

THE STAR, North Carolina State Gazette, Published weekly, by LAWRENCE & LEMAY.

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Just Published, A PAMPHLET.

The Declaration of Independence by the People of Mecklenburg County, on the 20th of May, 1775, with accompanying laws, and the proceedings of the Convention...

Notice.

Booker Bonan, near the Head of Swell county, a stray gelding, about five feet high, of a bay color, mane and tail long, having a small white hair between his ears, and also in his forehead, and his right hip is blue, valued to twenty-five dollars.

Taken up.

On the 19th day of April, 1831, and committed to the custody of a negro slave, who was named BENJAMIN, and that he is a native of Mecklenburg, of Stokes county, North Carolina.

COMMUNICATIONS.

FOR THE STAR.

Editors.—You, with a non-favorable view of the publication of Thomson's System, "Trial," ought the medium of a "highly colored paper," styled "Hillsborough Record." This is not the first paper of the kind that has filled the pages of this paper; and repeated reports and attempts to have published through this medium, any thing, or information calculated to injure the public, have been repeated, with this return from the "My prejudices are against the system of practice, though unacted with its principles." From considerations, we are induced to refuse to the public through the medium of a paper, with a hope that we will deny that testimonial privilege which is guaranteed to every citizen under the banner of a free constitution. We appeal to you as well as to our rights, to the discretion of the paper, and contrary opinion, while it is leveling her heaviest artillery against a profession which we may have, verily is down under a privilege of the press. Editors, who, under the name of prejudice, close their columns to every thing that does not conform with their opinion, however true it may be, or however important their views may be with the true of republican sentiment? We do not think that belongs to a free citizen; and this we will be granted us. We therefore proceed to arrange, in answer to a highly colored statement, facts that are maintained by indubitable evidence, and if we shall be so happy as to gain our positions by conclusive evidence, we hope it will not "melt under heat" of our venerable opponent with grief.

The writer lays hold of the herb Lobelia, as the giant of Thomson's Medical, and flatters himself by a vain attempt to prove its point, he has accomplished the design of the practice in the public attention. Let us attend him through his investigation. In the first place, he told that Thomson pretends to be a discoverer of this plant, which is the fact. "The first mention I find of this herb is by Linnaeus," says Thomson. He does pretend, and of claims the discovery of its medicinal properties, which were not given to him by any Dispensatory preparation. He is also told that Lobelia is a violent poison, and that it is proved so by the authority of Dr. Barton, Professor of Botany in the University of Pennsylvania, together with the results in the case of Lovet, whom Thomson was charged with murdering, and whom the learned Professor Thomson and his agents

are so proud of as a friend in their system. We may as well say, we do not call his opinion his opinion; but since we are all subject to error, we trust that our opponent will not be offended if we should take the liberty to correct him in this particular. We revere the character of Professor Barton, as one of the wealthiest in his profession, and eminent in the pursuit of knowledge; but that he is claimed as a friend of whom we are proud, is not true. Yet upon the Professor's opinions depends our writer for his weightiest arguments. "Let us hear."

Lobelia inflata is decidedly one of the most active of our native vegetables. It is thought, perhaps, by some, that the United States do not yield a plant of more powerful and unequivocal operation on the human system. And since poisons are generally, under judicious use, good medicine, Lobelia seems to have a unqualified claim to a place in the Materia Medica of the United States. It is possessed of an emetic, cathartic, and powerful purgative effect, but is chiefly remarkable for its effects on the respiratory system.

