

IMPORTANT DEBATE.

House of Representatives of the United States,
THURSDAY, JANUARY 30, 1817.

COMMERCIAL INTERCOURSE.

(Concluded.)

Permit me now, sir, to ask the attention of the committee to the principal features of the British navigation act. It is a wise and aged monitor; it has existed for more than one hundred and fifty years; the most profitable and best counsellor the British monarchy ever possessed. And I sincerely hope that our country will draw much profit and instruction from the same source. The following account of that act, greatly abbreviated, is taken, from Chitty's law of nations; some of the additional acts have received modification since he wrote; particularly in relation to this country.

The great navigation act, as it is called, of Great Britain, passed before the restoration, viz. 9th Oct. 1651, and was intended "to cripple the Dutch trade." The subsisting act of navigation, was passed 12 Charles, 2d, C. 18. Its principal provisions are three fold.

1. Relating to the coasting trade of Great Britain.

2. Her trade with other independent states.

3. The trade she carries on herself, or permits other states to carry on, with her plantations and foreign possessions.

The first is confined solely to British bottoms—the master and three quarters at least of the seamen English—and is from one port or creek of England, Ireland, &c. to another port or creek in the same.

The second is restricted to English vessels, or vessels of the country producing the article—the master and three quarters of the crew of that country; or to vessels of the place where the article is first shipped. By 6 Geo. 1st C. 15. Timber from Germany confined to English vessels. Certain enumerated articles admitted from Europe. The trade with Asia, Africa and America, restricted to British colonial vessels of hers by 12 C. 2. C. 18. 2. Exceptions in favor of the Portuguese, 48 Geo. 3. C. 12—products direct from Brazil in Portuguese vessels, owned by subjects of that government resident in said country.

Exception as to the United States, 37 Geo. 3. C. 97—American products in American and British ships. The master and three quarters of the mariners of the country; "any goods, wares or merchandise, the growth, production or manufacture of the United States, not prohibited by law," 37 sec. this act to continue in force so long as the treaty between his Majesty and the United States shall. The treaty ceased—but this statute was continued by sundry acts to 1808—then continued another year, and the 49. Geo. 3. C. 59. re-enacted the same without any limitation, (Importance of these legislative acts not repealed by war.) This act then is permanently in force, except which effected for a time, by our non-intercourse, embargo, or the British retaliations thereof. Some exceptions from the general law as to manufactured tobacco, indigo and cochineal. Exceptions and permanent absence of all restrictions as to masts, timber or boards, pitch, tar, rosin, hemp or flax, by 47 Geo. S. C. 27, 2—may be exported in any vessel belonging to any state in amity with his majesty, navigated in any manner (since altered.) Also bullion and prize goods by original act of 12 C. 2 C. 18, 15—also temporary suspensions during war. By said original act, the trade of Great Britain with her colonies, which was the third branch above named, is confined to her home and colonial shipping. Exceptions by 45 Geo. 3. C. 57—enacts that wood, cotton, wool, &c. mill timber, horses, cattle, &c. may be imported into certain ports, viz. Kingston, Savannah, La Mar, &c. &c. from the country of their growth, productions or manufacture in vessels of such country, also tobacco, also permits certain exports, (since altered.) When war is declared, the king by proclamation, shall permit merchant vessels, &c. to be sailed differently from the navigation laws.

The great object of these laws is to enlarge and strengthen the maritime power of G. Britain, and as one of her political writers remarks, they impose burdens on foreign, to encourage domestic industry; that the act of navigation is perhaps the wisest of all the commercial regulations of England. "If

the wisdom of any scheme of policy is to be measured by its effects and consequences, our navigation system is entitled to the praise of having attained the end for which it was designed. Whether we regard the primary or inferior objects in this system; whether it is the increase of shipping, the extension of our foreign trade, or the strenght of our navy, they have all advanced to a degree of consideration unexampled, and they owe that advancement to this system.—(Reve's Law of shipping, cited in Chitty's Law of Nations.)

