

The News.

TRI-WEEKLY.

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ADVERTISING RATES.
Ordinary advertisements, occupying not more than ten lines, (one square,) will be inserted in THE NEWS at \$1.00 for the first insertion and 75 cents for each subsequent insertion.
Larger advertisements, when no contract is made, will be charged in exact proportion.
For announcing a candidate to any office of profit, honor or trust, \$10.00.
Marriage, Obituary Notices, &c., will be charged the same as advertisements, which over ten lines, and must be paid for when handed in, or they will not appear.

THE FAIRFIELD HERALD,
IS PUBLISHED EVERY WEDNESDAY MORNING, AT \$3.00 PER ANNUM.

POETRY.

[FOR THE NEWS.]

"The shields of the earth belong unto the Lord." Psalms 47th.
Strange thought, most comforting,
That o'er the spirit steals
With awe, immeasurable,
Calming each hidden fear
Each motion of unrest;
The thought, that mighty shields
Catching celestial light,
From that white throne
Whereon, the King of Kings
Reigns, Lord Omnipotent,
Are ever held by Him
And His bright messengers
Twixt us and demon ill!
So—o'en the tiny babe
Upon whose snowy brow
The cross baptis-mal, glows
Afresh—has shield protecting
All his own—and dying—
Passes the jewell'd gates
Of Heavenly Home—as safe,
As Christian old—whose
Rest is won, by Faith in
Those same Shields refulgent
Upon whose shining face
The cross of suffering Christ
Is stamped—forever!
"The shields of all the earth
Unto the Lord belong,"
Take heart ye warriors,
In the strife immortal,
If God above us be,
Holding with arm outstretch'd
The ages of his love,
Your battle must be won,
And yours th' exultant cry,
"Oh Death! where is thy sting?
And Grave—thy Victory?"

Stay Law.

Mr. Stephens maintained, that the law postponing the period for the levy and sale of property under execution, was of the nature of a statute of limitation. Its constitutionality was to be tested upon the same principles. If the time was reasonable and definite it could not be said to interfere with or impair the obligation of contracts. This was a law regulating the remedy. The obligation of a contract is one thing, and the remedy another. The obligation of a contract is intrinsic in itself. It springs from its validity, with a proper interpretation of its terms under the laws regulating contracts themselves, where it is made and not the laws regulating judicial proceedings for holding parties to their legal responsibilities for their breaches. The latter class of laws are known everywhere as the laws of remedy. These latter vary with every State or nation. They never enter into or become part of the obligation of the contract. The obligation of the contract is perfect in itself and travels with it under the "lex loci contractus" wherever it goes or in whatever forum it seeks redress for a breach. He combated broadly and thoroughly the idea that the obligation of a contract included in the least degree the laws made to enforce them. Strictly speaking, there is and can be no such thing as enforcing contracts by judicial proceedings of any sort. All that the courts and that class of laws known as remedies can do, is to provide compensation for contracts broken before the courts or remedies are appealed to. The obligation of a contract is as counsel who had preceded him (Hon. Linton Stephens) had well stated, "the liability which the law attaches to the terms used by the parties." This liability or responsibility, this "juris vinculum" as Judge Story styles it, or this "legal tie," as the French term it, exists separately and distinctly in every valid contract without any reference or connection whatever with the laws or judicial proceedings instituted for the purpose of holding parties to their responsibilities for breaches of contracts. Every perfect and valid contract has not only a legal unity, but, in the language of Story, a legal ubiquity of obligation, which could not be if the remedial laws of the place where it is made entered at

all into the essence of its obligation which, by the Constitution of the United States, no State can impair. Hence any dealing with the remedy, any change in the language of Story, as to the "times and modes" of giving redress for breaches of contracts which does not impair this obligation as stated, does not come within the prohibition of the Constitution of the United States. The Legislature may say, that no suit shall be brought on a note after six years from its maturity. No one has ever contended that such an act impairs the obligation of the contract. The legislature has equal right and power if they saw fit to declare by law that no suit should be instituted on promissory notes after two years from their maturity, or one year, or any shorter time, provided it was reasonably long in the judgment of the Courts for parties interested, to look after their rights. Such action of the legislature it is admitted on all sides, would affect notes made before, as well as after. It is also admitted that such action would be constitutional. Well, if it is constitutional for the legislature in providing remedies for broken contracts, to deny all remedy after six years, or two years, or one year to the holder of a note without impairing the obligation of the contract, is it not just as constitutional to provide that when parties come into Court to seek redress for breaches of contracts, that an equally reasonable time shall be allowed, before final execution shall be awarded without impairing the obligation of the contract? That certainly remains to be acted by the legislature in the one instance as the other. If the obligation is unimpaired when all remedy is barred in the one case, equally so is it in the other when there is only a reasonable postponement of the compensation awarded for its breach.