And thus speaks Prof. Barton, &c. Let us now examine the evidence or authority of the Professor, since our writer is so well convinced that it cannot be impeached. It is not out least with to invalidate the testimony of the noble professor, admitting that we have been favored with the real sentiments of Dr. Barton. Let us contrast them with the opinion of those in the profession equally entitled to credit, from their high eminence and undoubted experience. From the quotations made of the Doctor's opinion of this plant, we are favored with but little of his experience in its medicinal properties; in consequence of which a short detail of its effects on the glands of the mouth and first passages, together with some account of its effects in the stomach, are given, & a conclusion is drawn in these words: "It is manifest also from these effects, that the plant is sufficiently deleterious to create dangerous consequences to the system, if administered without great caution. Not only horses and cattle have been supposed to be killed by eating it, but a remarkable instance of its deleterious effects on the system is related in the report of a trial for murder of a notorious empiric in Massachusetts, (Thomson), who used this Lobelia to a poisonous extent as a cathartic. This doing and ingesting man is said to have usually proceeded to and frequently with impunity, in the dose of a common teaspoonful of the powdered seeds or leaves, and often repeated. If the medicine does not purge or evacuate powerfully, it frequently destroys the patient, and sometimes in five or six hours."

Here we have an alarming account of this herb. Even supposition is set forth under the coloring of facts, & the Doctor's limited experience of the Lobelia is unimpeachable authority, together with the quotations of a trial of a notorious empiric, before a court in which, says a certain writer, "the perjury of witnesses would have disgraced the Inquisitions of Spain. What, then, must be the stigma, the indelible brand, left on the face of a free and independent nation?" We will here contrast the opinions of the following gentlemen, highly eminent in their profession, with those of Dr. Barton, above mentioned.

"New Discoveries in Medicine.—The reports of the transatlantic physicians, of the superior efficacy of the bladder podded Lobelia herb, (Lobelia inflata), in cases of asthma and chronic cough, or difficulty of breathing, we are happy to find, have been fully confirmed in this country. Dr. Andrews, an eminent physician of Glasgow, in a letter published in the Glasgow Medical Journal, states that he has found no medicine so effective in clearing the lungs, and clearing the air vessels of wind phlegm, as the Lobelia inflata. Mr. Gordon, of Bath, has published several cases of spasmodic asthma, in which the essential nature of it acted like a charm—the first dose affording great facility of breathing in a few minutes. Dr. Rees, in his late treatise on the peculiar anti-asthmatic properties of this herb, clearly shows, by reasoning and experience, that its specific effect on the ponsaena, (the part of the nervous system evidently the seat of asthma,) that it is the most efficacious remedy that has been discovered for asthma and wister cough. English paper."

The above is taken from the Hillsborough Recorder, vol. XI, No. 557.

The following highly interesting observations from the Rev. Dr. M. Cutler, an eminent Botanist, are recorded in Dr. Thatcher's American New Dispensatory: "It has been my misfortune to be an asthmaic for about ten years. I have made trial of a great variety of the usual remedies, with very little benefit. In several paroxysms, I had found relief more frequently than from any thing else, from the stunk cabbage. The last summer I had the severest attack I ever experienced. It commenced early in August, and continued about 8 weeks. Dr. Druy, of Marlborough, about 8 miles, had made use of a tincture of the Indian tobacco, by advice of a friend, in a severe paroxysm, early in the spring. It gave him immediate relief, and he has been entirely free from the complaint from that time. I had a tincture made of the fresh plant, and took care to have the spirit fully extracted, which I think is important. In a paroxysm which was perhaps as severe as I ever experienced, the difficulty of breathing was extreme, and after I had continued a considerable time, I took a tablespoonful in three or four minutes, my breathing was as free as it ever was, but I felt no better at the stomach. In ten minutes, I took another spoonful, which occasioned sickness. After ten minutes, I took the third, which produced sensible effects upon the coats of the stomach, with moderate puking, and a kind of prickly sensation through the whole system, even to the extremities of the fingers and toes. The urinary passage was perceptibly affected with a smarting sensation in passing urine, which was probably provoked by stimulus on the bladder. But all these sensations very soon subsided, and a vigor seemed to be restored to the constitution, which I had not experienced for years. I have not since had a paroxysm, and only a few times some small symptoms of asthma. Besides the violent attacks, I had severely pained a night without more or less of it, and often so as not to lie in bed. Since that time, I have enjoyed as good health as, perhaps, before the attack."