These are some of the features of the celebrated Navigation Act of Great Britain, and of some of the laws relating to the same subject. Let it not be said, that she will not relax in her colonial system, when we see she has relaxed, even in relation to this country, when it was for her interest. But what reason has she to relax her restrictions if you do not retaliate them? Relax them did I say! Nay, she will add to them—favour the trade of her own subjects at the expense of your trade, unless you countervail her acts. The very trade between our country and her colonies, which she allows in her own bottoms is a relaxation of the old colonial law, which restricted that trade to the mother country.—And what has been the consequence of this direct trade in British ships between her colonies and this country? That some of these colonies have prevented, by high duties, the introduction from neighboring islands, to which our vessels can go, (except from Bermuda) of all commodities from this country, because they can receive them cheaper direct from this country, and can send their produce, such I mean as they permit to be sent, chiefly rum, sugar and molasses, directly to us. And, sir, it is principally by this colonial trade of Great Britain, the decided advantage which that affords, which enables her almost to engross the direct trade between this and Great Britain—the advantage of double voyages; thereby enabling her ship-owners to under bid us in our own ports—(I mean, to carry for less freight.) In relation to that part of Mr. Jefferson's report, which refers to some of the British islands, which might equally with ourselves be the victims of the restrictive laws of Great Britain, it is sufficient to remark, that some of her colonies, I do not refer to the islands, have indulged her on to the adoption of some of her laws, injurious to our navigation. Nay, some of her colonial assemblies have themselves passed laws in relation to their trade with this country, of which we have reason to complain. On the subject of the trade in Plaster of Paris, the assemblies of New-Brunswick and Nova-Scotia have passed laws of the most offensive character: laying a duty almost equal to the price of the article in the Boston market, on all the plaster exported from their provinces, landed to the east of Cape Cod—the duty, I think, is twenty shillings sterling the ton, and this act, contrary to all expectation, has received the sanction of the Prince Regent. Thus, to enable the British vessel to carry the article to the place of consumption, a distinction is made in our ports, over others. Can Congress for a moment suffer a pretence of this kind? Suffer a foreign power to do that which the constitution will not permit you to do! Where will these encroachments end, if not met by the most decisive measures of retaliation? Sir, I fear this whole business is a sacrifice of principle to a little temporary interest. We hear it said, it will do no good to pass these laws; Great Britain will not relax in her restrictive law; sir, it will do this good: it will prevent her wealthy merchants and ship-owners from rising into importance on the misfortunes and the bankruptcies of our citizens; it will prevent her already gigantic naval power from rising still higher on the ruins of our own.

One word more respecting this trade in Plaster of Paris. Its importance, and the motives for passing the colonial laws on the subject, may be collected from the resolution passed "at a meeting of the merchants, ship-owners, and other inhabitants of the city of St. John, New Brunswick, on the 19th February, 1816"—they say,

"That by the best estimate, this trade, duly regulated, will employ 5,000 tons of additional British shipping, being more than is used in all the rest of the trade of the Province."

"That the contraband trade between the ports of the Bay of Fundy and the United States of America has been baneful to the

prosperity of the country, not only by the introduction of illegal merchandise, but by its ruinous drain of specie from it."

"That another prominent evil arising out of this trade is, that a great portion of the numerous vessels belonging to the out-ports of the Bay of Fundy, are only nominally British, but virtually American bottoms," &c. After other observations, and after adverting to the interest which their "sister province of Nova-Scotia" had in this trade, they further resolved, "that a petition to the legislature of this province, now in session, be immediately forwarded, expressive of the substance of the foregoing resolution, and humbly praying that effectual regulations be enacted, to the end, that no Plaster of Paris may be delivered in the neighbourhood of the American lines, or any where to the eastward of Boston, in such way as to enable the American coasting vessels to carry it from the said lines to the places of consumption."

Hence, the plaster law above mentioned; but as Boston must be the victim when any thing like a port bill is in agitation, no plaster, by the act, can be delivered east of Cape Cod, without paying the prohibitory duty.

I will now, sir, for a moment, take a view of the navigation of this country; and of its importance, not only to the individuals who may own its tonnage, not to that part of the country, where the principal part is constructed, but to the nation at large, in relation to the hands and materials employed in its construction, the amount and value of the tonnage, and, above all, in a national point of view, for manning our navy in case of war, with the number of seamen required to navigate it. The amount of our tonnage in 1816, as stated in the treasury report, was over 1,400,000 tons; but this is presumed to be, by the author (a member of this house Mr. Pitkin) of a statistical view of our commerce, (a work distinguished for accuracy of research and correctness of remark,) greater than the actual amount, which he states at 1,250,000 tons; by the treasury statement of the amount of tonnage for 1815, laid on our tables yesterday, there were 1,368,127 tons; but the actual amount for that year may be rated at 1,250,000 tons; allowing one seaman for every 20 tons which is rather under than over the usual proportion, it would require 62,500 seamen to navigate this tonnage, if generally employed. The original cost of this tonnage, of 40 dols. the ton, is 50,000,000 dollars, the actual value, at any given period, will be found by deducting one-third of the original cost; this will give you an actual capital employed in navigation for 1815, of thirty three millions and a third of dollars. The whole of this tonnage requires to be replaced once in ten years, in consequence of loss and decay. There must, therefore, be annually built 125,000 tons, equal in value to 5,000,000 of dollars, which gives employment to more than 10,000 artists and laborers in the construction. This appears a fair estimate from the amount of tonnage actually built in this country, when commerce and navigation flourished, say in 1805-6. Ships of war in England, built in the King's docks, of the materials there generally used, are now estimated to last fifteen years; those built in the merchants yards, ten years; giving an average of twelve years and a half; our merchant vessels may therefore, be estimated to last ten years. The trade of ship building is extremely important in certain parts of our country not so highly favored as other portions of it, as to soil and climate; taken in connexion with the employment of the ships, it is essential to their prosperity; nay, their population must greatly decrease without this employment. The people of this country formed the constitution of the United States, among other things, "to promote the general welfare;" is not this done by promoting the welfare of every part. If the people of any part suffer peculiar privations and losses by the injurious acts of foreign nations, and it is in the power of this government to prevent them in future, is it not its duty to do it? The bill on your table will, it is presumed, remedy some of the evils inflicted on this country, by the restrictive laws of foreign nations.

