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**THE NAVIGATION ACTS AND COLONIAL  
MASSACHUSETTS INDUSTRY**

by

**William O. Madden, S.J.**

**A Thesis Submitted to the Faculty of the Graduate School  
of Loyola University in Partial Fulfillment of  
the Requirements for the Degree of  
Master of Arts**

**January**

**1955**

## LIFE

William O. Madden, S.J., was born at Chicago, Illinois, March 11, 1926.

He was graduated from Campion High School, Prairie du Chien, Wisconsin, in May, 1944. In June of the same year he entered the Novitiate of the Sacred Heart, Milford, Ohio, an affiliate of Xavier University. In the summer of 1948 he was transferred to West Baden College, West Baden Springs, Indiana, an affiliate of Loyola University, where he pursued courses in philosophy and history. He received his degree of Bachelor of Arts in Latin in February, 1949.

From September, 1951, to June, 1954, he taught history at the University of Detroit High School, Detroit, Michigan. During the summers of the same period he took courses and worked on his thesis at West Baden College, having registered in Loyola University graduate school in February, 1950.

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## CHAPTER I

### INTRODUCTION

The colonial policies of Great Britain embodied in the Navigation Acts are sometimes given as a major factor in the retarding of the natural development of the American colonies. Busching does not doubt that "the policy of the mother country, in hampering industrial development in the colonies, greatly hindered their industrial growth."<sup>1</sup> According to many authors these restrictive measures were a source of grievance on the part of the colonists. Cunningham states that the Navigation Acts "gave rise to a constant sense of grievance on the part of the colonists, even when the injury was comparatively slight."<sup>2</sup> On the other hand, in the thorough, objective studies of Victor S. Clark and Arthur C. Bining there is agreement that British legislation had little effect in retarding the development of manufacture in

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<sup>1</sup> Busching, Entwicklung Der Handelspolitischen Beziehungen Zwischen England Und Seinen Kolonien, 71, cited in Victor S. Clark, History of Manufacture in the United States, Washington, 1916, 6.

<sup>2</sup> W. Cunningham, Growth of English Industry and Commerce, Cambridge, 1927, 359.

the colonies.<sup>3</sup> Massachusetts, the colony most affected by these measures, became the most prominent colony in agitating for freedom. This colony developed industry during the colonial period which threatened to compete with British industry. The investigation of the effects of the Navigation Acts on colonial Massachusetts industry should be, then, a profitable and interesting study. It is with this purpose in mind that the following thesis concerning the relationship of the Navigation Acts to colonial Massachusetts industry is offered.

Until the close of the eighteenth century, the mercantile system governed the foreign-trade policy of Great Britain. In general the purpose of this system was to produce at home what was consumed at home, and by increasing exports and diminishing imports to preserve and enlarge the stock of coin within the country.<sup>4</sup>

All the American colonies were within the scope of this policy. Each of England's colonies was founded and maintained to increase the economic strength of the mother country. It was thought that the American colonies would make England independent of foreign sources for naval supplies. Further, America would

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<sup>3</sup> Clark, History of Manufacture; Arthur C. Bining, British Regulation of the Colonial Iron Industry, Philadelphia, 1933.

<sup>4</sup> Eli F. Heckscher, Mercantilism, trans. Mendel Shapiro, London, 1934, II, 131

produce luxuries that were being imported from the East, such as wines, oranges, lemons, spices, salt, and silk. Finally, the forests of North America would supply fuel for industries that had already caused a scarcity of timber in England.<sup>5</sup> To increase the profits from the mercantile system it was necessary to have independent supplies of raw materials for all types of manufacture. England itself was "a country of manufactures without materials, a trading post without commodities to trade upon, and a maritime power without either naval stores or materials for shipbuilding."<sup>6</sup> A final reason for the establishment of the colonies was to obtain markets for English manufactures.

The colonies were, then, to be subservient to the growth of English commerce and manufacture. The whole colonial policy of Great Britain would be based on this premise. Colonies were valued for commercial purposes, and the ideal colony was one which furnished commodities which Great Britain herself could not produce, and which did not compete with the industry of the mother country.<sup>7</sup> The colonists were encouraged, in accordance with "the true design and intention of those settlements," to "apply their industry to the cultivation... of such products as may be proper

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5 Clark, History of Manufacture, 9-11.

6 Mitchell, Present State of Great Britain in North America, 127, cited in Clark, History of Manufacture, 10.

7 E. Lipson, Economic History of England, London, 1931, III, 157-158.



for the soil of the colonies, and do not interfere with the trade or produce of Great Britain."<sup>8</sup> Mother country and colony were to be mutually complementary. Great Britain was to be a self-sufficient commercial empire independent of competing European powers and able to make these other powers dependent upon it. The essential aim was that the colonies produce commodities that the mother country would otherwise have to buy from foreigners. Nor was the importance of the colonies as markets ignored. This would naturally follow, since the colonists would be so busy supplying the mother country with raw materials that the mother country would supply the colonies with the necessities of life they could not themselves produce.<sup>9</sup>

Englishmen were disturbed by any gold going out of the country. They had an insatiable ambition to sell more than was bought. British economists of the sixteenth and seventeenth centuries referred often to the statement of the elder Cato that the father of a family ought to sell but not to buy.<sup>10</sup> Parliament at one time passed an act requiring that the dead be buried in English wool, and some Englishmen wanted all indentured servants going to America to wear felt hats, and all slaves in the

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<sup>8</sup> House of Lords Journals, XXIV, 412; House of Commons Journals, XII, 448.