preceding account, it is to be found of the pernicious influence of this plant on the human system. Yet Dr. Cutler far transcends the bounds set by the public Professor, in the quantity to be given. That three table spoonfuls should have been taken, & attended with such beneficial results, and that, too, without the least injury to the constitution, may not be astonishing to the writer of "Thomson's System, Trial," &c. And would it not exceed the limits of a newspaper, we would produce that evidence which would not leave behind the shadow of a doubt of the safety, innocency and superior efficacy of this plant, not long since so highly recommended through the medium of the Hillsborough Recorder; but the Editor of that paper can not find no terms to represent it in too bad a light. Strange that men will suffer themselves to be misled by the current of popular prejudice from that consistent and ingenious course which should ever characterise the conductors of the public press!

We will now notice the trial of this "notorious empiric," as given by our writer from that work, as he would have it, of unquestionable authority, Tyng's Reports. In the first place, we are presented with a feature equally as curious as it may be thought interesting: That the prisoner, Thomson, gave Ezra Lovett this plant, Lobelia, on the ninth day of January last, of which he died on the next day. We find that he traces the course of administration by the prisoner from the time that he commenced giving the deceased medicine, which was on Monday, the 2d, continued on Tuesday, the 3d, Wednesday, the 4th, and Sunday, the 8th. Emetic potations of this plant were given on all these days, says the writer. Its destructive influence must have been on the ninth, as we are told that which was given previously was not suspected as the instrument which inflicted the wound on the deceased. Strange logic, that it should have become such a powerful poison at this instant, when, in the same case, and at other times, its fatality was not suspected. From the evidence, it appears that this plant, Lobelia inflata, was the article that was supposed to have inflicted the injury on the deceased. "The defence stated by the prisoner's counsel was, that he had, for several years, and in different places, pursued his practice with much success. But as the court were satisfied that the evidence produced on the part of the Commonwealth did not support the indictment, the prisoner was not put on his defence." The limits of the writer will not allow him at present to give either the arguments of the counsel, or the charge of the learned Chief Justice.

We have not been able to procure the Professor's Medicine Botany, from which the writer has made his extracts, until this late period; for which we are extremely sorry, but have found that the preceding remarks, relative to the Doctor's experience of what are the real medicinal properties of the herb Lobelia inflata, were but limited indeed, not having made a very extensive use of it as a medicine; and therefore depends principally upon the relation of others, who perhaps have had as little experience in its use as himself. We find in his account a relation of a number of cases in which large and extensive doses were given with the most happy results, and no injuries sustained.

We now pursue the writer in his remarks. We are told that the learned Chief Justice said "there could be no reasonable doubt that the deceased lost his life by the unskilful treatment of the prisoner." We will have it in the language of the chief justice himself: "that the deceased lost his life by the unskilful treatment of the prisoner did not seem to admit of any reasonable doubt." Since the indictment for murder had failed, "the Solicitor General strongly urged that the prisoner was guilty of manslaughter." But this attempt was attended with the same unsuccessful consequences; the prisoner was acquitted; and we would here remark that if he was acquitted, it was solely because he was innocent of the charges alleged against him; for how do the guilty escape, or the criminal elude the retributive hand of justice? Here we have a striking instance of justice, which is made by that wise provision in our Constitution, that twelve disinterested men shall be chosen as jurors to guard the rights of our free citizens. We are told that the chief justice says, "there seems to be no adequate remedy by a criminal prosecution, without the interference of the Legislature." We are happy to inform the learned chief justice, together with his famous extractor, that the result of this kind of interference will be seen by reference to the Journals of the Legislature of New York, between the years of 1825 and 1831, where it will be discovered that the faculty, by their interference, have become strictly amenable to the laws of that State for their conduct. "Doctor Warren studied, and received his diploma in the State of Massachusetts; he came to this city and commenced practice, in the course of which he gave one John Hogle a dose of Arsenic, which terminated his existence in a very short time, and Warren was indicted, tried, and sentenced to solitary confinement in the Albany county jail for three or four years." In this case, justice has been done, and the value of a profession and

brought to light that dangerous and long hidden practice of administering to the sick, these very means that are used as active agents in the destruction of life.

