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AMERICAN RESTRICTION LAW.

FROM THE RICHMOND ENQUIRER.

In seeking information on the operation of our restrictive laws, we naturally turned our attention upon Norfolk, formerly one of the great Emporia of trade with the British West Indies:—and of the citizens of that town, we addressed ourselves to a gentleman, who is particularly conversant with this subject.—We now lay before our readers his obliging communication:

NORFOLK, 1821.

Your letter requiring information respecting the trade between the United States and the British colonies, has been seriously considered; the subject is one upon which I have bestowed much attention, and have sought for information wherever I thought it could be obtained. A short review or history of the colonial system, with a notice of the different systems of restriction which we have adopted, with a view to obtain a participation in the colonial trade to the British Islands, may not be without use.

All the European nations have asserted a right, to restrict or interdict, commerce with their colonies, by foreign nations at their pleasure; according to their interests, or the necessities of their colonies, have relaxed what may be called a system. With the French colonies we had in our own vessels a partial intercourse; we were allowed to import into those colonies, lumber, live stock, and some salted provisions, and to export taffia, (rum) and molasses. The restrictions in the Danish and Dutch colonies were only in name, for by custom house management, they were effectually evaded; with the Spanish colonies, our trade was forced. I should have stated, that I am now speaking of that period of time, which elapsed between the peace of 1783 and the war produced by, or growing out of, the French revolution.—During this period, all intercourse between the United States and the British colonies was wholly interdicted, except in British vessels. It is now, very difficult to ascertain the extent of the trade, during this period, but from my own observation it must have been very extensive. At that time, there were two descriptions of vessels, which traded between this country, and the British colonies; one, the regular traders, which came and went at all seasons; the other vessels which came here at particular seasons, to avoid the hurricane months, and to make a voyage, which if they had not, would have passed away in waiting for crop; these latter were vessels which traded between Britain and the colonies, and were very large. There are many who remember with me, to have seen at one time (and that very often) fifty British vessels in this port loading for the colonies; their average tonnage did not fall short, but rather exceeded 300 tons, giving 15,000 tons. Looking over the clearances from this to Bermuda and Halifax, since the 31st Dec. 1820, to 1st January last, one year, the tonnage is short of 600 tons.

I should be inclined to think that the produce exported from this place to the British colonies, at the period alluded to, required a tonnage of 30,000 to export it.—Before the adoption of the federal government, documents touching the imports and exports, were not preserved as they have been since, hence it is next to impossibility to come at the value exported.

The French revolutionary war coming on, Great Britain opened her colonies for the free importation into them, of all American produce, our vessels being placed upon the same footing as her own. This war was terminated by the treaty of Amiens, but Great Britain probably considering the peace as nothing more than a truce, renewed not her restrictions, as to our vessels of any size; for, our vessels not exceeding seventy tons, were permitted to trade with her colonies; under the treaty of 1794, commonly called Jay's treaty. Until the renewal of the war between France and England in 1803, the commerce between this country and the British colonies, was free to the vessels of both countries, as hath been already remarked, and so continued until the war between the United States and Great Britain, that is, there was no restriction on the part of Great Britain. The war between the United States and Great Britain having terminated, and war in Europe having ceased, without any

prospects of renewal, the British government renewed all the colonial regulations, as they stood antecedent to the war of the French Revolution. At all times, within my recollection, great anxiety has prevailed, particularly among the trading part of the community, for a participation in the British colonial trade, and coercive means were long talked of, before they were tried.—The first attempt was I think, made under the state government about 1787 or 1788, by imposing additional duties, but Maryland not seconding the views of Virginia, the measure was soon abandoned, and things so remained as before. As soon as the federal government was formed, sanguine expectations were entertained that our object might be attained by a general system of coercion; negotiations were set on foot first, but very soon the then chief magistrate, in I think, his second or third communication to Congress, stated that Great Britain was not inclined to meet the overtures he had authorized. The war which shortly followed, caused Great Britain to open her colonies to our vessels, and probably prevented any measure being taken upon the subject by congress. Very soon after that war commenced, Great Britain committed very extensive spoiliations upon our commerce, which caused the embargo of 1794. In the debates upon this subject, great reliance was placed in the effects which the embargo would have on the British colonies, but we found it an inconvenient restriction, and the law expiring at the end of 60 days was not renewed. Pressed as Great Britain then was, all that Mr. Jay could obtain was an intercourse with her colonies, in vessels not exceeding seventy tons, and that to last two years after peace, which was in fact giving only two years intercourse in vessels not exceeding 70 tons; for the war then existing, there was no restriction to vessels of any size.