<sup>9</sup> G. L. Beer, British Colonial Policy, New York, 1933, 134.

<sup>10</sup> Heckscher, Mercantilism, II, 131.

plantations, tropical or otherwise, to be clothed in wool.<sup>11</sup>

Of all England's colonies, Massachusetts became the pre-blem child of the mother country. Perhaps this was due in part to the type of people inhabiting the colony. Samuel Eliot Morison describes them in the following words:

A tough but nervous, tenacious but restless race; materially ambitious, yet prone to introspection, and subject to waves of religious emotion. Conservative in its ideas of property and religion, yet capable of deep friendships and abiding loyalties; law abiding yet individualistic, and impatient of restraint by government or regulation in business; ever attempting to repress certain traits of human nature, but finding an outlet in bread, crude humor and deep-sea voyages. A race whose typical member is eternally torn between a passion for righteousness and a desire to get on in the world. Religion and climate, soil and sea, here brewed of mixed stock a new people.<sup>12</sup>

In both society and politics the rulers in colonial Massachusetts were the merchants. The merchant was no mere shop-keeper. He bought and sold at home and abroad; he owned or chartered the vessels that carried his goods to other continental colonies, to England, to the Mediterranean, to the West Indies, and to the Spanish main. Besides his merchant ships, he owned shops where he retailed his goods, he speculated in land, he ran private banking businesses, and he underwrote insurance policies.<sup>13</sup>

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11 Charles M. Andrews, The Colonial Period of American History, New Haven, 1938, IV, 331.

12 Samuel Eliot Morison, Maritime History of Massachusetts, Boston, 1921, 22.

13 Ibid., 24-25.

The merchant's wealth grew from the early colonial policies of England, and his voice was loudest when later colonial policies threatened this wealth.

Throughout the colonial period the two influences controlling the growth of industry in America were natural resources and markets for manufactures.<sup>14</sup> The mercantilists of England valued the northern colonies both for the natural resources they could give England and as markets to sell the wares produced in England. Thus from the outset one finds a diversity of interests between England and Massachusetts.

Certain natural resources were plentiful in New England. In Massachusetts the pine forests, supplying ship timber, pitch, tar, and turpentine, first attracted the attention of the English explorers.<sup>15</sup> Massachusetts timber supplied containers for the sugar of the West Indies, the wine of Portugal, and many items of American colonial trade, as fish, pitch, tar, turpentine, and whale oil. Moreover, the wood could be used as fuel for making iron, glass, brick, and pottery. Cattle multiplied in the half-tilled country, and bark was plentiful for the tanning of hides. Fish was abundant in the waters around Massachusetts; indeed, a great number of the colonists there depended on the fishing indus-

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<sup>14</sup> Clark, History of Manufacture, 9.

<sup>15</sup> Ibid., 73.

try for their livelihood. Furs for hatters were also abundant. There was no danger that the industries based on these gifts of nature would fail because of lack of raw materials.

On the other hand, these raw materials that had to be perfected by hand or machine, such as wool, flax, hemp, silk, and cotton, were never plentiful enough to be a motive for manufacture.<sup>16</sup> Other motives led to their development.

Markets for colonial manufacture can be divided into homespun, domestic-commercial, and foreign-commercial.<sup>17</sup> Homespun manufactures were never destined for market, but family use; however, it could happen that some marketing occurred, though that was not intended when the article was produced. Domestic-commercial industries would include brick and pottery, hollow ware, and bar iron. These and agricultural implements were among the first manufactures of Massachusetts. The main foreign-commercial commodities were lumber, ships, iron, pitch, tar, turpentine, flour, salt provisions, potash and rum.<sup>18</sup>

The best market for the industries of Massachusetts was the islands in the Caribbean, both English and French, where the sugar and tobacco planters could not produce these articles for

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16 Ibid.

17 Ibid., 92.

18 Ibid.

themselves. Samuel Vetch expressed this forcibly in 1708.

There is no island the British possess in the West Indies that is capable of subsisting without the assistance of the Continent, for to them we transport their bread, drink and all the necessaries of humane life, their cattle and horses for cultivating their plantations, lumber and staves of all sorts to make casks of for their rumm, sugar and molasses, without which they could have none, ships to transport their goods to the European markets, nay, in short, the very houses they inhabit are carryed over in frames, together with the shingles that cover them, in so much that their being, much more their well being, depends almost entirely upon the Continent.<sup>19</sup>

Though Massachusetts had plentiful natural resources and markets beneficial to the development of industry, these influences were not sufficient. Industry cannot grow without capital to finance manufactures and skilled workmen to develop these undertakings. For various reasons early colonial Massachusetts lacked both these factors.

There was no opportunity to train competent craftsmen in a recently settled country. Therefore, apprenticeship rules were relaxed and unqualified workers were employed in responsible positions, with the result that workmanship often deteriorated. Time and money was wasted in learning techniques already mastered in more developed lands.<sup>20</sup> More important than this, manufacture did not attract the Massachusetts colonials. These men, or their forefathers, came from England where pauper labor used in English

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19 Calendar State Papers, Colonial Series, America and West Indies, Noel Sainsbury, ed., London, 1896, 1708-1709, 47.