If he was right in showing that this act of the legislature fell properly within that class of laws as remedies, then he quoted Marshall's remarks as not only applicable but potent on the question, when he said: "Without impairing the obligation of the contract, the remedy may certainly be modified as the wisdom of the nation may direct." He also quoted as pertinent and having force on this question, in his opinion, the remark of Justice Johnson of the U. S. Supreme Court in a case where he said: "The right then of creditors to the aid of the public arm for the recovery of contracts, is not absolute and unlimited, but may be modified by the necessities of society."

The policy of this act of the legislature, Mr. Stephens vindicated at great length, and maintained that it was essential for the creditors as a class as it was for the debtors. Without it, or something like it, the obligation of the contracts of creditors as a class though perfect, would be almost worthless while under the provision of the act the obligation remaining unimpaired, full compensation might be obtained.

General Cobb held the act of the legislature, called "stay laws and installment laws," impaired the obligation of contracts, and consequently unconstitutional and void. The true doctrine to be drawn from all the argument and authorities he said, is this: That the Legislature had no authority to interfere with the contracts of parties neither directly by changing them, nor indirectly by legislating on the mode of enforcing them. The Legislature can for the purpose of giving efficacy to contracts, and thereby advance the ends of justice, deal with the remedy; but this power can never be exercised with the view and for the purpose of relieving the parties from the legal effects of the contracts which they have voluntarily assumed. Where there is just cause of complaint by either party, that the existing remedy promised by the law fails to afford the benefit or relief to which he is entitled by his contract, he can call upon the Legislature so to modify the remedy, as to furnish the

benefit or relief to which his contract entitles him, and the Legislature can constitutionally respond to such an appeal. But where the complaint is not against the remedy which the law gives, but against the contract which the party has made, then there can be no constitutional response to the complaint.

Gen. Cobb quoted largely from the opinions of Judges Marshall and Story in defence of his positions. He argued in *extenso* that the Legislature of the State, impairs the obligation of contracts.

1st. Because in the modification of remedies for the collection of debt, the collection of the same is so hampered with conditions and postponements, as to greatly lessen their value, and almost renders the collection impracticable.

2d. Because it gave an unjust advantage to new over old creditors.

3d. Because it gives precedence to foreign over domestic creditors, as the former can collect their debts through the Federal Courts, whilst the hands of the latter are tied up.—*Milledgeville Recorder*.

What "Trichiniasis" is.

HOW WORMS GET INTO HUMAN MUSCLES.

Dr. Wynter's recent work contains a paper about the unpleasant Trichiniasis caused by the minute worm Trichina Spiralis, which professor Owen found as long ago as 1855, in muscles taken to him from the dissecting rooms of Guy's and St. Bartholomew's Hospitals in London.

How the worm got into the muscle was unknown till Zenher, in 1860, conducted an experiment by tracing the trichina in the voluntary muscles of a girl who died, to the trichinae in raw ham and sausages that she had eaten. Pork is the dangerous meat; the pig gets trichinae by eating dead rats and other garbage, and if the pig's flesh be not so thoroughly cooked as to kill the worms it may carry living trichinae into the human stomach, whence they pierce their way to the muscle tissue. Dr. Wynter says:

After entering the alimentary canal the parasite finds its breeding ground, and brings forth immense numbers of young, which immediately begin to make their way through the coats of the intestines and migrate into their muscles.

It is a singular fact that these disagreeable adventurers always select the voluntary muscles, or those which are moved at our will. The heart and kidneys, and those parts of the viscera which act independently of the will, are scarcely ever affected. It is, indeed, a matter of dispute how the worms get distributed so generally over the body, some anatomists asserting that they make their way directly by boring, as the ship-worm bores through a piece of timber, but Dr. Thudichum, who was appointed in 1864 to investigate the subject by the medical officer of the Privy Council, asserts that they enter the circulation, and are in this manner distributed equally over every part of the body. To use his words: "Arrived in the capillaries (terminal blood vessels,) they penetrate their two coated walls, separating the fibres as a man separates the branches of a hedge when creeping through it, and are now either at once in muscular tissues, their proper feeding ground, or get into inhospitable tissues and cavities; and there either perish or escape from them by a renewed effort at locomotion, enter the circulation a second time, and ultimately perish in the lungs, or arrive in some muscle to obtain a late asylum."