The long embargo was the next measure, and had no effect in changing the conduct of Great Britain, but had an effect in obliging the colonies to depend partly on their own resources, and to seek for supplies from other quarters.—I well remember, that there was more Indian corn exported from Norfolk, twice over to the Island of Antigua alone, than is now shipped from this port to all the foreign ports in all parts of the world.—Every estate in the colonies now raises some Indian corn. The North American Colonies supply a part and large part of the different kinds of lumber required.

The two measures, of intercourse, with Halifax and Bermuda, the first in the vessels of both nations, and the second by the intercourse in our own vessels only, followed next. Before I notice the effects which these measures have produced, I will shew, by an official document the extent and validity of our trade with the British colonies, at a period when no restrictions of ours existed. That those colonies required our supplies, is evident, or they would not have taken them, and whether carried in our own or in British vessels, the quantity would have been the same. The document from which these data are derived, is the Treasury Report of February 28th, 1806. I would premise that the Treasury had no means of ascertaining the exports to the British colonies, but by the clearances of vessels for those colonies. Now every one in business knows that a great many clear for the "West Indies" generally, some of those no doubt, perhaps not less than one fourth, go to the British colonies, I mean when they were open and at the period embraced in the report of February 1806.

Exports to the British West India and North American Colonies for the years 1802, 1803 and 1804.

To the West Indies—
 Provisions & live stock \$4,720,000
 Lumber 900,000
 All other articles 660,000
 —————
 6,280,000

To the North American Colonies—
 Provisions and live stock 580,000
 Lumber and naval stores 90,000
 Skins and furs 160,000
 All other articles 220,000
 —————
 1,000,000

Imports from the British West Indies—
 Rum, \$2,440,000
 Sugar & Coffee 1,480,000
 All other articles 650,000
 —————
 4,570,000

Imports from the North American colonies,
 2,458,000 staves and heading
 420,000 feet of scantling
 460,000 feet of plank
 6,932 barrels of bread
 11,483 do. of flour
 8,730 do. of corn
 1,650 tierces of rice
 1,000,000 of shingles.

In articles of every kind 540,000
 Balance in favor of the United States, paid by bills of exchange on Great Britain or in specie 2,170,000
 —————
 7,280,000

The United States exported to the West Indies and other colonies in America, of all the European nations for the above three mentioned years 15,670,000
 Cleared for those of Great Britain as above 7,280,000
 —————
 8,327,000

Our exports to the West Indies other than British, were composed in part of foreign merchandize, which Great Britain never allowed to be imported into her colonies; the exports of the United States to those colonies, were the produce of the United States as reference to the articles will prove.

Revenue derived from imports into the United States during the years 1802, 1803 and 1804, from British colonies.

On Rum, 3,874,300
 " Salt, 675,145
 " Coffee, 393,000
 " Sugar, 1,337,000
 " Molasses, 320,000
 —————
 \$6,598,445

We come now to the conclusion of the late war, between the United States and Great Britain. In the absence of official documents, which I am promised by the custom-house, I will offer a few facts which will shew the diminution of our trade, by restrictions.

I have stated before, that 6000 tons of shipping cleared from this port for Bermuda and Halifax, from 31st Dec. 1819 to 1st Jan. 1821, one year; the number was 64 vessels; what was the value of the cargoes they carried out, I cannot tell exactly; but as the cargoes of 36 were insured here, I find the amount exported in those to be an average of \$2850; then say 64 at \$2850 will give the whole export of the year, \$181,500. I have before me the amount exported to the British West Indies in 1816, 1817 and 1818, by one house in Norfolk, the average is for each year \$260,000.

You were here during those years and well know, that one house did not do all the business to the British colonies; but one-fourth of it, which gives the amount of exports from Norfolk to the British West Indies, rather over one million of dollars; fallen in December last short of two hundred thousand dollars, and daily falling off.

