

6

THE HAND OF EMPIRE



The Navigation Acts, passed by the British Parliament over the span of a century, reflected the goals of mercantilism: to advance the interests of English merchants, shippers, shipbuilders, and producers and to make England, not other parts of the empire, wealthy. In this system the colonies would produce raw materials. England would ship, process, and market those materials and then sell manufactured goods back to the colonies.

There were, to be sure, some benefits for Americans. The English government paid bounties to producers of naval stores and indigo in America, for example, and saw to it that American tobacco had a preferential position in England. The British navy, moreover, protected the colonies as well as the mother country, and Britain clearly had a long-term interest in making the entire British Empire prosperous. Inevitably, however, given the realities of British political power, the system usually promoted the interests of businesses in Britain, not the colonies. Even among the British colonies, it was usually India and the Caribbean sugar islands, where profits were incredibly high, that got favored treatment, and not the North American mainland.

The first Act (1660) became the foundation for the entire trade and navigation system. As cracks appeared and the American economy changed, many other acts followed. Thus the Staple Act (1663) decreed that European products should pass through English ports before being shipped to the American colonies. When New England shippers defied this rule by smuggling goods into more profitable European ports, Parliament responded with the Act of 1672 to plug the illicit trade. The important Act of 1696 tried to reassert control by establishing a fully developed customs system in America (giving customs officers enormous powers to search and punish) and by declaring colonial laws contrary to the Act "illegal and void."

The 1733 "Sugar" (or Molasses) Act was ineffectual largely because Americans quickly elevated bribery and smuggling to an art form. Other measures tried to keep Americans from making beaver hats, a lucrative business, or starting their own banks. The 1764 Act tightened

sugar controls and restricted the manufacture of iron products, thereby further injuring American industry. By now, moreover, Britain was carrying a huge war debt from its conquest of France in the Seven Years' ("French and Indian") War. It seemed only fair that the Americans, who benefitted from the English victory, should pay their share of the costs by means of customs duties.

But the Americans resisted. They refused, in the name of liberty, to submit to any authority not of their own making. Parliament claimed the right to regulate trade and raise revenue. Americans evaded, challenged, and defied, arguing that with Parliament free to tax trade, there could be "no Liberty, no Happiness, no Security." The 1764 Act seemed the culmination of a mercantile system designed to coerce the colonies. The Navigation Acts looked like a "conspiracy" to "tyrannize" them. A habit and a vocabulary of opposition arose in America that set Parliament and the colonists on a collision course.

Questions to Consider. To what extent did the changing provisions of the Navigation Acts reflect changes in the colonial economies? What British economic interests did the different Acts appear to be protecting? How important were the sheer difficulties of enforcement in prompting the various Acts? What caused the Navigation Acts, which were imperial regulatory measures, to become a hot political issue?



The Navigation Acts (1660–1764)

1660

For the increase of Shipping and encouragement of the Navigation of this Nation, wherein under the good providence and protection of God the Wealth, Safety and Strength of this Kingdom is so much concerned, Be it Enacted . . . That . . . from thence forward no Goods or Commodities whatsoever shall be Imported into or Exported out of any Lands, Islands, Plantations or Territories to his Majesty belonging or in his possession or which may hereafter belong unto or be in the possession of His Majesty His Heirs and Successors in Asia, Africa, or America in any other Ship or Ships, Vessel or Vessels whatsoever but in such Ships or Vessels as do truly and without fraud belong only to the people of England or Ireland, . . . or are of the built of, and belonging to any of the said Lands, Islands, Plantations or Territories

as the Proprietors and right Owners thereof and whereof the Master and three fourths of the Mariners at least are English under the penalty of the Forfeiture and Loss of all the Goods and Commodities which shall be Imported into, or Exported out of, any of the aforesaid places in any other Ship or Vessel, as also of the Ship or Vessel with all its Guns, Furniture, Tackle, Ammunition and Apparel. . . .

1672

[W]hereas by . . . [the Navigation Act of 1660] . . . , and by several other Laws passed since that time it is permitted to ship, carry, convey and transport Sugar, Tobacco, Cotton-wool, Indigo, Ginger, Fustic and all other Dyeing wood of the Growth, Production and Manufacture of any of your Majesties Plantations in America, Asia or Africa from the places of their Growth, Production and Manufacture to any other of your Majesties Plantations in those Parts (Tangier only excepted) and that without paying of Customs for the same either at lading or unlading of the said Commodities by means whereof the Trade and Navigation in those Commodities from one Plantation to another is greatly increased, and the Inhabitants of diverse of those Colonies not contenting themselves with being supplied with those Commodities for their own use free from all Customs (while the Subjects of this your Kingdom of England have paid great Customs and Impositions for what of them has been spent here) but contrary to the express Letter of the aforesaid Laws have brought into diverse parts of Europe great quantities thereof, and do also daily vend great quantities thereof to the shipping of other Nations who bring them into diverse parts of Europe to the great hurt and diminution of your Majesties Customs and of the Trade and Navigation of this your Kingdom; For the prevention thereof . . . be it enacted . . . That . . . If any Ship or Vessel which by Law may trade in any of your Majesties Plantations shall come to any of them to ship and take on board any of the aforesaid Commodities, and that Bond shall not be first given with one sufficient Surety to bring the same to England or Wales . . . and to no other place, and there to unload and put the same on shore (the danger of the Seas only excepted) that there shall be . . . paid to your Majesty . . . for so much of the said Commodities as shall be laded and put on board such Ship or Vessel these following Rates and Duties. . . .