20 Clark, History of Manufacture, 155.

factories fixed the stigma of poverty on the industrial workers. These colonists who had been workmen in England had no desire to work in factories when an independent life as a landowner was free for the asking.<sup>21</sup> As late as the French and Indian War, a writer noted that labor was as expensive as it had been forty years before, though the population had greatly increased. Free land was still obtainable, and "no man will be a servant whilst he can be a master."<sup>22</sup>

Benjamin Franklin, writing shortly before the Revolution, a time when individual skill was more important than machinery in manufacturing, had this to say:

Manufactures, where they are in perfection, are carried on by a multiplicity of hands, each of which is expert only in his own part, no one of them a master of the whole; and if by any means spirited away to a foreign country, he is lost without his fellows. Then it is a matter of extremest difficulty to persuade a complete set of workmen, skilled in all parts of a manufactory, to leave their country together and settle in a foreign land. Some of the idle and drunken may be enticed away, but these only disappoint their employers, and serve to discourage the undertaking. If by royal munificence, and an expense that the profits of the trade alone would not bear, a complete set of good and skilled hands are collected and carried over, they find much of the system imperfect, so many things wanted to carry on the trade to advantage, so many difficulties to overcome, and the knot of hands so easily broken by death, dissatisfaction, and desertion, that they and their employers are discouraged together, and the project vanishes into smoke.<sup>23</sup>

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21 Ibid.

22 State of British and French Colonies, 141, cited in James T. Adams, Revolutionary New England, Boston, 1927, 256.

23 John Bigelow, ed., The Works of Benjamin Franklin, New York, 1904, III, 310-311.

Massachusetts colonists were quite willing to buy their manufactured articles from Great Britain so long as their fishing and lumbering industries were prosperous. However, when hard times upset the economy of the colonies, they were forced to make things for themselves, since they had not the money to buy from England.<sup>24</sup>

Another point must be made clear at the outset to understand the development of manufacture in Massachusetts. Unlike the situation today where similar industries are localized, in colonial times industry was generalized and dispersed. Colonial manufactures at all times had a rather small market, but especially in times of prosperity when the colonists had the means to buy from England. This small market contributed to generalized industry, since specialization would indicate a great demand for various manufactures. Lack of transportation was the main cause for the dispersion of manufacture.<sup>25</sup> In addition, industries using water power were built along small streams, and these were likely to be useless in times of drought or frost, so that these establishments were built of a temporary construction. Industries like the manufacture of iron were dependent on the local supply of wood; when the wood of a particular locality was used

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<sup>24</sup> Marion H. Gottfried, "First Depression in Massachusetts," New England Quarterly, Boston, IX, 656.

<sup>25</sup> Clark, History of Manufacture, 188.

up, it was cheaper to move the industry to the forest than to move the forest to the industry.

Rather than trace the effect of British policy on each industry separately, the treatment will cover all the main industries chronologically. British policy toward these colonial industries divides itself conveniently into three periods: the period of policy formation, up to 1696; the period of conscious discouragement of competitive industries, from 1696 to 1763; and the period when English policy was used to foster revenue rather than to regulate trade, 1763 to the beginning of the Revolution.

Before taking up the Navigation Acts, it is important to understand a movement that occurred in Massachusetts in the 1640's. Originally the Massachusetts colonists were to live by an agricultural economy, but in 1640 began a chain of events that forced these colonists to develop a diversified economy in order to survive the first great American depression.



## CHAPTER II

### THE PERIOD OF POLICY FORMATION: TO 1696

Eleven years before the passage of the first Navigation Act affecting the American colonies, the Puritan revolution began in England. The agricultural economy of Massachusetts was seriously upset by this, since an agricultural economy has two primary needs, a market for its own farm products and a ready supply of manufactured imports.<sup>1</sup>

In 1640 migration to New England ceased, since England was then engaged in a reform that did away with the reason for Puritan emigration. The former course of trade and livelihood was stopped. No longer was there a market for cattle, produce, and land in Massachusetts, nor was there external trade. Manufactured articles from abroad grew scarce, and home products brought little profit.<sup>2</sup> To remedy this situation, Massachusetts successfully encouraged the development of an industry and a trade

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1 Gottfried, "First Depression in Massachusetts," New England Quarterly, IX, 655-656.

2 Merison, Maritime History of Massachusetts, 11.

which ultimately put the Bay Colony ahead of the other American settlements. Governor Winthrop sums up how Massachusetts developed from an agricultural to a diversified economy during this depression.

All foreign commodities grew scarce and our own of no price. Corn would buy nothing; a cow which cost last year twenty pounds might now be bought for four or five pounds. These straits set our people on work to provide fish, clapboards, plank, etc., and to sew hemp and flax (which prospered very well) and to look out to the West Indies for a trade for cotten.<sup>3</sup>

In the leather industry, for instance, the primary concern had been to supply the domestic market, but after 1640 livestock became so cheap and plentiful that export occurred. This did not sit well with the tanners of the colony, and they complained in 1648 that "some persons (more seeking their own private advantage than the good of the public) do intend to transport rawe hides, etc." The General Court decreed that no unwrought leather should be exported.<sup>4</sup> However, by 1647 leather manufacture had become very profitable; prices were twice as high as those in England, and so plentiful was leather that boots and shoes were even exported to foreign parts. Thus, the desire to build up trade accounts for the prohibition of the exportation

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<sup>3</sup> James K. Hosmer, ed., Winthrop's Journal, History of New England, New York, 1908, II, 31.

