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REFLECTIONS on the comparative effects of a WAR on the UNITED STATES and GREAT BRITAIN.

(Continued.)

Let us now concisely notice the effects of war upon the exports of our produce.

Taking things at the worst, we have made it sufficiently to appear that in no event should we be deprived of more than one half of our ordinary importations; that the deficiency would consist principally of spirits, wines, sugar, and dry goods; and that to this extent we should raise or manufacture the articles wanted; making us in a correspondent degree permanently independent of foreign intercourse either in our importations or exportations. That this would eventually, at no distant day, be a great national blessing, cannot admit of a doubt.

After a correspondent deduction from our present exports there would remain about twenty millions of surplus produce. The question now is what we should do with this?

That there would still continue, notwithstanding the increase of our domestic manufactures, a foreign demand to this amount, may be confidently assumed, when two circumstances are recollected, the one that our exports principally consist of articles of indispensable necessity to foreign subsistence and manufactures; and the other that the raw articles, with which we furnish foreign manufactories, are not merely the basis of the quantum of fabricated articles given us in exchange, but likewise of a quantity at least six times, perhaps ten times as great.

To exemplify this remark—our exports consist of—

Articles of subsistence valued at	19,616,000
Tobacco,	6,143,000
Cotton,	6,940,000
Lumber, naval stores and pot ashes,	4,387,000
All other articles,	2,842,000
	39,928,000

There is every reason to believe that the whole of the first article would be still necessary to Europe and her dependencies. The new war with us so far from abridging would increase the demand. Britain would be obliged to take from the plough a larger number of laborers than usual, and to an extent by no means inconsiderable. She would be called upon to defend her colonies on this continent, and her islands in our neighborhood; in both of which points there would consequently be a proportionately increased demand for food, which to her soldiers and sailors would be absolutely essential. Suppose the additional force sent to these places not to exceed 30,000,000, they would require, calculating the annual ration at fifty dollars, and that part of it paid for food at forty dollars, articles of subsistence to the amount of one million two hundred thousand dollars; while the subtraction of so many individuals from labor would diminish the aggregate production of Britain in at least a three fold degree. It, therefore, most conclusively follows that the dependance of the foreign world on us for articles of subsistence would be greatly increased by a war with Britain, and consequently the demand be correspondently augmented. In addition to the circumstances enumerated there is another, whose effect would be most sensibly injurious to the foreign world, and no less beneficial to ourselves. If the effect of a war should be (as there is every reason to believe after a short time it would be) in consequence of the subtraction of a considerable part of the labor of the U.S. from agricultural employment to be engaged either in manufactures or in the field, sensibly to diminish the aggregate production, while the same circumstances in England produced an augmented demand, it is manifest that the price would be greatly increased, and that for a much smaller quantum than that ordinarily exported in times of peace we should be able to pay for our usual supply of foreign goods. This effect would be still further promoted by the influence of our diminished demand for British manufactures, which would in a like degree sink in value. At any rate, there cannot be a doubt, but that these united causes would insure the disposition of one half of our surplus production of articles of subsistence.

The next article is Tobacco.—This would, at first sight, appear to be an article which Britain might readily dispense with. It is in every sense of the word a luxury, and there is every reason to believe that it has in no way added to the stock of human happiness. But the mention of a few circumstances will shew how intimately its consumption is interwoven with the feelings of individuals and the interests of communities.

Every one in the least acquainted with the mechanism of man knows how eminently he is the creature of habit and prejudice; and that he has long since departed so widely from the dictates of nature, that his great characteristics are now artificial. Among those habits which are the most inveterate, is the general and irrational use of this drug. To no article that grows is the natural taste more averse, and yet once acquired, it is among the strongest. Such, indeed, appears to be the singular conformation of the human character, that those things, to which it is naturally most averse, become, when a taste is once acquired for them, the most essential articles of life. So it is with this drug. You may as well ask the Turk to give up the use of opium, or the drunkard to abandon his dram, as the man, who has been accustomed to tobacco, to relinquish the enjoyment it yields.

In addition to the influence of the force of prejudice and habit, the policy of governments is scarcely less powerful. In most of the nations of Europe, but more especially in England and France, the cultivation of tobacco is prohibited, that the government may render it, as an article of importation, a better subject for taxation. Accordingly in England, the duty paid upon tobacco is at least four times its first cost; and a large part of her annual taxes is consequently derived from this source. We have not the data before us, but, for general recollection, it is believed that the duty paid on tobacco in England exceeds a million sterling, a sum but little less than five millions of dollars, while the entire amount of duties paid by the respective European nations, supposing the duty the same in other countries as in England, must exceed twenty-five millions of dollars.

