EASTON GAZETTE.

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REMARKS

Of Mr. Smith, *of Maryland, in the Senate of the United States, on the subject of discriminating duties.*

[*Concluded.*]

In June, 1822, an act was passed by Parliament, opening the trade of their colonies in America and their West India Islands, to the United States, on terms more liberal than any heretofore offered, yet reserving material advantages.

In anticipation of that act, Congress "passed a law on the 6th May, 1822, 'that, on the President's receiving satisfactory evidence that the ports in the Islands or colonies of Great Britain have been opened to the vessels of the United States, the President may declare the ports of the United States opened to British vessels trading to and from the colonies, subject to such reciprocal rules and restrictions, as he may make and publish; any thing in other acts to the contrary,' &c. &c. The President issued his proclamation accordingly, dated 24th August, 1822, as a consequence of the act of Parliament referred to, by which the ports of the United States were opened to British vessels trading between those colonies and the United States, and a circular unfortunately issued from the Treasury, dated 24th September, following, directing that the alien duties on tonnage, and light money of 94 cents, and the ten per cent. additional to the duties imposed by law, should be levied on British vessels arriving from the colonies aforesaid. The British Government retaliated, and charged in their colonies a tonnage duty of 94 cents, and 10 per cent. in addition to the duties; charges never made before. Both our and their alien duties operate solely as revenue; under which we pay ten where they pay one. The proclamation did not direct the alien duties to be charged; and the collector of Eastport did, not charge them, (being advised by counsel that he could not,) until he received the Treasury circular. The Treasury charged his account therewith; and Congress relieved him at the last session.

On the 1st March, 1823, Congress passed an act, reciprocating the act of Parliament, 'on the condition that no higher or greater duties of imposts or tonnage were imposed on vessels of the United States, than on vessels of their own or their cargoes; and no other charges of any kind on the one, than on the other; giving full authority to the President to issue a proclamation conformably thereto." No proclamation, however, has been issued, nor any step taken, except in a circular from the Treasury to the collectors, dated 25th August, 1823, which simply confirms the payment of the alien duties on British vessels entering from any of the colonies aforesaid! An open trade has continued ever since; and British vessels from these colonies are admitted into the ports of the United States under the proclamation of August, 1822, notwithstanding that the vessels of the United States are subjected to higher duties of imposts and tonnage, than are payable by British vessels.

Permit me to take a view of the act of Parliament, to see whether its operation is such as to ensure to British ships an undue proportion of the carrying trade between the United States and the colonies alluded to in the act.

That act opens to the vessels of the United States certain ports in which certain specified duties are charged on articles of the United States, 'whether the same be imported *direct* from the United States in British or American vessels; or *circuitously* in British vessels, from the European possessions of Great Britain.' But no duty whatever is imposed on similar articles, the produce, &c. &c. of Great Britain or Ireland, or of the North American colonies. Thus the flour of Canada, Great Britain, and Ireland, & the lumber of the colonies may be imported free of duty. The duty on a barrel of flour in Jamaica, is $1 05, which is equal to the freight and insurance from any port in the United States. It is probable, however, that the freight from Montreal and Quebec may cost more. In addition to this difference, our vessels pay the alien tonnage duty of 94 cents; a charge of about 10 cents per barrel, which, with the ten per cent. additional duty, makes a charge of 15¼ cents per barrel on flour, when imported in an American vessel, more than would be payable, if imported in a British vessel from the United States. If we had not charged the alien duties, they would not have imposed their retaliation; and the only thing we could have complained of, as to that article, would have been, that the flour of Great Britain and of Canada, is admitted duty free, whilst ours paid $1 05 per barrel. Great Britain, it is known, exports little of her own flour to the West Indies, but actually supplies them with our flour, which is imported into Liverpool, and warehoused for exportation. The Canadas can only export during six months in the year; they actually export none to Jamaica. The Islands are generally supplied from the United States, either direct, or with our flour from Nova Scotia or Great Britain, *all paying the same duties.* If, then, we were relieved from the alien duties of impost and tonnage, there can be little doubt that our flour would go direct; and that 2-3ds at least, perhaps 3-4ths thereof, would be carried in American vessels. Even under all these disadvantages, it is certain that more than ten barrels of flour are exported to the colonies, in American vessels, for one in British.

