray Histoire de France, Tom. ii. 1645,
p. 168, "Il n'y avoit ny ville, ny bourgade,
qui ne fust obligé de bâtir un Hospital pour
les (lepres) retrer."

4 Antiquitates Italicae medii aevi, Tom. iii.
p. 53, "in Italia vix alla erat civitas que non
aliquem locum Leprosi destinatum haberet."

5 De morbis oculis, lib. i. c. 12.

6 Observationes Chirurgicæ, lib. iv. obs. 7.

7 Dapin's History of Ecclesiastical Writers,
London Ed 1695, vol. vii. p. 131.

8 Manipulae Curatorum Bremæ, 1577, p. iv.
c. 2.

Cælius Aurelianus insists on the contagion-
ness of Elephantiasis, and recommends the
isolation of those affected with it as a measure
necessary to the public health.

Herodotus and Galen state Elephantiasis to
be contagious.

After describing the horrors and course of
Elephantiasis or Tubercular Leprosy, the old
Roman Physician, Aretæus, adds—"seeing the
afflicted with this disease are such, who
would not fly them, or who would not turn
aside from a leper, even although he were a
son, or a father, or a brother, since there is
fear lest the disease should be communicated?
(quum metus est ne morbus communicetur.)
Hence many have banished those that were
dearest to them into solitudes and mountains."

It is almost unnecessary to add, that in Great
Britain, as upon the Continent, lepers were
obliged either by law or usage to seclude them-
selves from society when once the disease was
discovered upon their persons.

The Chancery Warrant of Edward IV speaks
of the retirement of a leper from society as a
matter of custom and duty, and empowers the
Sheriff of the county to remove the suspected
person to a secluded place, as is the usage,
("prout moris est.")

There exists in the old Records of Scotland,
both local and general enactments, enforcing
the retirement and seclusion of lepers.

The Canons of the Church of Scotland, as
drawn up or authorized by the Provincial
Ecclesiastical Councils held at Perth in the
years 1242 and 1269, speak of those attacked
by leprosy in Scotland as being separated
from society in accordance with general cus-
tom—(de consuetudine generali a communione
hominum seperantur)—and retired to secluded
situations.

According to the tenor of various old civil
codes and local enactments, when a person be-
came afflicted with leprosy, he was looked
upon as legally and politically dead, and lost
the privileges belonging to his right of citizen-
ship.

By the Laws of England lepers were clas-
sed with idiots, madmen, outlaws, &c. as in-
capable of being heirs; and a leper removed
by a Writ de leproso amovendo, could not be a
guardian in socage.

Rotharis, King of Lombardy, as early as the
eleventh century, decreed, that when any one
became affected with leprosy, and the fact was
known to the judge or people, so that the leper
was expelled from society, and dwelt in se-
clusion, he had no power to alienate his effects
or dispose of them to any one. For it is added,
from the very day on which he is expelled
from his home, he is to be regarded as dead—
(tanquam mortuus habetur.)

The same was the law of Normandy according to Dufresne
and Delamarree. 7 And Labinezu, in his History
of Brittany, 8 speaks of it being formerly
in accordance with the rituals of various
Churches. The leper was not looked upon in
the eye of the law alone as defunct, for the
Church also took the same view, and performed
the solemn ceremonies of the burial of the dead
over him on the day on which he was separat-
ed from his fellow creatures and consigned to
a Lazar House. He was from that moment
regarded as a dead man, amongst the living,
and legally buried though still breathing and
alive.

The ritual of the French Church re-
tained till a late period the various terms and
ceremonies to which the leper was subjected
on this day of his living funeral. Ogee 9 and
Pluquet¹⁰ have both described them.

A Priest robed with surplice and stole went
with the Cross to the house of the doomed
leper. The Minister of the Church began the
necessary ceremonies by exhorting him to suf-
fer with a penitent and patient spirit the incur-
able plague with which God had stricken him.
He then sprinkled the unfortunate leper with
holy water, and afterwards conducted him to
the church, the usual burial verses being sang
during their march thither. In the church the
ordinary habiliments of the leper were remov-

ed; he was clothed in a fursal pall; and
while placed before the altar between two
trestles, the libera was sung, and the Mass for
the dead celebrated over him. After the ser-
vice he was again sprinkled with holy water
and led from the church to the house or hospi-
tal destined for his future abode. A pair of
clappers, a barell, a stick, cowl, and dress,
&c. &c. were given to him. Before leaving
the leper the Priest solemnly interdicted him
from appearing in public without the leper's
garb, from entering inns, churches, mills, and
bake houses;—from touching children, or giv-
ing them ought he had touched,—from wash-
ing his hands or anything pertaining to him in
the common fountains and streams;—from
touching in the markets the goods he wished
to buy with anything except his stick;—from
eating and drinking with any others than
lepers;—and he especially forbade him from
walking in narrow paths; or from answering
those who spoke to him in the roads and streets
unless in a whisper, that they might not be
annoyed with his pestilent breath, and with the
infectious odour which exhaled from his body;
—and last of all, before taking his departure,
and leaving the leper for ever to the seclusion
of the Lazar House, the official of the church
terminated the ceremony of his separation from
his living fellow creatures by throwing upon
the body of the poor outcast a shovelful of
earth in imitation of the closure of the grave.

