

# CONSILIUM 19

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## To the Same Dr. Pietro Castelli

### Argument:

In the region of Monticelli in Sabina, a cadaver was discovered which was recognized as that of a certain Anthony Staius by two barbers, who put it forth that this was the cadaver of a man strangled by the force of hands, or a noose, or some similar contrivance; and, since certain unfriendly cases between the abovementioned Anthony and several men from Palombaro had preceded, the Fisc [*Fiscus*]<sup>[1]</sup> alleged that Anthony was strangled by these men, basing it, upon the narrative of the barbers, contrary to other evidence. Concerning this in particular, it was doubted whether the case ought to be rejected or not, on account of the signs [of violent strangulation], from which, on these [signs], the abovementioned barbers testified; and, it was seen, from what follows, that the abovementioned testimonies of the barbers influence nothing and ought not be received.

### Summary:

1. *Suffocation can be not only from extrinsic causes but also from intrinsic causes.*
2. *From what [causes] death by suffocation [occurs].*
3. *In suffocation by extrinsic causes, as much as in suffocation by intrinsic causes, certain signs appear.*
4. *Those who are suffocated by an intrinsic cause will not die differently than if they were strangled by a rope.*
5. *Certain signs noted in those who have suffocated are sometimes noted even in those who perish by the plague or by a malignant disease.*
6. *In pronouncing on the manner of death of those who have suffocated, the signs common [to different kinds of suffocation] should not be readily trusted.*
7. *Three more certain signs of death by suffocation administered through external force [are*

[1] Indeed, it ought to be well known, and with no controversy [should it be] uncertain among physicians, that death by suffocation sometimes proceeds not only from extrinsic and violent causes (such as when the neck is constricted by a noose, rope, or other similar contrivance and the path of respiration is occluded, or when respiration is simply arrested, such as by water, charcoal smoke, poisonous fumes, and other things of this kind) but also from intrinsic and natural causes; thus, as much in one [case] as in the other, it happens in a certain brief lapse of time, as can be observed, commonly, in apoplectics, epileptics, those afflicted with squinancy [inflammation of the throat], hysterics, and the like, whom we see fall dead in a moment and unexpectedly; and, if in such an evident matter we seek authorities besides all of the [ancient] authors, when they touch upon these diseases in practice, that which is recorded by Marcellus Donatus,<sup>[3]</sup> in *On Marvellous Medical History* (Book 11, Ch. 6), and elsewhere, by Ranchin,<sup>[4]</sup> in his book *On Sudden Illness* (Ch. 8 and following), and collected in Johann Schenck's<sup>[5]</sup> *Observations* (the Title, On Apoplexy; and Book 2, of the Title, On Suffocation) ought to be seen.

[2] Therefore, when by such intrinsic causes, as by extrinsic ones, this kind of suffocation death tends to come to pass, it is, in fact, certain and well-accepted by physicians that, in each case, death comes about in no other way than from the prevention of respiration and the interruption of the breath. Moreover, in all these [cases] in which, either through external force or internal obstruction of the breath, death follows (as can be observed chiefly in apoplexy, which among all similar suffocation illnesses is the most frequent) [it is] because inflated and full jugular veins prevent respiration, as the authority of Razes<sup>[6]</sup> (cited above) and Marcellus Donatus (in the same place) prove; and, this is settled even by the consensus of other physicians.

[3] When, therefore, in each case, the path for the breath and respiration is obstructed in the same manner, there follows, in each case, altogether the same subsequent signs and symptoms: namely, bruises or blackening on the face, neck, chest, and, even, at times, on the whole body; nosebleeds; thickening of the tongue and its blackening and prominence beyond the confines of the mouth. Rather, in fact, not only these, but much more conspicuous signs than these, such as foam in the mouth, follow in each case, which, as Hippocrates summed up in his *Aphorisms* (Book 3, Aphorism 43), is a sign common to all who have suffocated, chiefly when they have perished. Moreover, besides foam in the mouth, lungs full of foamy blood are observed, [and] there occurs a bulging and prominence of the eyes, swelling of the head, discolouration, a profusion of blood not only from the nostrils, but also sometimes from the mouth, ears, and even from other parts, and many other things, all of which appear as much in suffocation purposely carried out by force administered by the hands, a noose, a rope, or similar contrivances, as in suffocation proceeding from intrinsic causes, for no other reason than because, when the path of the breath and respiration has been intercepted, blood runs back to the superior parts, both the veins of the head and of the adjoining parts, and the surrounding area fills up, and sometimes it even opens violently, and ruptures, whence blackening, bruising, swelling, eruptions of blood, *et cetera*, proceed in the same manner, in either case, as DD [Doctors of Divinity?] testify, and also those who ought to be seen before others: Paré<sup>[7]</sup> in his book on *Case Reports*, Fortunatus Fidelis<sup>[8]</sup> in *Testimonies of Physicians* (Book 1, Ch. 3 to the end; and Book 4, Ch. 5) and even I

noted some other [cases] in *Medico-legal questions* (Book 5, Quest. 10, Num. 9, and following); [4] whence it is [found] that physicians, in the narration of this kind of accounts, namely, [accounts] of those who are suffocated from intrinsic causes, testify to it especially that such ones die as if they were strangled by a noose or rope (Marcellus Donatus, Book 2, Ch. 7).