Lumber is charged with duties when from the United States, and pays no duty when imported into the British West Indies from her American Colonies; this gives an advantage to the Colonial vessels over those of the United States in particular kinds of lumber. But it is a mistake to suppose that the disadvantage falls on the Eastern States only, 'and particularly on Maine:' for the fact is, that lumber is exported in great quantities from all the Southern States to the British West Indies, but particularly from North Carolina, Georgia, Alabama, and Norfolk. White pine boards and plank, it is true, are exported, and in great quantities, from the Eastern States; but pitch pine, in planks and boards, shingles and staves, are exported chiefly from North Carolina, Georgia, Alabama, and Norfolk. Large quantities of staves were formerly exported from Maryland, and other States, and many are still exported. The duty (Mr Adams says) is 10 per cent. on the cost. I cannot think that so small a duty would operate very powerfully: we could not be worse off: for we have now, *not only* to pay that duty, but 10 per cent. thereon; and what is more onerous, the 94 cents of tonnage duty.

Flour and lumber, are, I believe, the articles on which we bottom our complaints; Indian corn may be another; it is free of duty from Nova Scotia; none, however, has ever been imported from thence into Jamaica; indeed, I am informed that the corn of the United States is imported into that Colony for its own consumption. Our corn pays the heavy duty of twelve and an half cents per bushel, being twenty-five per cent. on its average cost, and may have been imposed to induce the Planters to continue its cultivation.

There are several valuable articles necessary to the West Indies, which can only be drawn from the United States: the retaliation duties on which fall heavily on the merchants and cultivator. I am surprized that they are not carried by British ships alone. If, however, they are carried (as I am told they are, principally,) in our vessels, they are subjected to the heavy charge of alien duties, which might have been avoided. The articles are Rice, Indian Corn, Corn Meal, (kiln-dried) Tar, Pitch, Turpentine, Tobacco, Peas, Ship Bread, Pilot Bread, Crackers, Live Stock, and Pitch Pine Boards, Plank, and Timber; those articles are, with few exceptions, from the South and Middle States.

Mr. Adams (in his letter to Mr. Rush, of 23d June 1823,) mentions an export duty in the West Indies, payable on articles permitted to be exported to the United States, of four to five per cent. not imposed on the same when imported to the North American Colonies. He justly considered it as an additional injury to a fair intercourse. But, is such duty really charged? It certainly is not on the exports from Jamaica. I have before me an invoice of Coffee, dated 28th November, 1823, for account of Mr. McKim, and one of Coffee, Sugar, and other articles for Mr. Patterson, of December, 1823, in which no such charge has been made; nor is any such duty in Jamaica known to any of our merchants. I have conversed with two agents from Commercial houses in Jamaica, and they say they know of no export duty on Cocoa and Ginger, which is paid by all parties. One of them supposes that the idea of such a duty may have arisen from the following fact:

In the year ——, Parliament passed an act, imposing a tax on the Planters of four per cent. on all the exports from their estates. The tax was resisted by the Islands, as being a violation of their charters; after much controversy, Jamaica offered, in lieu thereof, that the Colony would pay the white troops employed for its defence —the offer was accepted. The other Islands being unable to adopt the compromise, have paid the four per cent. If on export, it must have been paid by the North American Colonies and Great Britain: for the ships of no foreign nation were admitted.

The port charges, and pilotage of vessels from the United States, are the same in Jamaica, whether they be British or American, (except on the retaliatory duties.) British vessels from the North American Provinces, pay precisely the same port charges and pilotage as those from the United States.

It is idle for us to complain that British ships only are permitted to carry from one Colony to another; that is, to all intents, the same as our coasting trade.