This hypothesis certainly seems the most reasonable, as it is in agreement with the known means by which other entozoa migrate. Arrived at the muscular tissues, it seems again questionable whether the worm attacks the muscles. Leuckhart says they penetrate the sarcolemma, and eat the muscular fibre itself. Dr. Thudichum says that he has never seen but once the worm in the muscle, but always outside of it. It is certainly a strange fact, that, in many cases, persons attacked with trichiniasis, have not only perfectly recovered from its effects, but have become as strong as ever. It could scarcely have happened that the muscles of these patients has been fed upon by vast colonies of worms, which would have inevitably destroyed them beyond repair. The probability is that the worm finds its way into all the tissues. Between the third and fourth week after immigration, the trichinae has become full-grown, and now it begins to prepare its capsule. It becomes fixed to the spot in which it is, solid matter is deposited around it, and, curled up, it lies immovable in its plastic capsule, and dies unless received again into the alimentary canal of another animal, which in this case of course it never does.

The presence of these encapsuled trichinae in the muscles may cause irritation, but that speedily subsides; and it is pretty clear that many persons suffer little harm from them whilst thus curled up, as they have

been found in the bodies of subjects that have been dissected, and whose previous history gave no evidence of their existence.

On the other hand, the malady, when severe, puts on many of the characteristic symptoms of well known diseases. The fever caused by the presence of the parent worms in the intestines may be, as indeed it often has been, taken for gastric fever. Then, again, when the young worms are immigrating into the muscles, the most excruciating agony seizes the patient; he cannot move a muscle without the utmost pain, and he lies generally upon his back, with his legs a little apart, covered with perspiration. The face and neck become humid with a dropsical effusion, which gradually extends to the legs and abdomen. An attack of rheumatic fever appears to have seized the individual, but for the want of the heart symptom. Again, the disease simulates cholera and typhus, and indeed poisoning in many of its symptoms, but those who have seen a genuine case of trichiniasis cannot be deceived, as the whole symptoms present are consistent with no other disease. In cases of doubt, a piece of the living muscle has been excised from the biceps muscle of the arm; and this test is almost certain to be conclusive, as the worm is distributed, in severe cases, in profusion through every voluntary muscle of the entire body.

Dr. Thudichum, speaking of a child who died of the disease, says in his report to Mr. Simon: "One preparation from the biceps muscle of a child four and a half years of age, which died on the seventy-ninth day, contained the astounding number of fifty-eight. Such a preparation was estimated to weigh one-fifth of a grain, and therefore every grain of muscle contained on an average one hundred trichinae. Now, assuming the weight of the muscles on an adult to be only forty pounds, and assuming him to be the victim of trichiniasis, and the parasites equally distributed throughout his body, he would contain upwards of twenty-eight millions of these animals."

Distinguished Personages in the European War.

The following are brief descriptions of some of the most notable characters who will figure in the great revolution in Europe.

THE AUSTRIAN GENERALS.

SKETCHES OF THE CHIEF COMMANDERS OF THE ARMY OF THE EMPIRE.—The really distinguished leaders of the Austrian army are few in number, and nearly all well advanced in age. They served in 1812 and 1813 under Prince Schwarzenburg, made the campaign of Hungary in 1849, that of Italy against Charles Albert, and that of 1859, the most important of all. In case of a war, those who appear destined to the principal commands are the following: The Archduke Albert, son of the immortal Prince Charles, Marshal Henry de Hesse, Benedick, Schwarzenburg and Clam-Gallas.

Marshal de Hesse is seventy-three years of age, spare in person, and of active mind and habits. His career dates from the battle of Wagram, in which he took part, being in his seventeenth year. It was he who decided the Austrian victory over the Piedmontese in 1848, by the strategical movement from Verona, and he took a very active part in the battle of Novara. The Italians regard him as a very formidable enemy, and admit that he will give them no little trouble.