<sup>4</sup> Nathaniel B. Shurtleff, ed., Records of the Governor and Company of Massachusetts Bay in New England, Boston, 1853, II, 135, 168.

of unwrought leather.<sup>5</sup>

John Winthrop, Jr., set up the most important iron works in the colonies at this time at Lynn in 1642 and at Braintree a few years later. Both of these works were partially financed by investors in England. In his history, John Winthrop, Sr., states: "Mr. John Winthrop, the younger, coming from England, brought with him 1000 pounds stock and divers workmen to begin an iron work."<sup>6</sup> To encourage the enterprise at Lynn, Massachusetts granted Winthrop a twenty-one year monopoly. Boston contributed three thousand acres of land, and Dorchester fifteen hundred to further the works at Braintree.<sup>7</sup> Moreover, these works were given the right to use any timber, clay, wood, or turf at hand. Those engaged in this work--undertakers, adventurers, agents, and servants--were allowed a twenty-one year exemption from taxes, contributions, and other public charges, as well as exemption from military training.<sup>8</sup>

To supply the linen and wool that had been brought from England, the manufacture of these articles was encouraged as early

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5 Gottfried, "The First Depression in Massachusetts," New England Quarterly, IX, 661.

6 Hosmer, ed., Winthrop's Journal, II, 121.

7 William B. Weedon, Economic and Social History of New England, 1620-1789, Boston, 1890, I, 178.

8 Shurtleff, Records of Massachusetts, II, 81, 125-127.

as 1640. Concern was expressed for the "want of cloathing which is like to come upon us next winter," and it was ordered that the towns encourage the gathering of wild hemp and instruct persons in its manufacture.<sup>9</sup> Masters of families "should see that their children and servants should be industriously employed, so as the mornings and evenings and other seasons may not be lost, as formerly they have been."<sup>10</sup>

Shipbuilding was by far the most important industry developed after 1640. Before the Puritan revolution most of the trade of the colony was in English or foreign-owned ships. In 1641 Winthrop wrote:

The general fear of want of fereign commodities, new our money was gone, and that things were like to go well in England, set us on work to provide shipping of our own. . . The work was hard to accomplish for want of money, etc., but our shipwrights were content to take such pay as the cuntry could make.<sup>11</sup>

Salem and Boston had each launched a ship by June of 1641, and in October of the same year the General Court provided for inspection and laid down specifications for shipbuilding, "which is a business of great importance for the common good."<sup>12</sup> In the summer of 1642 five more ships were built in Massachusetts. One

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9 Ibid., 294, 303, 320, 322.

10 Ibid., 322.

11 Hooper, ed., Winthrop's Journals, II, 23-24.

12 Shurtleff, ed., Records of Massachusetts, I, 337.

of these vessels, a ship of two hundred tons, made eighty per cent profit by the end of the year.<sup>13</sup>

In 1648 Massachusetts was on the way back to prosperity. Cloth was still being made in the colony, but prosperity enabled the colonists to buy the finer grades of cloth imported from England. By this time Massachusetts was exporting fish, pipestaves, masts, skins, beef, and pork; and the returns from these exports provided the colonists with funds to buy these European goods needed. Most important of all, Massachusetts now had a maritime fleet to peddle its wares. In 1660 John Hull stated: "There hath come into our harbor of Boston near one hundred sail of ships this year, of ours and strangers, and all laden hence."<sup>14</sup> Massachusetts had solved the problems it faced in 1640. The leather, iron, textile, lumber, fish, and shipbuilding industries were developed sufficiently to supply not only domestic needs, but also to serve as exports. The profits from these exports financed an ever-expanding trade. The depression of 1640 had caused Massachusetts to change from an agricultural to a diversified economy.

About the time that Massachusetts came out of the depression, England's commercial policy was defined by the act of

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13 Hosmer, ed., Winthrop's Journal, II, 60.

14 Diaries of John Hull, 214, cited in Gottfried, "First Depression in Massachusetts," New England Quarterly, IX, 678.

1651. Strictly speaking, this cannot be called the first Navigation Act. As early as the reign of Richard II parliament encouraged shipping by legislating that none of the King's subjects should ship any merchandise going out of or coming within the realm of England except in English ships.<sup>15</sup> During the reign of Henry VII parliament prohibited the importation by any person, whether subject or alien, of any Guienne or Gascon wines unless carried in ships owned, commanded, and manned by the King's subjects.<sup>16</sup> This policy of regulation was continued under Henry VIII, Edward VI, Elizabeth I, as well as under the Stuarts.<sup>17</sup>

In general, however, the trade of the colonies was practically free before the passage of the Navigation Act of 1651,<sup>18</sup> though there were earlier laws requiring Virginia tobacco to be sold in England.<sup>19</sup> Nine years prior to 1651 parliament had exempted merchandise sent to the colonies from export duties, subsidies, and other taxation, and allowed colonial products to be brought into England free of import duties, but on the condition

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15 Lawrence A. Harper, The English Navigation Laws, New York, 1939, 19.