With these [authorities] regarding the matter thus, it is completely contrary to truth that the signs noted by the treasury concerning the cadaver of Anthony Staius, recognized by two barbers, [offer] anything (neither, I shall say, anything reliable nor credible) that the abovementioned Anthony perished having been suffocated by a violent death procured by hands or a noose, rather than by some internal and sudden illness, such as apoplexy, epilepsy, squinancy, and the like. [I say this], first, because the signs noted by those ignorant barbers were ambiguous and common to many kinds of death resulting from internal causes. And, more correctly, those signs which were noticed on the cadaver of the abovementioned Anthony are not only not the specific signs of death procured by means of suffocation from an external force, but nor are they the specific signs of death resulting from suffocation from an intrinsic cause.

[5] For, concerning the first point, it is clear from those [points] already described that these signs are common to either case, and are, therefore, not specific. Concerning the second point, however, it is very clear that such bruises and blackening in the body and thickening of the tongue, discolouration, blood from the nostrils, and effusion from other parts, regularly appear not so much in those who have endured some poison, as in those who perish every day either from plague or another malignity, or whatever we call the “deadly fever” (*exitali febre*); Hippocrates supports [this] (*Acute Diseases*, Book 1, Text 38; and *Epidemics*, Book 4, Text 80), and what Valles<sup>[9]</sup> reports from the reasoning of Hippocrates ought to be seen (*Epidemics*, Book 5, text 87), and likewise, if one likes, one may attend to [what we have said] on those who perished from a similar death or fever, that it is frequently necessary to block the nostrils with cotton padding (*bombace*) or something else because they pour out blood and putrid humors from the nostrils and mouth. And, whenever it pleases, we are able [to see] the abovementioned noted signs as much in other kinds of death as in those which are accustomed to follow from suffocation.

[6] Secondly, since one may not trust in pronouncing on the manner of death by which persons of this manner perish based on the abovementioned signs, because the signs are common, [the case] ought to be brought back altogether to more specific signs from which we may be able to pronounce more safely on the truth, as Paré (in the abovementioned book of *Case Reports*) and Fortunatus Fidelus (same as above) impel us to do; since these signs are lacking on this cadaver, to make such a judgment of violent death from the more common signs is [the judgment] of men totally audacious, most ignorant, and lacking in all piety. [7] This follows much more in our case since signs which more certainly attest to a violent death procured by hands or by a noose can be clearly seen by the senses and three are deduced most powerfully by Paré and Fortunatus (already cited), namely, wrinkling of the skin of the neck [of the deceased], tearing of the uneven artery (*Aspera Arteria*) of the head or dislocation of the vertebrae (*spondiles*) of the neck, and a collection of foamy blood in the thorax; indeed, these greatly distinguish death by strangulation procured from an external force, a noose or something else, from death brought about from suffocation by an intrinsic cause, as those same DD describe in detail; although, we confess the truth that that final sign of collection of foamy blood in the thorax and lungs belongs, we believe, to a greater extent to the common [signs] than to the more particular;

but, however the matter may be, since none of these signs which are more specific were noted, not even in fantasy, in our case, it ought to be said that the abovementioned Anthony Stratus perished altogether from a natural death and through suffocation brought about from an intrinsic cause and not otherwise, and, moreover, that those barbers pronounced falsely from ambiguous, most fallacious, and common signs. To which, a more supportable point holds no small importance, that other similar cases occurred at the same time and in the same place as the abovementioned Anthony died. Nay rather, at the time those very cases [were seen] outside of the abovementioned location of Monticelli, so here in the City not only in this present year, but also in past years, [cases] were seen of the same kind of death; from this, it can easily be inferred that some natural, common cause crept in from the outside air, from which, not only the abovementioned Anthony, and also other youths at the same time and place, and others in a different place, similarly, dropped dead from the same illness, and kind of death, and with absolutely the same symptoms.

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[1] The Fisc was an arm of the state that presided over financial matters. It came to play a role in judicial matters, overseeing cases that might require the collection of fines and confiscation of goods for the state.

[2] I have inserted numbers indicating these points in Zacchia's text.

[3] Marcellus Donatus (1538-1602) was a physician from Mantua and author of *De medica historia mirabili* (1586) valued by medical historians for its early description of a gastric ulcer discovered during an autopsy.

[4] Franciscus Ranchinus (1564-1641) was a physician and professor at Montpellier who composed treatises on many subjects, particularly, the plague which he confronted first-hand when it overcame the city in 1629-1630.

[5] Johannus Schenchius (1530-1598) was a German physician whose *Observationum medicarum rariorum* was an authoritative work in which he added his own observations on medical topics to those of hundreds of other authors both ancient and contemporary.

[6] Razes (Abu-Bakr Mohammed Ibn-Zakaria Al-Razi) was a ninth-century Muslim physician whose medical writing, particularly the encyclopedic *al-Hawi*, was translated into Latin in the Middle Ages and held an influential place in university-based medical education.

[7] Ambroise Paré (c.1509-1590) was a French surgeon and author of a treatise on reporting in forensic medicine (1575) in addition to other works including treatises on obstetrics and the treatment of battlefield wounds.

[8] Fortunatus Fidelis (c.1550-1630) of Palermo was another physician famous for his treatise on legal medicine, *De relationibus medicorum*.

[9] Franciscus Vallesius (1524-1592) was the personal physician of Philip II of Spain. He wrote many books, including *Controversiarum medicarum & philosophicarum*, dedicated to Phillip II, and commentaries of a number of Hippocratic and Galenic treatises.