But to return to the subject of our navigation, consider the number and variety of persons employed in the construction of a ship—take a ship of two or three hundred tons. A gang of ten or fifteen men are first employed about a month in cutting tim-

ber; a different set of men are then employed, with their teams, in hauling it to the ship yards; ten or fifteen carpenters are then employed for two or three months in building the vessel; before she is launched, a different set of men, the caulkers, perform their part; after being launched, the cordage having been manufactured, the riggers fit and put over-head the rigging; and the block-makers, sail-makers, and blacksmiths furnish their several parts; so down to the panper who picks the oakum that is driven into her seams. She is then ready to receive on board those enterprising and gallant seamen, who, in the merchant's employ, carry the products of our country to the most distant nations, and, in our naval service, have spared their own glory and the fame of their country, through the world.

But what is the situation of our navigation and of our gallant seamen, at this moment? Owing in part to the causes to which I have alluded, the restrictions imposed by one nation at least upon our mercantile enterprise, and the many privileges and advantages which the ships and seamen of that very nation enjoy in our ports, in reference to their colonial ports, and even to the direct trade with Great Britain, and in some degree, no doubt, to the general peace throughout the world; more than one half of our tonnage is now useless—dismantled at the wharves, and literally rotting in the docks. Many of our seamen are reluctantly compelled to seek employ in foreign countries, and to sail under foreign flags. Our ship carpenters, too, destitute of employ, are obliged, for a living, to go into the British provinces of New-Brunswick and Nova Scotia, there cut timber; even for the royal navy of England, and to build vessels to carry it to Great Britain. Thus, British merchants, with British capital, employ our carpenters to build many of the vessels which are not only employed to carry on the direct trade with Great Britain, but to carry our lumber, our provisions, to their colonies. Hundreds of our artists and laborers, formerly employed in ship building, are reduced to poverty, and the owners of our ships, there being neither sale nor employment for them, are, many of them, bankrupt, without even the last consolation of unfortunate merchants, a bankrupt law, to save them from prison, and many of our towns and villages, once flourishing by commerce and navigation, deprived of both, now rapidly decay. Will the bill on your table have a tendency to relieve some of those misfortunes? I think it will. If it should not open the British Islands to us, it will at least employ many of our ships and seamen to carry some of our productions, necessary for the British Islands, to other Islands in the West Indies, to be carried thence in British ships, into their own ports; giving us the privilege of carrying, nearly to the port of consumption, many of the articles which now are only carried in British vessels. It will, too, prevent some of their merchants, and some portion of their navigation, from flourishing on the ruin of our own. But we have every reason to suppose, that, by a measure of this kind, we shall render the British government a little more inclined, because it will be for her interest, in any future negotiation, to allow us a participation in the trade with many of her Islands, equally beneficial to them and ourselves. The bill on your table must have an injurious effect upon the trade of those Islands. Altho' the plantations are in the West Indies, many of their owners are in England, and there form a numerous and wealthy class of subjects. Their complaints at least will be attended to by the British cabinet. Far be it from me, sir, to wish to inflict any suffering on the British colonists; their commerce, like our own, is too often sacrificed to the interest of the parent country; and the measure proposed, if it produces the desired effect, will be equally beneficial to the Islands and to this country.

Some inconveniences of a temporary nature may result from the adoption of the regulation proposed; and it is my sincere desire, as far as in my power, to consider the measure in its most important bearings. It will for a time depress, in our market, the price of those articles which are now carried in British ships to their Islands. In the North and East, the value of our lumber will be less; but if the merchants concerned in that trade can see, that what they may lose in the price of the article will be gained by another and equally deserving class of their fellow citizens; that, in a national point, of light,