Again: if Canada, Great Britain, and Ireland, were able to supply the West Indies with their own flour, on which no duty would be payable, whilst ours paid a duty, then our trade with the Islands would be less useful, but we would have no just cause of complaint; the same principle exists now: for the grain and flour of Canada are admitted into Great Britain, when the average price in the market is less than that at which the same may be imported from the United States; still we should have the supplying of the Islands with many articles; as already stated, which *cannot* be supplied from Great Britain, or any of her possessions. I cannot perceive any cause we have to fear a competition in the article of flour; or in any other article which we are permitted to import into the Colonies on the terms proposed by the act of Parliament. Let the alien duties be repealed on both sides, and our enterprize, our proximity, and our articles essential to the Islands, will do the rest. The profit of the merchant in the West India trade, is trifling; in general, it scarcely pays a moderate freight; but the trade gives employ to our vessels and seamen, and demands much of our produce. Jamaica alone consumes more than 60,000 barrels of flour, annually; and about as much is consumed in all the other British Islands. Canada (if ever able to supply,) can only do it, as I have already said, for six months in the year; and there is little danger of Great Britain and Ireland furnishing the quantity necessary for the other six months with their *own* flour. Vessels from Canada cannot make more than one voyage in the year, to Jamaica, when ours can make four or five. I can, Mr. President, see no danger from the repealing our alien duties to British vessels engaged in the Colonial trade, and hope that the Committee of Commerce will be directed to report a bill for their repeal.

Notes on the Act of Parliament, of 5th July, 1825.

Take the first and fourth sections together, and they close the ports to the vessels of the United States, unless British ships shall be admitted into its ports upon the footing of the most favored nation.

That act imposes no discriminating duty on imposts, and no duty on tonnage.

It prohibits from importation into the colonies, certain articles from any foreign country.

It admits Rum, Cocoa, Sugar, Molasses and Coffee, from every country, into Canada and Nova Scotia, on payment of very light duties, and admits all articles into their Colonies on payment of light duties.

It admits many articles, [duty free] into all her Colonies.

It admits [duty free] all goods from India and China.

Sec. 11, enacts—That the duties imposed prior to the 18th year George III. shall continue, as well as all Colonial duties, to be applied to the uses for which they were imposed; but shall not [taken together] exceed the duties imposed by this act.

It admits all articles, not specifically prohibited, to be imported into the Colonies from [illegible], being the produce of the nation to which the ship belongs: and,

It permits the [illegible] from those Colonies, in foreign ships, all the produce, and such articles as may legally be imported therein, in any vessel, to the world.—See sec. 4, of act July 5, 1825.

It confines these permissions to those nations possessing Colonies, who will reciprocate, and to those having none who will place the commerce and navigation of the British possessions abroad, on the footing of the most favored nation.

It permits all goods, the produce and manufacture of the country to which the ship belongs, to be imported and deposited in the Public Warehouses, the duty to be paid only when drawn out for consumption. The packages to be opened and sold in any port that may be required.

SCHEDULE OF DUTIES.

A Schedule of Duties payable upon Goods, Wares, and Merchandise, not being of the growth, production, or manufacture, of the United Kingdom, or of any of the British Possessions in America, or the West Indies, or within the limits of the East India Company's charter, imported into any of the British Possessions in America or the West Indies.