16 Ibid., 21.

17 Ibid., 23-33.

18 Clark, History of Manufacture, 16.

19 Cunningham, Growth of English Industry, 357.

that these goods be brought in British ships.<sup>20</sup> Some authors have called the act of 1651 the first navigation act, because it provided the basic formula which was destined to govern English navigation for two centuries.<sup>21</sup> The older measures were not repealed until 1822, but after 1651 they were ignored for all practical purposes.<sup>22</sup>

The stipulations of the ordinance of 1651, which was directed openly at the Dutch trade, in the hope of driving Dutch ships out of colonial markets, were very simple. No goods, the growth of Asia, Africa, or America, were hereafter to be imported into England, Ireland, or other English possessions in any but ships owned by Englishmen or men of the plantations, the masters of which were to be English, and the sailors subjects of the Commonwealth.<sup>23</sup> This first clause contained nothing new in principle, for similar clauses are to be found in earlier statutes and in some of the trading companies' charters. However, the application of this clause to three continents was new; never before had the carrying trade of the world been so extensive and

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20 Clark, History of Manufacture, 16.

21 Andrews, Colonial Period, IV, 36.

22 Harper, English Navigation Laws, 34.

23 C. H. Firth, R. S. Rait, eds., Acts and Ordinances of the Interregnum, London, 1911, II, 559.

capable of profit and power.<sup>24</sup>

A second regulation set down in the ordinance was a new experiment. No goods or commodities of foreign growth, production, or manufacture could be imported into any territory of the Commonwealth in foreign ships except from the place of their growth, production, or manufacture or from ports of first shipment.<sup>25</sup> This regulation was aimed at the Dutch who had been importing goods from Asia, Africa, and America, and exporting these same goods to England. This meant that neither an English nor an alien merchant could import European goods except from the place where these goods were produced or from the port of first shipment of these goods. This prohibition did cut down on the near-monopoly of the Dutch in port-to-port trade, but the English merchants also suffered, since they were now cut off from a free and open trade with the Continent.

Additional regulations of the act stated that no foreign vessel should engage in the English coastwise trade, and that no salted fish should be brought to England or the plantations, except such as had been caught by English vessels, and the fish cured and the oil made by English subjects. It was hoped that this part of the act would mean the recovery of the Greenland,

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24 Andrews, Colonial Period, IV, 36.

25 Firth and Rait, eds., Acts and Ordinances of the Interregnum, II, 560-561.



North Sea, and Newfoundland fisheries from the Dutch.<sup>26</sup>

All things considered, the Navigation Act of 1651 had very little effect on the commerce of Massachusetts, except that it excluded the Dutch from the colonial trade.<sup>27</sup> This ordinance was not designed to limit colonial trade, nor did it prevent English merchants from trading with the plantations. The colonies in the West Indies and on the mainland were still open to English ships manned by English sailors. A London merchant could still send a ship, properly manned and owned, to the Continent with commodities from England, take on European goods there and sail to America, and return to Europe to make up a cargo of the products of these countries, and then return to England. This ordinance was aimed to prevent the commodities of Europe coming to England or to the colonies in ships of foreign nations; it was in no way aimed at the colonial trade.<sup>28</sup>

After the restoration of Charles II to the throne of England, the enactments made during Cromwell's rule had no validity.<sup>29</sup> However, the Restoration Parliament was even more interested in regulating trade to the advantage of English commerce than had been the parliament under Cromwell. During the interval

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26 Ibid., 562.

27 Andrews, Colonial Period, IV, 43.

28 Ibid., 44.

29 Harper, English Navigation Laws, 52.

between 1651 and 1660 it became more and more evident that the Navigation Act of 1651 had not taken the carrying trade from the Dutch, and it had probably hurt English trade with the Continent more than it had helped it.<sup>30</sup> The Restoration Parliament was anxious to rectify, if possible, the unfavorable balance of trade with Europe where the imports exceeded the exports. Parliament would accomplish this by protecting the interests of the English merchant and by increasing the customs revenue by making the realm the center through which the commodities to and from the plantations would have to pass.<sup>31</sup> A direct trade either way between continental Europe and the English plantations in America would be prevented in this way. This was accomplished by the Navigation Act of 1660.<sup>32</sup>

The opening paragraph of the act of 1660 provided that no goods or commodities whatever, no matter where they were produced, could be imported into or exported out of any English plantation, except in English ships, of which three-fourths of the sailors should be English and the master an English subject.<sup>33</sup> Unlike the act of 1651, this meant that no foreign ships

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30 Cunningham, Growth of English Industry, 358-359.

31 Statutes at Large, 12 Charles II, XVIII.

32 Ibid.

33 Ibid.

could engage in trade with the plantations, in any way or at any time, or import any of the colonial products into England. They could not unload and sell their cargoes in any colonial port, or load there for shipment to England or the Continent any article made or produced in an English colony.

Thus foreigners could not trade with English plantations, but English and colonial ships could trade with foreign plantations, provided that they did not export to these foreign plantations certain enumerated colonial commodities.