Prince Schwarzenburg is tall, well-made, and very vigorous, notwithstanding his seventy-two years. In 1848 he commanded a division of cavalry in Italy. He distinguished himself at the battle of Comorn, in Hungary, by preventing, with his division, the insurgents from debouching on the right bank of the Danube. At the battle of Magenta he commanded the third corps of the army, with which he covered the retreat of the Austrians. At Solferino he was in the left wing, opposed to Gen. O'Neill. He is one of the most brilliant officers of the Austrian army, and is, moreover, an author.

Marshal Benedick is only fifty eight. While a colonel, in 1848, he fought in the campaign against the Piedmontese. In 1859 he commanded the Eighth Corps at San Martino. Since Rudet, sky's death he has been first warrior of Austria. It is probable that he will be charged to oppose the Prussians. The life of Count Clam-Gallas has been very active; he has shared in all wars of Austria since 1848. In Hungary however, he only succeeded in vanquishing Gen. Bem, through the aid of the

Russians. At the present he commands the First Corps of the Austrian army of Prague.

We must not omit to mention Gen. Gablentz, who commanded the Austrians in the war against Denmark, and Gen. Ramming, to whom Austria was indebted in the Hungarian campaign for the decisive success obtained at Temesvar.—*Sakit Public, of Lyons*.

THE ITALIAN GENERALS.—A letter from Florence says:—"Since nothing but war now is talked of, the following sketch of the principal Italian generals may not be uninteresting. Gen. La Marmora is in person a tall thin man; his face displays a very decided nose, almost always surmounted by the fashionable princenez. He has a passion for the military art, and is inflexible on all points of discipline. He does not understand any favoritism, and Victor Emanuel says jestingly that he has not credit enough to name a drummer in his own army." After Gen. La Marmora, the most conspicuous soldier is General Cialdini. He is a small, well-looking man, with a quick and intelligent eye, wears a great moustache and a beard like the Chasseurs de Vincennes. He is the only individual of the Italian army to whom General La Marmora permits this eccentricity, for he himself is moustached conformably to the regulations. General Cialdini is very popular in Italy, and passes for a man of action and resource, well knowing how to win his men and give them all confidence. The Italian army possesses two other superior generals, Durando and Della Rocca. The former is a veteran of the Italian independence, and is esteemed by every body; the latter, the first aide-de-camp to the King, is a man of about sixty, with white hair and moustache; both being very distinguished officers.

PRINCE FREDERICK CHARLES OF PRUSSIA.—If the Prussian armies are put forward under the command of Prince Frederick Charles, they will have no very remarkable leader, since the Prince is mainly distinguished as the son-in-law of Queen Victoria, and is said to be afflicted with the chronic stupidity which affects Prussian princes. He will necessarily be surrounded by a very able staff, and men of military genius will command his corps. But when he comes to cope with Marshal Benedek he will have a tried soldier to compete with, and Prussia will need all her resources and her best generals to be successful.

Garibaldi is represented to be in excellent health. He is calm and cheerful and walks miles every day, in order, as he says, to accustom his legs to long marches. His brother died recently.

A fact of great significance, as showing that France expects to take a part in the coming war, is that Abbe Laine, the Emperor's first chaplain, has been made chaplain-in-chief of the army. This priest served as chaplain in the Italian war of 1859, and was at the battles of Magenta and Solferino.

CHARLOTTE RAILROAD DEPOT.—The work of reconstructing and restoring the various offices, depots, car and machine shops on the extensive grounds of the Charlotte Railroad Depot goes bravely on. We made a brief visit yesterday, and were surprised in these days of scarce labor and of a tight money market, to see the progress made in the erection of the various buildings. These are all, too, substantial and extensive brick edifices, admirably adapted to the various purposes for which they are designed. The superintendent, and all connected with their erection, deserve great credit for pushing on the work so well under many disadvantageous circumstances.—*Phoenix*

The Columbus Sun says: "The wheat crop where it has been thrashed, as we learn from almost every portion of the South and Southwest, is turning out much better than was anticipated—the yield being far ahead of last year. This being the case, we look for a decline in flour from the present figures. The South and the Southwest has made nearly quite enough to supply the home demand."

A New Orleans letter of the 14th inst., says that two men were arrested there that morning, charged with complicity in the assassination of President Lincoln. One admits some association with Booth, while the other denies all knowledge of the affair. Both are strangers in that city, and it was understood were to be sent to Washington.