1696

[F]or the more effectual preventing of Frauds and regulating Abuses in the Plantation Trade in America Be it further enacted . . . That all Ships coming into or going out of any of the said Plantations and lading or unlading any Goods or Commodities whether the same be His Majesties Ships of War or Merchants Ships and the Masters and Commanders thereof and their Ladings shall be subject and liable to the same Rules, Visitations, Searches,

Penalties, and Forfeitures as to the entering, lading or discharging their respective Ships and Ladings as Ships and their Ladings and the Commanders and Masters of Ships are subject and liable unto in this Kingdom . . . And that the Officers for collecting and managing His Majesties Revenue and inspecting the Plantation Trade in any of the said Plantations shall have the same Powers and Authorities for visiting and searching of Ships and taking their Entries and for seizing and securing or bringing on Shore any of the Goods prohibited to be imported or exported into or out of any of the said Plantations or for which any Duties are payable or ought to have been paid by any of the before mentioned Acts as are provided for the Officers of the Customs in England . . . and also to enter Houses or Warehouses to search for and seize any such Goods. . . .

And . . . That all laws, by-laws, usages or customs, at this time, or which hereafter shall be in practice . . . in any of the said Plantations, which are in any wise repugnant to the before mentioned laws, or any of them, so far as they do relate to the said Plantations, . . . or which are any ways repugnant to this present Act, or to any other law hereafter to be made in this Kingdom, so far as such law shall relate to and mention the said Plantations, are illegal, null and void. . . .

1733

WHEREAS the welfare and prosperity of your Majesty's sugar colonies in America are of the greatest consequence and importance to the trade, navigation and strength of this kingdom: and whereas the planters of the said sugar colonies have of late years fallen under such great discouragements, that they are unable to improve or carry on the sugar trade upon an equal footing with the foreign sugar colonies, without some advantage and relief be given to them from Great Britain: . . . be it enacted . . . , That . . . there shall be raised, levied, collected and paid, unto and for the use of his Majesty . . . , upon all rum or spirits of the produce or manufacture of any of the colonies or plantations in America, not in the possession or under the dominion of his Majesty . . . , which at any time or times within or during the continuance of this act, shall be imported or brought into any of the colonies or plantations in America, which now are or hereafter may be in the possession or under the dominion of his Majesty. . . , the sum of nine pence, money of Great Britain, . . . for every gallon thereof, and after that rate for any greater or lesser quantity: and upon all molasses or syrups of such foreign produce or manufacture as aforesaid, which shall be imported or brought into any of the said colonies or plantations . . . , the sum of six pence of like money for every gallon thereof . . . ; and upon all sugars and paneles of such foreign growth, produce or manufacture as aforesaid, which shall be imported into any of the said colonies or plantations . . . , a duty after the rate of five shillings of like money, for every hundred weight. . . .

1764

WHEREAS it is expedient that new provisions and regulations should be established for improving the revenue of this Kingdom, and for extending and securing the navigation and commerce between Great Britain and your Majesty's dominions in America, which, by the peace, have been so happily enlarged: and whereas it is just and necessary, that a revenue be raised, in your Majesty's said dominions in America, for defraying the expenses of defending, protecting and securing the same; . . . be it enacted . . . , That there shall be raised, levied, collected, and paid, unto his Majesty . . . , for and upon all white or clayed sugars of the produce or manufacture of any colony or plantation in America, not under the dominion of his Majesty . . . ; for and upon indigo, and coffee of foreign produce or manufacture; for and upon all wines (except French wine;) for and upon all wrought silks, bengals, and stuffs, mixed with silk or herba, of the manufacture of Persia, China, or East India, and all calico painted, dyed, printed, or stained there; and for and upon all foreign linen cloth called Cambrick and French Lawns, which shall be imported or brought into any colony or plantation in America, which now, is, or hereafter may be, under the dominion of his Majesty . . . , the several rates and duties following; . . .

And be it further enacted . . . , That . . . no rum or spirits of the produce or manufacture of any of the colonies or plantations in America, not in the possession or under the dominion of his Majesty . . . , shall be imported or brought into any of the colonies or plantations in America which now are, or hereafter may be, in the possession or under the dominion of his Majesty . . . , upon forfeiture of all such rum or spirits, together with the ship or vessel in which the same shall be imported, with the tackle, apparel, and furniture thereof. . . .

And it is hereby further enacted . . . , That . . . no iron, nor any sort of wood, commonly called Lumber, as specified in an act passed in the eighth year of the reign of King George the First, entitled, An act for giving further encouragement for the importation of naval stores, and for other purposes therein mentioned, of the growth, production, or manufacture, of any British colony or plantation in America, shall be there loaded on board any ship or vessel to be carried from thence, until sufficient bond shall be given, with one surety besides the master of the vessel, to the collector or other principal officer of the customs at the loading port, in a penalty of double the value of the goods, with condition, that the said goods shall not be landed in any part of Europe except Great Britain.