Paragraphs two to seventeen of the act are, for the most part, a confirmation of the regulations of 1651. Section eighteen of the act deals with the enumerated commodities alluded to above. It states that since the colonies were the natural sources of raw materials needed in home industries, these same materials should not be allowed to go anywhere but to the mother country. The act mentions sugar, tobacco, cotton, indigo, ginger, and various dye woods, a short but highly selective list. These commodities could be shipped only to England, Ireland, Wales, and Berwick-upon-Tweed, in ships owned and manned by Englishmen. They could not be taken from an English plantation to a European destination in any English or foreign vessel. Moreover, no English ship, foreign manned, could import into England any foreign commodities.<sup>34</sup> Furthermore, the enumerated products of

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34 Statutes at Large, 12 Charles II, VIII, 18.

every colony, English or foreign, had to be carried to England in ships owned and manned according to law.<sup>35</sup>

Except for tobacco, the raising of which was legally forbidden at home, England produced none of these enumerated commodities.<sup>36</sup> England did have fish, hides, grain, and lumber, and since these were the important products of the northern colonies, the enumeration clause was distinctly favorable to New England. On the other hand, the eighteenth paragraph of the act of 1660 reversed a situation favorable to Massachusetts. By the act of 1651 trade with Europe had been open to the colonies and closed to England; after the ordinance of 1660 the Continental trade was open to English merchants and closed to those colonies that handled the enumerated commodities.<sup>37</sup>

Two of the main objects of the Navigation Acts, the increase of shipping and the enumeration of colonial commodities, were covered by the act of 1660.<sup>38</sup> The aim of the first of these was the benefit of the merchant marine; the aim of the second was the enlargement of the revenue, the multiplying of raw materials, the advancement of England's domestic industry, and the comfort

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35 Ibid., 12 Charles II, XVIII, 1.

36 Andrews, Colonial Period, IV, 87.

37 Ibid., 88.

38 Ibid., 108.

of her people. A third and final object still remained: the making of England the staple for all European goods imported into the colonies, that is, the regulation that all commodities from other countries which were wanted in the colonies had to pass through England as the sole exporting center before shipment to America. This objective was covered by the Act for the Encouragement of Trade, passed July 27, 1663.<sup>39</sup>

The main purpose of this act was concerned with tillage, but two of its clauses made provision that all commodities of the growth, production, and manufacture of Europe, destined for the plantations, should first be carried to England, Wales, or Berwick-upon-Tweed, in lawful ships, lawfully manned, and there be put ashore before being carried to America.<sup>40</sup>

As stated in the stilted language of the text, the object of the act was to maintain a greater correspondence between the plantations, peopled by the king's subjects, and the kingdom of England; to keep them in a firmer dependence upon it; to make them more beneficial and advantageous unto it in the further employment and increase of English shipping, vent of woollen and other manufactures and commodities; to render the navigation from the same more cheap; to constitute the kingdom a staple, not

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39 Statutes at Large, 15 Charles II, VII.

40 Ibid., 15 Charles II, VII, 5-6.

only of the enumerated articles of those countries, but also of the articles of other countries and places, for the shipping of them, and to follow the usages of other nations in keeping their plantation trade to themselves.<sup>41</sup>

Following the act of 1663 were several incidental acts which clarified certain phases of the trade regulations. Of these, the most important was the act of 1673 which did more to systematize the commercial activities of the colonists than any other regulation of the Navigation Acts except the enumeration. It was easy for parliament to lay down regulations regarding trade and commerce, but it was quite another thing to enforce these regulations.<sup>42</sup> The Navigation Acts of 1651, 1660, and 1663 might be easy to enforce in the British Isles, but the American colonies presented a problem.<sup>43</sup>

For example, the captains of English and colonial ships could easily take on commodities in America and run across to a Continental port in Holland where they could obtain a better price for their produce than they could in England. The customs duties on articles to or from America were paid in England, so that if a ship failed to touch England before disposing of its cargo, the English exchequer lost out.

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<sup>41</sup> Ibid., 15 Charles II, VII, 5.

<sup>42</sup> Harper, English Navigation Laws, 60.

<sup>43</sup> Ibid.

Under the existing act any English or colonial captain could carry enumerated commodities from one plantation to another without paying a customs duty at either end and without going to England at all. This inter-colonial exchange of commodities was largely in the hands of colonial merchants and ship captains. There was nothing to prevent a captain once he had carried his tobacco or sugar from one colony to another, from carrying a part, or perhaps all, of his cargo to some European port. He could even sooth his conscience, perhaps, by claiming that he had obeyed the letter of the law.<sup>44</sup>

Since this direct trade to Europe endangered the efficiency of the enumeration clause of the customs revenue, parliament took action in 1673 by adding a supplementary and explanatory clause to the act for the encouragement of Greenland and Eastland trades.<sup>45</sup> By this clause all ships arriving at the colonies from England and taking on a cargo of enumerated commodities had to pay a duty at the port of clearance, unless they could show the governor or royal collector a certificate that they had taken out bond in England. Moreover, the captain had to deposit a bond with the governor or collector to the effect that he would either unload the goods at some port of another

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<sup>44</sup> Andrews, Colonial Period, IV, 120-121.

<sup>45</sup> Statutes at Large, 25 Charles II, VII, 11.

colony or would take them directly to England. The same assurance was required of all colonial captains.<sup>46</sup>

This act affected both the commercial relations between England and her colonies and the relations among the colonies themselves, since nearly all the chief ports did a large business in intercolonial trade and in re-exporting enumerated articles to England or her possessions. The object of the act was not revenue but the regulation of trade, to prevent evasion of the enumeration clause of the act of 1660, by making unprofitable a direct trade with Europe in enumerated commodities.<sup>47</sup>

In 1692 the commissioners of customs defined the object of the duty as "less for revenue than to prevent exportations of goods from colony to colony and so to foreign countries, evading the English customs."<sup>48</sup>

The new requirements of the act of 1673 made necessary the installation in colonial ports of a large number of customs officials for whom there had been no need before. These officials were appointed with the passage of the act of 1696.<sup>49</sup>

The act of 1696, "An act for preventing Frauds and regulating Abuses in the Plantation Trade," was a comprehensive

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46 Ibid.