We are told by this erudite commentator on Thomson's system, Trial, &c. "that his object is not to call in question the character of that quick independent of our system, and that he conceives himself to be with man than things." It is easy to make this profession. It is the hypothetical rant of all malignant writers. Those who have read his various productions, both prose and poetry, whether issued anonymously, under the title of Hercules Holus, or under the imposing gravity of editorial responsibility, will be able to judge of its sincerity. But be that as it may, no one can be so blind as not to see that he has dabbled largely in things that concern him as little as do the honorable and high minded feelings of a gentleman the heart of a Hillsborough railer.

We would, like our author should do, concern ourselves with those things, and those only, that concern us; and to concern ourselves any further with him, we conceive, is conferring an importance on him that he is not in the least degree entitled to.

PHILO VERITAS.

FOR THE STAR.

FELLOW-CITIZENS.—The proposition here submitted for your consideration is truly one of momentous concern to you in both your public and private relations. It is upon the expediency of calling a Convention for the purpose of considering the propriety of removing your seat of government, to a more eligible place than Raleigh—a measure, it is believed, public exigence and the future welfare of the people at large imperatively calls for.

In the discussion of this interesting topic, the writer is aware it involves a variety of conflicting interests influenced by local prejudices, a consideration that is to be regarded as having in its consequences already produced in our Legislative Councils the most deleterious effects. and for the last thirty years has presented a question of the most extensive importance to the people of North Carolina, and which is, strictly speaking, a question between the general welfare of the people, and the local interest of a limited section of the State. Consequently, it will involve a consideration of the relation in which they stand towards each other upon the general principles of public interest. The solution of this question it is therefore proposed to make the subject of the present essay.

The writer is sensible of the unpleasant task he is about to impose upon himself in the investigation of this subject, and it is nothing more than what is due to him to add, that it is far from his wish to combat moral right with physical force; and upon the other hand he would be guilty of a departure from a duty he owes the community at large, should he shrink from that course which the justice of the case dictates to be the path he should pursue. The occasion upon which we are called upon to act demands our impartial investigation, and the question should be determined before an equally impartial tribunal. Public opinion is that enviable property of society which must decide in the dernier resort, upon every topic of general concern; and if it is left to itself, truth will be the only object of its researches, and its tendency be directed towards the public benefit.

Hitherto the controlling power over the subject of a Convention has been maintained by a description of subtleties in argument, which, coming from the lips of an ingenious orator, has excluded a fair discussion. The question is now presented in a less imposing form, stripped of its local features, those radiant charms, that once reflected its stately magnificence, no longer conceal its native features from the perception of the common mind.

The recent disaster that has befallen the Capitol has not augmented the right of the people not the justness of their claims, for its removal, but a circumstance, that increases the necessity of their determination as an apt time to effect an object the public good has long called for. It is true, its opponents have become deprived of the data of their strong argument by its destruction; but what of that? It is ascertained that its location at Raleigh is in competition with the general interest of the great community of the State, the principles of the question is still the same, though it be thrown back to where it stood before the General Assembly of 1787 or the Convention of 1788.

That we should be met at the threshold of this question by those within the vicinity of the Capitol, is a natural consequence. Their objections, though of minor consideration compared with the main question in the solution of the proposition, are nevertheless of a character calculated to excite the strongest sympathies of our nature, and to throw upon our mind an irresistible bias. But we would ask, in what ratio would the injury to Raleigh by the removal of the Capitol bear to that which the whole community of the State have already suffered, and to that which would ensue if it should remain at Raleigh, or years? In this case, justice has been done, and the value of a profession and bear to the incalculable advantage the

people of the State at large would derive by its removal to, and in aid of a commercial depot of the State? Let the people, who are the best judges, answer these queries.