But, says Simpson, "The chance of contagi-
on was provided against by other means, besid-
es the mere separation of the infected from
the community and their banishment to the
Lazar Hospitals. In many instances, the re-
gulations and statutes to which the lepers were
subjected, as inmates of these Hospitals, were
strongly restrictive, and framed with a view of
preventing them spreading the disease to oth-
ers by any dangerous degree of personal com-
munication with the healthy. The rules of the
Greenside Hospital, Edinburgh, present in
themselves a striking proof of this, and the oc-
cupants of the Hospital were bound to observe
these rules under the penalty of death—
"That this," observes Arnott, "might not
be deemed an empty threatening, a gallows
was erected at the gravel of the Hospital for
the immediate execution of the offenders."

A proof of its extent and character in Scot-
land is afforded by the single fact, that as late
as the Reign of James I. the victims of this
disease were made the subject of a direct and
special Legislative enactment, in the Scottish
Parliament held at Perth in the year 1427. "I
shall quote," says Simpson, "one short clause
from this Act, 'ancient Lipper Folke,' (as it is
termed) to illustrate both the apparent preva-
lence of the malady at that time, and this cir-
cumstance, that the Burghs of the Kingdom
are then spoken of, as possessing, or obliged
to possess, Lazar Houses of their own. The
second clause is to the following effect, shew-
ing their opinion of its contagiousness: 'Item—
That na Lipper Folke sit to this (beg) nei-
ther in Kirk, nor in Kirk yaird, nor other place
within the burrowes, but at their own Hospi-
tal, and at the port of the Towne, and other
places outwith the burrowes.'"

In these early times the very words employ-
ed to designate the disease show its extent and
severity. Somner, Lye, and Bosworth, in
their several Dictionaries of the old Anglo Sax-
on Language, all quote the remarkable expres-
sion, "seo mycle adl," "the mickle ail," or
the great disease, as signifying Elephantiasis,
or "Leprosie;" and it is worthy of observa-
tion, in reference to the same point, that the
old French Chronicler, "Sir John Froissart,
who visited Scotland in the time of Robert II.,
applies the analogous term of "la grosse mala-
die" to one noted case in Scotland.

In searching through the works of these au-
thors, Leland, Dugdale, and Tanner, and more
particularly through the late splendid edition
of the Monasticon Anglicanum, I (Simpson)
have found references to between eighty and
ninety English Lazar Houses, and give the fol-
lowing copy of a Chancery Warrant issued in
1458 by the reigning Monarch, Edward IV.—
"Edward, by the grace of God King of Eng-
land and France, and Lord of Ireland—To the
Sheriff of Essex, Greeting: Whereas we have
heard that Johanna Nightingale is a leper, and
is commonly holding intercourse with the peo-
ple of the aforesaid County, and mixes with
them both in public and private places, and re-
fuses to retire to a solitary place, as is custom-
ary and befitting her, (et se ad locum solitari-
um prout moris est, et ad ipsam pertinere
transfere recusat), to the grievous injury, and,
on account of the contagion of the aforesaid
disease, the manifest perils of the aforesaid in-
habitants, We, willing to guard against such
dangers as far as in us lies, and as is just and
customary in such cases, do charge you, that

1 De morbis acutis et chronicis. De Elephan-
tiasis.

2 De causis et signis morborum.

3 See various enactments of the French Pro-
vince on this head given at length in Delam-
arre's Traite de la Police, Paris, 1722, vol. i.
p. 635.