47 Harper, English Navigation Laws, 60.

48 Noel Sainsbury, ed., Calendar State Papers, 1689-1692, ##2065, 2306.

49 Statutes at Large, 7 William III, XXII, 1.



measure of administration which contained nothing new in principle but much that was new in administration. Its main purpose was to prevent "the great abuses that were daily being committed to the prejudice of the English navigation and the loss of a great part of the plantation trade of this kingdom, by the artifice and cunning of ill-disposed persons."<sup>50</sup>

Hitherto the whole customs organization in the colonies had been loose; after this act it was part of the customs establishment of England, and those who were members of it were governed by the same rules that governed their fellow officials at home.

By this act the right of forcible entry was granted to any customs official in America, who was authorized to apply to the proper authority for a writ of assistance and to take a constable, a justice of the peace, or any other public official living near the place, and in daytime to "enter and go into any house, shop, cellar, warehouse or rooms or other place, and in case of resistance to break open doors, chests, trunks, and other packages, there to seize, and from thence to bring any kind of goods or merchandize whatsoever, prohibited and uncustomed."<sup>51</sup>

The colonists were not to pass any laws against the spirit or letter of the act or of any other act of parliament

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<sup>50</sup> Ibid.

<sup>51</sup> Ibid., 7 William III, XXII, 6.

that related to the plantations. This clause of the act of 1696<sup>52</sup> is the only one among all the clauses of any act of parliament passed before 1765, in which the laws or government of the plantations in relation to the laws of England are so much as touched upon. Every act of parliament passed before 1765, that in any way concerned the colonies, had to do with trade and navigation and nothing else.<sup>53</sup>

A seeming contradiction in terms of the act of 1696 led to a wide difference of opinion as to how the act was to be interpreted. Section two of the text reads: "and condemnation thereof made in one of the courts of admiralty in England, Ireland or the said colonies or plantations,"<sup>54</sup> and in section seven, that all penalties and forfeitures were "to be recovered in any of his Majesty's Courts at Westminster, or in the Kingdom of Ireland, or in the Court of Admiralty held in his Majesty's plantations respectively, where such offence shall be committed."<sup>55</sup> These clauses seem to require that trials for breaches of the acts of trade should be held in courts of vice-admiralty, which were courts of civil law without juries. However, in section eleven

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52 Ibid., 7 William III, XXII, 9.

53 Andrews, Colonial Period, IV, 166.

54 Statutes at Large, 7 William III, XXII, 2.

55 Ibid., 7 William III, XXII, 7.

appears the further statement that should a suit in a plantation be brought against a "ship or goods to be forfeited by reason of any unlawful importations or exportations there shall not be any jury, but of such only as are natives of England,"<sup>56</sup> thus implying that such trials were to take place in the common law courts with juries. The controversy over the proper interpretation of these sections of the act lasted for more than ten years, but in the end the vice-admiralty courts won the day.<sup>57</sup>

The last sections of the act required that all ships, either in England or the plantations should be entered first in a local registry and the record then be transferred to the general registry at the exchequer in Westminster in order to prevent evasions.<sup>58</sup>

With the passage of this act of 1696, the statutory regulations governing the trade and navigation of the kingdom, as far as the plantations were concerned, were complete. In the years to come, decisions, rulings, explanations, and supplemental measures were to render the acts as a whole more intelligible and more workable and to smooth out the many difficulties that inevitably arose. The period of policy formation was complete. The

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56 Ibid., 7 William III, XXII, 11.

57 Noel Sainsbury, ed., Calendar State Papers, 1702, 585, 596, 708.

58 Statutes at Large, 7 William III, XXII, 18.

fundamental regulations had been made; any further legislation was merely to carry out the principles already established.<sup>59</sup>

From 1696 onward, all governors sent from England to the colonies were given printed copies of all the acts relating to trade, together with books of rates and blank specimens of all certificates. Regularly thereafter, as part of their customary orders from the king, they received trade instructions, drafted by the commissioners of the customs and containing concise outlines of the laws for the purpose of bringing the governor's obligations up to date.<sup>60</sup>

The most outstanding effect in Massachusetts of these acts of navigation up to and including 1696 was the encouragement they gave to shipbuilding and commerce. These acts admitted colonial ships to the same privileges as English ships, in spite of the fact that the colonists themselves passed laws discriminating against English shipping.<sup>61</sup> By 1665 Massachusetts had about 132 ships, and of these forty were from forty to one-hundred tons. In 1671, the Council for Foreign Plantations was informed that New England had about two-hundred vessels, of which eight or ten

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59 Andrews, Colonial Period, IV, 175-176.

60 Harper, English Navigation Laws, 204-206.

61 G. L. Beer, The Old Colonial System, New York, 1933, I, 64, 206; II, 246.

were of two-hundred tons burden.<sup>62</sup> "Our planters of New England," says a writer in 1680, "having gotten a considerable navigation of their own, do trade from port to port in America, and have in a manner beaten us out of that kind of employment in those parts."<sup>63</sup> Besides the shipbuilding industry proper, all the allied services such as rope-making, and the manufacture of anchor chains, bolts, and the like, were directly encouraged by these Navigation Acts.

