

The American Duties Act

England needed money and Prime Minister George Grenville knew it. Grenville decided that the colonies would support the stationing of redcoats in the colonies, and measures were soon discussed to determine how to financially support such an arrangement.

The first step began with the strict enforcement of existing regulations and providing personnel to ensure complete enforcement. This was not a welcome development in the colony, but it was not violently protested. The next step was the American Duties Act, which is more commonly known as the Sugar Act of 1764. While the passage of this bill and its provisions are interesting in its own right, they are beyond the scope of what is to be discussed within this article in its entirety, so only several provisions will be addressed

First, the American Duties Act ended the practice of allowing smuggling cases to be heard by local juries and instead transferred all jurisdiction to an Admiralty Court in Halifax. Local American juries tended to look kindly upon smuggling, especially sugar for the use of the manufacture of rum, intimidating a judge in the middle of an army garrison, was quite another matter.

Secondly, in an effort to combat smuggling, it required ships to post bonds to ensure cargoes listed matched what was transported. If a cargo manifest differed, the bond would be forfeit. Bribery was not uncommon in the colonies, and this system threatened this almost open practice, promising prosecution, seizure of goods, and forfeiture of the bonds.

Finally, it forced the colonies to buy direct from England items that were otherwise imported cheaper directly, such as wine from Portuguese colonies or sugar smuggled from French colonies. By placing tariffs on foreign goods, the home markets would necessarily grow.

The colonists did not share Grenville's opinions. Several well-known colonials opposed the bill and its provisions, most famously Samuel Adams and James Otis. Organized resistance or mob violence did not result from the American Duties Act. Certainly there was opposition, resentment, and sporadic violence. Several merchants decided to stop buying British imports in order to hurt the pocketbooks of fellow merchants to express their displeasure.

Perhaps most notably, however, is some colonial opposition argued that the provisions of the bill trampled upon their rights as Englishman. The right to a jury trial and the right to control taxation. Otis argued that by removing jurisdiction from local courts and juries to Admiralty courts, their rights as Englishman had been trampled upon. Otis also argued that while Parliament had the right to control trade, or even end trade within the colonies, until an American sat in Parliament, they had no right to tax an American. The concept of virtual representation did not sit well with some American colonists. A stage was being set for a showdown over the limits of the power of Parliament over the rights of colonists and that of the colonial assemblies.