Barrel of Wheat Flour, not weighing more than 196 lbs. nett weight	$ 1	11	
For every hundred weight of Buiscit or Bread		33	1-3
For every barrel of Flour or Meal, not weighing more than 196 lbs. not made from Wheat		55	3-5
For every bushel of Wheat		22	1-4
For every bushel of Peas, Beans, Rye, Calavances, Oats, Barley, or Indian Corn		13	
Rice, for every hundred lb. nett weight		55	3-5
For every one thousand shingles, not more than twelve inches in length	1	55	3-5
For every one thousand shingles, being more than twelve inches in length	3	11	
For every one thousand Red Oak Staves	3	33	1-3
For every one thousand White Oak Staves or Headings	2	78	
For every one thousand feet of White, Yellow, or Pitch Pine Lumber of 1 inch thick	4	66	2-3
Other kinds of Wood and Lumber, per one thousand feet	6	22	1-4
For every one thousand Wood Hoops	1	16	2-3
Horses, Mules, Asses, Neat Cattle, and all other live stock, for every one hundred pounds of the value	44	44	4-9
Spirits, viz: Brandy, Geneva, or Cordials, for every gallon		22	1-4
And further, the amount of any duty payable for the time being on Spirits, the manufacture of the United Kingdom.			
Wine, imported in bottles, the tun containing 252 gallons	32	66	2-3
And, further, for every 100*l.* or $444 44 4-9 of the true and real value thereof	33	33	1-3
And for every dozen of foreign quart bottles, in which such Wines may be imported		22	1-4
Wine, not in bottles, for every 100*l.* or $444 44 4-9 of the true and real value thereof	33	33	1-3
Coffee, Cocoa, Sugar, Molasses, and Rum, imported into any of the British possessions in North America, viz:			
Coffee, for every cwt.	1	11	
Cocoa, for every cwt.	1	11	
Sugar, for every cwt.	1	11	
Molasses, for every cwt.		66	2-3
Rum, for every gallon		11	
And, further, the amount of any duty payable for the time being on Coffee, Cocoa, Sugar, Molasses, and Rum, respectively, being the produce of any of the British possessions in South America or the West Indies.			

Remarkable conversion.—The Honorable Charles W. Byrd, Judge of the United States' District Court in Ohio, has joined the Society of Shakers, residing in Mercer county, Kentucky.—*Commentator.*

From the Literary Magnet.

Remarkable proof of the inadequacy of Circumstantial Evidence.

In the year 1689 there lived in Paris a woman of fashion, entitled Lady Mazel. Her house was very spacious and three stories in height. In a small room partitioned off from the hall, slept the valet de chambre, whose name was Le Brun.—The first room of the first floor was occupied by the lady Mazel. The key of her chamber was, by her desire, taken out of the door every night and laid on a chair, by the servant who assisted her in undressing, and who, the door shutting with a spring, was accustomed to close it after her, so that it could not be opened from the outside. On the 27th of November, being Sunday Le Brun, the valet, attended his lady to church, then repaired to another place of worship himself, and afterwards, having supped with a friend, went home.

Lady Mazel supped, as she was accustomed to do, with the Abbe, and about eleven o'clock retired to her dormitory, where she was attended by her maids. Before they left her, Le Brun came to the door, and laid the key on one of the chairs which stood nearest to it; they then went out, and Le Brun following them, shut the door after him. In the morning he went as usual to market; and on his return home, pursued his customary avocations. At 9 o'clock he expressed great surprise that his lady did not get up, as she usually rose at seven. He then went to his wife's lodging which was in the neighbourhood, and mentioned his uneasiness that his lady's bell had not rung. Having, on his return, found the domestics in great consternation, in consequence of their having heard nothing of their lady; and one of them having expressed a fear that she had been seized with apoplexy, Le Brun observed, "It must be something worse; my mind misgives me, for I found the street door open last night after all the family were in bed."

A smith was immediately sent for, and the door having been forced open, Le Brun, who entered first, walked to the bed, and after speaking several times without receiving any answer, drew back the curtains, and exclaimed, "O! my lady is murdered!" Whilst the other servants were busied about the body, he went to the wardrobe, taking out the strong box in which the family jewels were kept, and feeling it heavy, observed, "that it was strange that any one could commit murder, unless to conceal robbery!'

A surgeon having been sent for, examined the body, which was covered with no less than forty-three wounds. In the bed, which was deluged with blood, was found a scrap of coarse lace, and a napkin made into a night-cap, which was also bloody, & had the family mark on it.—From the wounds on the lady's hands, it appeared that she had struggled hard with the murderer, who had apparently cut the muscles before he could disengage himself.

The key of the chamber was gone from the room, but no marks of violence appeared on any of the doors; nor were there any signs of robbery, as a large sum of money, and all the lady's jewels, except a gold watch, were found in their usual places.