It surely will not be contended that where the private interest of a minimum section of the State come in contact with its general interest, the great interest of the whole should be sacrificed upon the altar of individual aggrandisement. We can it be shown in this country that the public welfare has been made to yield to individual interest in such cases? The principle is without example in the science of political economy, and is directly at variance with common justice.

Then, is it to policy or justice, or to both, we must resort for the determination of such questions? It will not be denied, but that it is an inseparable characteristic of justice to shape its decisions to the existing situation of things, and that it will continually direct us to pursue our own happiness and interest whenever our pursuit does not militate to the injury of others. Neither justice or sound policy will ever compel us to acts of wanton aggression; but they will command us to exert ourselves with steadiness and fortitude for the preservation and attainment of our very valuable right.

A proposition therefore like the one in question, "of policy or expediency," is properly summonable before the people, whose incentives to act eternally emanate from considerations promotive of the good of mankind. If it should be contended that the policy of the people have a tendency to benefit themselves; yet the considerations are not the less valuable or valid—the benefit being for the general community; for justice itself could decree but the same benefit, though from motives more disinterested.

The moral system of the universe has wisely united general good with individual interest, and however false policy or the violation of the interested few may prosper, the gratification of limited and selfish desires at the expense of general benefits that are permanent and future, the people, in exercising their public right, must always act from sound policy the legitimate interest of society to perpetuate, and it is decreed by the moral code that the same conduct which insures our own substantial good shall also contribute to the general benefit of society.

But, fellow citizens, you have been told by the opposers to a Convention that the people are not to be trusted in a Convention; that there is no check to a Convention; that those whom you shall delegate with instructions to execute or perform such acts as you may direct and desire, "may" (say the opposers) violate their instructions and act upon measures you desire not. Now I would ask those who thus libelously speak of the people of North Carolina, if they really think the citizens of the State are so far from moral rectitude as to merit such imputations, or is it that a people's morals decline with their wealth; for if that doctrine be true, our condition is truly lamentable indeed. But such suggestions and imputations should be viewed as a bug bear to scare and mislead the public, a mere trick to catch popularity. But the good sense of the people will not permit themselves to be thus juggled out of their wits and rights.

The principles contended for by the enemies of a Convention implies this doctrine, that although the people are competent to decide upon abstract justice, they are, nevertheless, incompetent to decide upon the "policy" of any given proposition, and that such is the question for calling a Convention to consider of the expediency of removing the seat of government—a doctrine, by the by, unsupported by the experience of this country at least, and which is rapidly exploding among the aristocracy of the old world. But I would ask, if the people are not as competent to make an impartial decision upon the expediency of its removal as would the interested few in and about the Capitol, who, from the nature of the case, must be influenced by a direct interest? Surely they are.

The circumstances under which the seat of government was established at Raleigh were such as to cherish in the bosom of the State a spirit of sectional jealousy, fatal in its consequences to its growth and wealth. Yes, fellow citizens, the vote of the Convention of 1788, that "fixed the metropolis within ten miles of Isaac Hunter's plantation," gave a grievous turn to our "State policy," and which to this day continues its fatal preponderance against the best interest of the people. It was the work of that vote that engendered the germ of discord between the East and the West, and which continues to rankle in your Legislative Councils whenever any question is agitated relating to the internal advancement of the State. The adoption of a measure, however important to the general welfare, does not depend upon its utility, but upon the bearing it is supposed to have upon the future future of the Capitol. The west are desirous of creating a market town within the limits of our own State, and connecting with it the whole of the back country trade, thereby using the interest of the west with the middle and sea coast counties; but how are their efforts upon so desirable an object met by those