Further, this article is the raw material, whose manufacture gives employment to a large number of hands, and particularly to children. Superadded to this, she is the importer of this article for the continent, and from this circumstance derives a considerable mercantile profit. May it not then be safely calculated upon that a nation, whose interests, public as well as personal, are so closely interwoven with a supply of this article, will take special care, even if she possesses the power, to avoid creating such obstructions, as to prevent her being furnished with it? But let us here, as in the preceding article, only assume it as certain that there will be a demand for one half the usual quantity exported.

Cotton and ashes are articles still more essential to the well being, if not the very existence of Britain. Deprived of the supply she gets of the latter article from us many of her most important and lucrative manufactures would be absolutely at an end. It is not believed that she would for years be able to obtain a supply from other sources.

But of all the articles of exportation, cotton, from its extent, and the great increase of the value of the articles made from it over that of the raw material, is the most important to England. The value of this article annually exported is seven millions of dollars, and is the basis of manufactured articles to the value of at least fifty millions, that employ at least one million of the population of that country, and from the sale of which she derives a most important part of the means which enable her to maintain her great and extensive establishments. It must be obvious that a supply of this raw material, at least in a degree not much below the ordinary supply, is essential to British prosperity. For the effect of our increase of manufactures would be trifling, so far as it diminished the demand for foreign goods made out of cotton, compared with that diminution which would flow from the deprivation of the raw material to such an extent as is exported from this country. Suppose then Britain to be deprived of her ordinary supply from this country, where would she make up the deficiency? It is extremely questionable whether the whole world could furnish it. Most certain it is that for some years an adequate supply would not be obtained elsewhere. Nothing is more obvious than that in common times, whatever the capacity of production in any country may be, the actual production is regulated by the demand. Now, the extraordinary demand, that would arise from the non-production of the usual quantity of this article in the U. States, would be so extremely uncertain and precarious, depending on contingencies not to be foreseen, that we may rest assured that other countries, accustomed to raise cotton, even if they possessed the capacity, would not, for several years, raise a sufficient quantity to meet the increased demand of the British manufactures. It follows, that Britain, sensible of this circumstance, would be obliged, whatever her wishes or power might be, to leave the door open to the exportation of this article so indispensibly necessary to her. Let us, however, as in the other instances, say that but half of the ordinary quantity would be exported.

The general result would be, that from our increased domestic consumption of our own products and increased manufacture of goods now derived from foreign sources, we should be released from the necessity of importing and exporting to one half the usual amount. From this result great advantages would accrue to us, and no material injury, unless from the diminution of our commerce.

Let us briefly enquire what effects of this last description would ensue.

Without availing ourselves of the regular channels of trade our privateers would unquestionably supply us, by their captures, with a sufficient quantity of British goods, should this resource be necessary, the profits of which would not be inferior to those of common traffic. This would not, however, enable us to dispose of our own products, for which it would be necessary to open other channels. If the supply of these, to the extent just stated, be indispensable to Britain, as we believe most confidently it would be, should she be omnipotent on the ocean, she would still be under the necessity of opening these channels herself. For this purpose she would be obliged either to authorise a free trade, even of our own vessels, to certain neutral ports without molesting their passage over the ocean, or to foster a neutral commerce adequate to insure her such a supply. For there would be no other way under heaven by which she could obtain our commodities. Should the former course be adopted, we should still reap, with some small limitations, the ordinary profits of trade; and should the latter be pursued, the loss of the two nations would be equal. Neutrals would be the carriers between the two countries; and we, as well as our enemy, would lose the profits of a trade of about twenty millions of dollars, which would, however, in all probability be amply compensated by the captures made by our privateers. All these views demonstrate clearly our invulnerability to Britain, and prove that whatever new direction might be given to the employments of our citizens by war, and however some of our gratifications might be abridged, the essential interests of the country would not be affected by it.

(To be continued.)

At a Meeting of a respectable number of the citizens of the borough of Erie and its vicinity, at the court room, on Saturday evening the 18th of July, A. D 1807, in pursuance of public notice, to take into consideration the conduct of capt. Humphreys of the British armed ship Leopard, in his attack on the U. States frigate "Chesapeake," off the coast of the U. S.

Col. THOMAS FORSTER was appointed Chairman, and

RUFUS S. REED, Secretary—

The following resolutions were unanimously adopted:

Resolved, That we view with abhorrence and detestation the conduct of captain Humphreys in his unprovoked & unwarrantable attack on the frigate Chesapeake, off the coast of the U. S. that his conduct was inhuman and cowardly, inasmuch as he approached the Chesapeake in the character of a friend, and attacked her when unprepared and unsuspicious of his hostile intentions.