Another fact may be stated; though it will not shew the diminution of our exports from Norfolk to the British West Indies, to the full extent, it will in part do so. I lately examined the records of the Marine Insurance Company's Office, from the 31st March 1803, to the 31st March 1804. From those it appears, that insurances were made in that office, for that time, on cargoes from Norfolk to the British Colonies amounting to 555,000 dollars. Now there can be no doubt, as to that amount going to those colonies, because if the vessels had gone elsewhere, they would have deviated and paid a premium for nothing. But observe, that all nor near all, the cargoes of vessels trading to the British West Indies from this port, did not insure in this office, some where insured to the North, and some in England, and some were not insured—but a great number were insured here, "to one or more islands" not designating; a mode of insuring, very common to guard against deviation, and sometimes to conceal their destination from mercantile neighbors; what these would or rather the cargoes did amount to, I cannot say, but from my knowledge of the business, at that time, I should not hesitate to say that the exports from Norfolk to the British colonies did not fall short of 750,000 dollars.

By accident I laid my hands upon an old magazine, as far back as 1787, which contains the importations into Jamaica, from the United States from December 1786, to 1st March 1787, which I will put down as I find it—the period being only three months.

2,458,000 staves and heading
 420,000 feet of scantling
 460,000 feet of plank
 6,932 barrels of bread
 11,483 do. of flour
 8,730 do. of corn
 1,650 tierces of rice
 1,000,000 of shingles.

The ostensible object of our restrictive system, being, I understand, to promote our navigation, and cripple that of England, we will examine that subject.—Our recent measures have not been sufficiently long in force, for the trade which is to be affected by them, to get in a regular channel. But it is just beginning to receive a new direction, which will put the British navigation, certainly upon as good, probably upon a better footing than ours, as respects the transportation. Already, shipments of American produce have been made from Great Britain to the West India colonies, and orders are now here, for shipments to Great Britain, intended ultimately for their colonies. In a business of this sort, it is evident, that so far as relates to the carriage from this country to Britain, the ships of both countries are upon an equal footing; afterwards, it exclusively belongs to those of Britain. Before a comparative view is taken of the expense of transports by way of Bermuda, and by way of Liverpool, a fact not generally known, will be stated. More than three-fourths of the ships that go from Britain to her colonies go in ballast, or which is the same thing upon an average, they are not one fourth laden; hence freight from England to the colonies, must be a very small consideration. And I will undertake to say, that the three-fourths not now laden or occupied, are competent to carry as much of our produce as the colonies will want.

Expenses on a barrel of flour sent from Norfolk to the British West Indies, via Bermuda.

Freight from Norfolk to Bermuda \$0 75
 Bermuda to the West Indies 1 00
 Island duty not remitted on exportation 2 50
 —————
 4 25
 Sent via Liverpool, freight from Norfolk to Liverpool 1 25
 Liverpool to the West Indies 75
 No duty when exported. 2 00
 —————

EXPENSES ON STAVES.
 Freight 1000 from Norfolk to Bermuda 13 00
 From Bermuda to West Indies 19 00
 —————
 Per M. \$32 00
 Freight from Norfolk to Liverpool 20 00
 From Liverpool to the West Indies 13 00
 —————
 33 00

Should the trade turn through Liverpool, allowing one half for British ships from this to Liverpool, they would get on flour the freight of 137 1-2 cents—and our ships 62 1-2 cents the half of the freight to Liverpool; of staves they would get in freight 23 dollars per M. and our ships 18 dollars.—I have presented these views and facts, in rather a desultory manner, which has been produced partly, by being occasionally called off on other matters, not admitting of delay.