4 Ld. Cooke's first issue of the law of Eng-
land, (Thomas' Ed.) vol. ii. p. 193, vol. i. p.
162.

5 Lindenborg's Codex Legum Antiquarum,
1813, p. 609.

6 Observations Sur l'Histoire de S. Louis,
(in Ed. of Joinville's Life of Louis for 1693,
append. page 34.)

7 Traite de la Police, (Paris, 1722.) vol. ii.
p. 635.

8 Histoire de Bretagne, vol. i. p. 204; like-
wise see Mezeray's Histoire de France, Tom.
ii. p. 168-69.

9 Dictionnaire Historique et Geographique
de la Bretagne, (1773) p. 176.

10 Essai Historique sur la ville de Bayeux,
(1829) p. 254, seq. 9.

having taken with you certain loyal and dis-
creet men of the County of the aforesaid Johan-
na, in order to obtain a better knowledge of
this disease, you go to the aforesaid Johanna,
and cause her to be diligently viewed and ex-
amined in the presence of the aforesaid men,
and if you find her to be leprosy, as was report-
ed of her, then that you cause her to be re-
moved in as decent a manner as possible, from
all intercourse with other persons, and have her
betake herself immediately (indilaté) to a se-
cluded place, as is the custom, lest by common
intercourse of this kind, injury or danger
should in any wise happen to the aforesaid in-
habitants—Witness my hand at Westminster,
this day of July, in the eighth year of our
Reign."

Dr. Copland, no mean authority on any sub-
ject connected with Medicine, and acquainted
with this disease by observation in Africa, as
well as from other observations, says, "The
exciting causes of this malady, once the most
generally diffused, the most sorely and slowly
fatal, and the most permanent, of all those
which have prevailed at any time in the hu-
man species, are veiled in obscurity. It ap-
pears to have been prevalent for many centu-
ries; and although it may not have been, for a
considerable portion of that time, so common
as syphilis and scurvy, which followed it in suc-
cession, yet it was more certainly fatal and
dangerous than they to the posterity of those
who became the subjects of it. That it was
believed to have been contagious is proved by
the strenuous efforts made to seclude the dis-
eased and prevent their communication with
the healthy."

Neibuh states that three different varieties
of leprosy are known in Arabia in modern
times, viz: the Bohak, Barrass, and Juddam.
"There is," he states, "a quarter in Bagdad
surrounded with walls, and full of barracks, to
which lepers are carried by force, if they retire
not thither voluntarily."

Ulloa states that at the time of his visit to
Carthage, all the lepers of the place were
confined in the Hospital of San Lazaro, and if
any refused to go they were carried thither.
The Hospital consisted of a number of cottages,
and the ground on which it stood was "sur-
rounded by a high wall, and had only one gate
and that always carefully guarded."

Maundrell, one of our early English travel-
lers in Palestine, alludes to some cases of le-
prosy in terms portraying simply but strongly
the fearful effects and character of the disease.
After speaking of some cases of leprosy that
he met with in his journey, he states, (to quote
his own words) "At Sichem, near Naplos,
there were not less than ten lepers, the same
number that was cleansed by our Saviour not
far from the same place, that came a-begging
to us at one time. Their manner is to come
with small buckets in their hands to receive the
alms of the charitable, their touch being still
held infectious, or at least unclean. Their
whole distemper was so noisome, that it might
well pass for the utmost corruption of the hu-
man body on this side the grave."

"In Tonquin leprosy is so common," says
Richard, in his history of that country, "that
there are pieces of land assigned, where those
attacked by it must reside. They are shut out
from society; and it is even lawful to kill them
if they enter cities or towns." In a country
like Tonquin it is difficult to conceive how
laws and usages of this kind could have origin-
ated in anything except a belief in the contagi-
ous nature of the disease, as derived from the
observation of its mode of diffusion. At all
events, the old institutions and customs of the
different Kingdoms of Europe in regard to le-
pers, seem all to have been originally founded
on such a belief in the possibility of the conta-
gious communication of this dreadful and
dreaded disease from the sick to the healthy.

Braud, (the honest missionary as Hibbert
terms him) states that in Shetland, the scurvy
sometimes degenerates into leprosy, and is
discerned by the hair falling from the eyebrows,
the nose falling in, &c., "which," he adds,
"when the people come to know, they separ-
ate and set them apart for fear of infection,
building huts or little houses for them in the
fields."

"Formerly," says Doctor Edmondstone,
"when leprosy was very prevalent, the unfor-
tunate individuals who were seized with it
were removed to small huts erected for the
purpose, and they received a scanty allowance

1 Dic. of Pract. Med. vol. ii. on Leprosy,
(part viii. pub. Nov. 1843.)

2 Pinkerton's collection of Voyages, vol.
xviii. p. 170.

3 Ulloa's voy. to Sou. America, (London
Ed. of 1762.) vol. i. p. 45, &c.

4 Journey from Aleppo to Jerusalem at
Easter, A. D. 1607.

5 Edin. Med. and Surg. Jour. (1842.) vol.
57, p. 412 and Seq.

6 A brief description of Orkney. & J. 1810,
p. 72.

1 History of Edinburgh, p. 258.

2 Sir Thomas Murray's Edition of the Acts
of Parliament made by James I. &c., Edin-
burgh, 1681, p. 18; or Sir Thomas' Edition
of the Acts of the Parliament of Scotland,
(1814) vol. ii. p. 16.