Resolved, That in our opinion such conduct calls loudly for the interference of our government to demand redress & compel reparation.

Resolved, That we are ready at the hazard of our lives and property to aid the government with our utmost efforts, in punishing the insult offered to our flag, and avenging the blood of our fellow citizens.

Resolved, That William Wallace, Judah Colt, John Kelso, Thomas Forster, and John Hay, Esqrs. be a committee to draft an address to the President of the U. S. expressive of our sentiments, as contained in the foregoing resolutions, to be submitted to a meeting to be held at this place on Tuesday evening next, and that our fellow citizens from the country be invited to attend said meeting.

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At a meeting held at the court-house, in the borough of Erie, on Tuesday the 21st day of July, A. D. 1807, in pursuance of the above resolutions—

Col. THOMAS FORSTER, Chairman,
RUFUS S. REED, Secretary,

an address to the President of the U. S. prepared by the committee appointed for that purpose, on Saturday last, was read, and, on motion, was unanimously adopted.

Resolved, That the said address and the resolutions of this and the former meeting be signed by the chairman and secretary—that they transmit to the President of the U. S. the said address, accompanied by a copy of the said resolutions—and that the said resolutions be published in the newspapers printed in Pittsburg, in the National Intelligencer, and Washington Federalists.

THOMAS FORSTER,
Chairman.

Erie, 21st July, 1807.
RUFUS S. REED, *Secretary.*

TRIAL OF A. BURR.

WEDNESDAY, AUGUST 5, 1807.

Present—JOHN MARSHALL, Chief Justice of the U. S.

Mr. *Hay* requested that the names of the witnesses might be called over, who had not appeared on Monday, and of whose arrival he was not yet informed.

The following witnesses answered to their names:

Charles Wylie, John Graham, Samuel Swartwout, Julien Dupiestre, P. H. M. Prevost, Israel Miller, William Eaton, George Morgan, Cyrus Jones, Simeon Poole, Dudley Woodbridge, J. G. Henderson, Samuel Moxley, Ambrose D. Smith, John A. Frost, and Hugh Allen.

The names of the witnesses being called over, Mr. Hay observed, that the court would perceive that the number of witnesses attending, was greater than it had been on Monday—that he presumed the whole of them would be here in a few days; that he had no doubt they would go into trial during the present term; but that he could not now furnish the accused with such a list of the witnesses as was required by law; for though he knew their surnames, yet he was ignorant of the christian names of many and their places of residence. He was not certain to what day the court might properly adjourn.

Chief Justice. It is of no sort of difference to the court whether it adjourns from day to day, or to a certain day.

Mr. Botts. We must observe again, that it is sufficient for us to have the names of the witnesses without being particularly exact about their places of residence.

Mr. Hay. There will then be only one more circumstance necessary to go into a trial: it is, to know whether the material witnesses are present. If gentlemen accept of the list which I am prepared to make out we may perhaps go into trial on Friday. But I presume, if other witnesses may be summoned, and appear, whose names are not on the list, that they may be added from time to time.

Mr. Wickham. Perhaps it may be material to know the places of residence of some of the witnesses: I suppose the attorney for the U.S. will furnish all the indications, that he may possess, for ascertaining that circumstance.

Chief Justice. All that we can say is, that if the list made out should not prove satisfactory, the cause cannot proceed. Let the court be adjourned until the day after to-morrow.

Mr. Hay. I must take the liberty of mentioning one circumstance, which may save the trouble of the court, if it can be adjusted, before the jury is impannelled. It relates to the manner of proceeding in this trial. The practice in Pennsylvania is the same as it is in G. Britain. After reading of the indictment, the counsel for the prosecution state the case and the facts on which it will be supported; witnesses are then brought and examined on behalf of the prosecution: the counsel for the accused next state the principles of law on which they oppose the charge, and then exhibit their witnesses; and the attorney for the prosecution then winds up the argument. This is the practice in G. Britain and in Pennsylvania; but not so in Virginia, where a short statement is first made of the case; then the testimony on both sides is exhibited; which is finally argued and commented on by the counsel on both sides. It is almost indifferent to us, what course is pursued; though I should prefer the former; because it may contribute to save the time of the court. It rests with the court to point out the system which shall be pursued. I believe that in this state there never has been such a trial as the present; a trial for treason.

Mr. Wickham. This is a point, sir, which never has occurred to us. We presume that the general practice will be pursued; though certainly a deviation might be made, if there was any real necessity for it. We shall consider the present motion as a mere intimation of the wishes of gentlemen; and we may hereafter close with or object to their proposition. It has been a matter of deliberation with them, but not with us.