I think there is not the most remote chance of our restrictive system producing any change in the British colonial system.—That it will not increase our navigation, and depress hers—that the loss of the little part of the carrying trade, which the ships owner would or might sustain, bears no proportion to the loss which agriculture and revenue sustain by the system. Our policy, it appears to me should have been, to keep the British colonies as dependent upon us as possible, instead of which, we appear to have been trying experiments to teach those colonies how to be independent of us.—Our measures have had three effects; of putting those colonies upon their own resources for some articles, of seeking for supplies of others in other quarters, and of diminishing their consumption in all.—What time may produce, I cannot say; but judging of the future from the past, it appears, that each measure has been productive of increased injury to our country, but to Norfolk, ruinous. It appears to me that the impediments which any nation causes in the exportation of its products, to that part of the world where they are to be consumed, acts as a tax on the exports. By our present system, the charges on a barrel of flour in freight only, by way of Bermuda or Liverpool, is from \$1 75 to 2 25 per barrel, whereas the direct freight would be only about one dollar; and so, as to all other articles.

You will perceive that I have treated this subject more with general than local views; but when I consider its effects as applicable to Virginia, and the lower counties of North Carolina and then as to Norfolk, I am astonished that the only representatives from either of those states

who favored this restrictive system, were from the lower part of North Carolina and Norfolk. Before the first act of restriction, passed after the late war, went into operation, the trade from Norfolk to the British colonies, was great, indeed, and was daily increasing; and by this time, I do believe that more than one half of all the business done from the United States to the British colonies, would have been done from Norfolk.* Nor is this calculation any way unreasonable, when the wants of the colonies and other circumstances are considered.—Every article that can be wanted for the West Indies is to be had at Norfolk, at (I may say) first hand, with the exception of rice and yellow pine lumber; with the first, no vessel bound to the West Indies ever takes a full cargo, perhaps from 10 to 30 tierces at the most, as part of an assortment. The yellow pine of Georgia, is, and will always be preferred to ours. Cargoes to the West Indies are, most always assorted. If a vessel goes to Philadelphia, she can get flour upon equal terms; but Indian corn, lumber of all kinds, tobacco, naval stores, &c. are cheaper and generally better in Virginia, and our flour as good, and as cheap.—If you go to the north and east, there our advantages are greater. If you go to Georgia or South Carolina, you may get yellow pine lumber and rice, but staves, flour, corn and naval stores, are not to be had good as in quality, or as cheap as in Virginia; indeed, the principal part of these articles are imported into Georgia, or South Carolina. Then the Chesapeake has a great preference on account of its navigation, free from ice, & of easy and safe access. The canal would have been the means of bringing to Norfolk a vast increase of lumber of superior quality, with corn, fish, tobacco pork and naval stores, from all parts of North Carolina; so that both in quality and quantity, Norfolk could not have been rivalled.—There are many things, which are so plausible in theory, that it would appear sceptical to doubt, and yet they will not stand the test of experience. As a merchant and a citizen, I would rather that the cargoes, were purchased and sold here for British account, than that we should ship the cargoes, and have them sold for our account. In the first case, we secure the commissions upon the business, which with the commissions on the vessel's expenses, and on account of the high duties (for commissions are charged upon the gross amount) will put into the resident's pocket here not less than 12 1-2 to 15 per cent. upon the original investment.—The nature of the connexion between the West India merchant and the planter, is such that the latter never deals with an adventurer, who arrives in the Islands: the consequence is that when an American vessel arrives, she must sell to the wholesale merchant, and except in times of distress, generally at his own price.—I speak from experience, that except to Jamaica, I do not think I ever made half a freight to a British Island, for the reason I have stated. There merchants give long credits to planters, and charge prices to meet the risk, and interest of money; this an adventurer cannot do.

* By accident I have fallen on a file of papers of 1801, which furnished me with the amount of exports from this port to the West Indies for a quarter in that year from 1st April to 1st June, and which is as below. Now you will remark, that this quarter, in mercantile phrase, is always the dullest in the year, and my own experience warrants me in saying, that the exports of the first and last quarters would, one year with another exceed the other two, 25 to 33 1-3 per cent.

You will bear in mind that we never exported to a British colony other than native produce, whereas as to colonies of the other nations, we exported constantly foreign articles. The exports from the United States that year amounted to \$6,404,584 to the West Indies.

To the British West Indies, quarter ending 30th June, 209,050
 Spanish 22,996
 Dutch 2,994
 French 10,257
 Generally 25,000
 —————
 51,227
 —————
 260,227

This shows that three-fourths of all our exports were to British Islands, allowing no part of \$25,000 shipped generally, went to British colonies.—The above excludes the North American Colonies.