who are influenced by local interests? With jealous indignation, of course, and reproach. Look at the impolitic contained in a prominent public journal in the eastern section of the State of a recent date, and what is its language? That the West, in "hating" the location of a Convention for the removal of the seat of government are prompted "by some ambitious leaders among them to gain the seat of power," and "this minor question [the removal of the Capitol] is to be made use of as circumstances may require." What are we to infer from such allegations, thus unprovoked, from a remote section of the State, against that portion of our fellow citizens who, in truth, constitute the bone and sinews of our State's strength and wealth? Such indeed, is but a partial development of the spirit of that "policy" by which our Legislative Councils have been governed since 1794, the date of the first session of the General Assembly held at Raleigh. Who then can doubt but that the cause of our inefficiency in all of our public measures arises from a misguided policy, influenced by local interests? To retain a power which they are conscious of having acquired without right, and which the few still hold to the injury of four fifths of the State; and how has this ascendancy been maintained? Not by the sanction of the people, from whom "circumstances used" have enabled the few to usurp; but by the cry of danger upon the house top whenever any measure of general interest is agitated either by the people themselves or in their legislative bodies. Then it is the people become sufficed with the most extravagant enologies upon the "excellence of our good old venerable Constitution," the practical use of which they have yet to experience. But the fact is, the wolf has turned shepherd, and the louder the cry of wolf! wolf! the less will the shepherd be suspected.

If we are to await the coming of the practical benefits from our Constitution, as alleged by those orthodox interpreters of its principles, that the "faith of the State is pledged to keep the capital at Raleigh," and if it is true that a people's morals decline with their wealth, the period of another half century as to old North Carolina will close her existence as a civilized people for ever; for in the pursuit that policy from which our retrograde emanates renders our destiny no longer a matter of prediction, but of mathematical calculation, which, for the last 30 years, the draining of the commonwealth of its rich resources, its population, and with it its genius and enterprise, most conclusively demonstrates.

Will those who are opposed to a Convention and to the removal of the capital, tell us when and where we are to look for the evidence of their exertions in realizing a practical system of internal improvements, demonstrative of the general utility of connecting with it some one central town in our State, which, by its commercial advantages under the fostering care of a judicious and liberal legislature, might be made a respectable export and import market for the reception of the products of the State?

These are considerations, fellow citizens, which it behooves you well to examine. Suppose the seat of government had been placed at Fayetteville in the year 1794—its growth and prosperity nurtured by the fostering care of a liberal legislature since that period, by opening the avenues of the country trade from the east, north, west and south; by constructing of good turnpike roads only; do you think that the productive labor of those fertile regions of our State, comprising the counties of Sampson, Duplin, Lenoir, Wayne, Johnston, Wake, Franklin, Granville, Person, Orange, Chatham, and thence westwardly to the Blue Ridge, would have been so deadly paralyzed by the decline of the market as to render their lands a valueless property, or would not those regions, together with the State generally, with such facilities in the transportation of their produce to a near central market, with the increase of produce which the facilities of its transportation always send to market, have sustained the price of real estate from a state of depreciation heretofore unparalleled in this or any other State in the Union— for, as a general rule, it is true to a proverb that where the facilities afforded to an agricultural people of sending their produce to market are easy and cheap, they will always have it in their power to add to the general quantum of produce in an equal ratio to the decline of price in any given period. Yes, fellow citizens, with the above advantages of an export and import market, so contiguous and central as would Fayetteville have afforded, the effects of the overtrading in the commercial world a few years back would have been but momentary; and with such advantages, Bank directors and the officious money brokers of the country might have talked in more lofty tones of "specie payments," and have strutted around armed with the scepter of fiscal authority; but you the farmers, the humble lords of wealth, singly secured to the quiet possession of your honest earnings, in the language of the learned Shakespeare, have abundance.