Le Brun, on his examination, said, 'That after he left the maids on the stairs, he went into the kitchen, and placing his hat and the key of the street-door on the table, sat down by the fire to warm himself; he shortly fell asleep, and slept, as he fancied, from the appearance of the candle, about an hour. On going to lock the street door, he found it open; he locked it, and took the key with him to his chamber.'

On trying the bloody night-cap on Le Brun's head, it was found to fit him exactly; and on this slight ground of suspicion he was committed to prison. On his trial, a very strong suspicion was expressed that the lady was murdered by some person who was let in by Le Brun for that purpose. Not one of the locks had been forced; and this, added to the improbable story of finding the street-door open, was regarded as strong evidence of his guilt, and of his having had an accomplice; the more especially, because part of the cravat found in the bed was discovered not to be like his. And one of the female servants deposed, that she had washed such a cravat some time before for a man named Berry, who had been footman to the Lady Mazel, and whom she discharged for robbing her.

Le Brun in his behalf, had nothing to oppose to these suspicious circumstances, but an uniformly good character, which he had maintained for the nineteen years in which he had been in Lady Mazel's service; and the general esteem in which he was held as a good husband, father, and servant. In this dilemma it was resolved to put him to the torture, which was done with so much severity, that he died within a week of the bruises which he had received: strongly asserting his innocence to the last moment of his existence.

About a month after this event, notice was sent from the provost of Sens, that a dealer in horses had lately taken up his abode there, under the name of John Gorlet, but that he was strongly suspected to be the Berry who formerly lived footman with the Lady Mazel in Paris. In consequence of this information, he was apprehended; and, on searching him a watch was found, which proved to be the one belonging to the murdered person. On his trial, at Paris, a person deposed to have seen him quit that lady's house on the night of the murder; and a barber swore to having shaved him on the following morning, and mentioned, that, in answer to some observations he made as to his hands being so much scratched, Berry said that he had been killing a cat.

On this evidence he was condemned to be put to the torture, when he acknowledged that he and Le Brun had planned to rob and murder Lady Mazel; but when he was brought to the place of execution, confessed that he came to Paris on Wednesday before the murder was committed, and that on the Friday evening, he found means to enter the house unperceived, got into one of the garrets, where he lay until Sunday morning subsisting on apples and bread, which he had in his pockets. That about eleven o'clock on Sunday morning, when he knew the family was gone to mass, he stole down to lady Mazel's chamber, and the door being open, he got under the bed, where he continued until the afternoon, when his victim again went to church; and knowing that she would not come back for some hours, he got from under the bed, and making a cap of a napkin which lay in a chair, sat down by the fire, until he heard the coach drive into the court-yard, when he again got under the bed, and remained there until Lady Mazel having been in bed about an hour, he presented himself before her, and demanded her money; she began to call out, and attempting to ring her bell upon which he stabbed her; and she resisted with all her strength, he repeated his stabs until she was dead.

He then took the key of the wardrobe from the bed-head, opened it, and found the key of the strong box, from which he took all the gold he could find, but not the jewels. He next locked the wardrobe, and replaced the key behind the pillow, took his hat from under the bed and left the napkin in it.—Having taken the key of the chamber out of the chair, he went down & finding the street door only on the single lock, he opened it, and escaped, and left it ajar.

Thus was the veil removed from this deed of darkness, and all the circumstances which condemned Le Brun were accounted for consistently with his innocence.

INTERESTING FACT.—The following interesting fact of a young Indian Chief, of the Pawnee nation, at the foot of the Rocky Mountains, who was on a visit to Washington in the winter of 1824, is extracted from a letter of the Rev. Richard Reese, to the editor of the London Wesleyan Methodist Magazine.

"This young warrior, of fine size, figure and countenance, is now about twenty five years old. At the age of twenty one his heroic deeds had acquired for him in his nation the rank of "*bravest of the brave.*" The savage practice of torturing and burning to death their prisoners existed in this nation. An unfortunate female taken in war, of the Padea nation, was destined to this horrible death. The fatal hour had arrived, the trembling victim, far from her home and her friends, was fastened to the stake; the whole tribe was assembled on

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