C. Justice. I suppose the present motion will be brought up on Friday; but if in the mean time the gentlemen on both sides can agree to any arrangement among themselves, it will most certainly meet the convenience of the court.

Mr. *Hay.* Mr. Wickham is mistaken in saying, that it is with us a matter of deliberation: because it was only mentioned among ourselves, in coming into court. It was at first indifferent to me, what course should be pursued; but it becomes less so, the more I think on the subject. The arrangement is an important one, not only in relation to this cause, (if we can see any end to it) but to several others of the same complexion. I am informed that Blennerhasset was yesterday brought to this city; and it is rumored that Mr. Dayton is in the neighborhood.

Mr. *Martin* could not suppose that this motion had been made on *any* deliberation: He presumed that the same course would be pursued in a prosecution for treason as for murder.

Chief Justice. We need not come to any arrangement at present—but if gentlemen can agree on any mode among themselves by Friday, it will be acceptable to the court.

Mr. Hay. I shall beg leave to observe, sir, that this case may be opened on Friday, and if the English mode be pursued, it will be opened in a very different way, from that which is pointed out by the criminal practice of Virginia. Is it not better, therefore, to adopt some previous arrangement on the subject?

Mr. Wickham. Certain habits, sir, are familiar to us all—we feel at home, while pursuing them—and it produces a species of embarrassment to depart from them in any degree. We are used, for example, to certain ways of proceeding in criminal prosecution—Why, sir, depart from them, to turn into embarrassment? But it is time enough to decide this question, when the jury shall have been impannelled. We should have time to deliberate on it, as well as to consult our client, in a case which may so materially concern him. (Mr. Burr was not this day in court.)

Mr. Hay. This is not a case, sir, in which the consent of council is at all necessary—for to the court belongs the sole privilege of prescribing the order of proceeding. But permit me to observe that if this arrangement is postponed until Friday, we may not then be prepared immediately to pursue that course, which the court may prescribe. It is, therefore, that I wish the court to make an immediate decision.

C. Justice. The court is unwilling to dictate any particular course—for altho' I have read some books of practice, my opinion on this point is not finally made up. Perhaps the best system is pursued in G. Britain, unless indeed some other proceeding has been previously established; and a long course of experience in that country has perhaps attested its conveniences. I am unwilling to wave altogether the practice of Virginia. That course which appears to me the best in this case, considering the great number of counsel who are employed, and the benefits of reconciling the saving of time with the clear treating of the case; is perhaps the following—Let the case be fully opened on behalf of the U. S. and the testimony on that side gone through: Let one of the opposite council afterwards open the case on behalf of the accused, and the testimony on that side be fully exhibited; then one of the remaining council for the U. S. may comment on the whole evidence, who may be answered by the counsel for the accused; until at length the argument is closed by the remaining counsel for the prosecution. However, this is a case in which I do not pretend to dictate.

Mr. *Hay.* Were this a solitary case, Sir, I should feel but little solicitude on the subject. But as we have repeated labors of the same sort to undergo, I must confess that it is with much regret I hear the decision of the court. The opposite council have not so much labor upon their shoulders; because they are so numerous that they may easily divide and reduce it.

Mr. *Botts* suggested the propriety of adjourning the court till to-morrow, when some arrangement might be adoped on the subject.

Mr. *Hay.* There is this serious objection to the arrangement of the court. I understand that after one of the counsel has opened the case, he is to retire from the action; unless to cross-examine the testimony exhibited on behalf of the accused. Now how many counsel are on the other side? Five or six; perhaps as many as seven. And I understand you, sir, that the two remaining counsel among ourselves are to answer them all. It would be a most oppressive labor upon the last, who winds up the prosecution, to be compelled to answer all those who preceded him; and I should really suppose that the first who opened the case, should be permitted to come in at the close of the argument.

Mr. Martin. We have no objections, sir, if all three were to come in.

C. Justice. I repeat it, that I am not solicitous to adopt the arrangement which has been suggested. But as to the objection which is urged, it seems to me, that the same argument will often be repeated by all the counsel for the accused, and that of course the counsel who closes the argument will have nothing more to do than to collect these arguments together and answer them all at the same time. The labor cannot therefore be as great as has been represented. However, if the first counsel wishes to come in, I certainly can have no objection.

Mr. Wirt. It is scarcely necessary, sir, to call the court together to morrow, for this purpose alone. Whatever arrangement be adopted, we, sir, shall readily acquiesce, if two gentlemen at least may be permitted to divide the burden of answering six or eight.