Massachusetts industries other than those connected with shipbuilding were not directly affected, since none of the enumerated commodities of the seventeenth century were produced in Massachusetts. It seems that these other industries were swallowed up by the vastly more profitable shipping and shipbuilding. Most of the colonists' time was taken up either with fishing to load their ships, or building ships to carry their cured fish. The better and cheaper the colonists built and sailed their ships, the less time they could extend to other forms of industry. Their profitable shipbuilding and trade brought textiles and other manufactured goods from the cheapest markets. As long as this situation lasted there was no great inducement to develop other manufactures.<sup>64</sup>

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62 Ibid., II, 245.

63 Britannia Languens, 175, cited in Lipson, Economic History of England, III, 180.

64 Weeden, Economic and Social History, 304-305.

Clothing was the most important of those other industries whose development might have been affected by these Navigation Acts. This period witnessed some increase in the spinning and weaving of homespun. Yarn was essentially a home product, and most families had looms of their own.<sup>65</sup> But increase of homespun was not due to the Navigation Acts or to the ship-building industry; it was due to the encouragement given by the colonial government of Massachusetts by such laws as that of 1655. This law directed that those persons in each family who could spin yarn were to produce three pounds of linen, cotton, or woollen yarn for thirty weeks; any family who failed to produce the assessed amount was fined twelve pence for every pound shortage.<sup>66</sup>

Iron production does not seem to have increased over what it had been before the passage of these Navigation Acts, though the crown commissioners reported in 1665 a "good store of iron" made in Massachusetts.<sup>67</sup> John Winthrop set up another iron works in 1665, this time at New Haven, but this undertaking failed. However, in 1671 Winthrop's works at Lynn were thriving,

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65 Ibid., 306.

66 Massachusetts Colonial Laws, 141, cited in Weeden, Economic and Social History, 305.

67 E. B. O'Callaghan, ed., Documentary History of the State of New York, Albany, 1819, III, 113.



furnishing much of the iron used in Massachusetts. For shipbuilding, however, the best materials were required; Spanish bar iron, a better grade than that of Massachusetts, was used for this purpose.<sup>68</sup>

Since almost every contemporary writer was prejudiced in one way or another, it is difficult to determine the exact status of colonial industry during this or any period. Despite the fact that Massachusetts industry, other than shipbuilding and trade, made little progress during the latter half of the seventeenth century, some officials were concerned about the seeds of greatness contained in the commercial expansion of New England.

In 1671, the Earl of Sandwich wrote his opinion of the New England situation, which was based on information he had as President of the Council for Plantations. New England was at that early date, he said, a numerous and thriving people and in twenty years was likely "to be mighty rich and powerful and not at all carefull of their dependence upon old England." As a result, England was exposed to the following inconveniences: (1) the loss of her exports of manufactures to these colonies "possibly to the value of fifty-thousand pounds per ann." and the likelihood of their competing with England in the sale of such

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68 Weeden, Economic and Social History, 307.

goods in foreign markets; (2) the dependence of the West Indies upon them for provisions and "all wooden utensills," and the probability that they would also furnish those islands with other manufactures "that we doe," and so "reape the whole benefitt of those colonies." Sandwich realized that it was impossible "to prevent wholly theire increase and arrival at this power," but he deemed it "advisable to hinder theire growth as much as can be." With this in view, he suggested: (1) the passage of an act of parliament prohibiting emigration to the colonies without license from the King—"at present forty or fifty families goinge yearely thither;" (2) "to remove as many people from New England to our southern plantations as may be, where the produce of their labours will not be commodities of the same nature with old England to out-trade us withall."<sup>69</sup>

In 1676, Edward Randolph, collector, surveyor and searcher for New England, described the colony as feeding itself and producing a surplus for export to Virginia and the West Indies, as well as "all things necessary for shipping and naval furniture." Four hundred and thirty vessels between thirty and two hundred and fifty tons burden "are built in and belong to that jurisdiction." They traffic with the West Indies, and with most parts of Europe, carrying their own and other colonies' produce,

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<sup>69</sup> F. R. Harris, Edward Mountague, Earl of Sandwich, II, 337, cited in Beer, Old Colonial System, 233, 234.



distributing return loadings throughout the continental colonies and West Indies, "so that there is little left for the merchants residing in England to import into any of the plantations."<sup>70</sup>

Two years later Governor Andros of New York stated that Massachusetts exported all manner of European goods of all kinds, chiefly woolen and other manufactures and linings.<sup>71</sup>

Another viewpoint is given by an account of New England published in 1689. It states that:

Some manufactures there are among them, but not a twentieth part of what the country hath need of, or is consumed there. Most of their clothing, as to woolen and linen, all sorts of upholstery wares, haberdashers and silk wares, stuffs, etc., they have from England.<sup>72</sup>

Englishmen wanted to assure themselves that the colonists would continue to produce "not a twentieth part of what the country hath need of." In 1699 the Wool Act was passed. This was the first act aimed at discouraging certain industries in the colonies. Strictly speaking, the acts beginning with this Wool Act of 1699 are not Navigation Acts. The general regulations governing the trade and navigation of Britain, so far as the

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70 Morison, Maritime History of Massachusetts, 17.

71 Beer, Old Colonial System, 288.

72 Mather, "Brief Relation of the State of New England," cited in Peter Force, ed., Tracts and Other Papers Relating Principally to the Origin, Settlements, and Progress of the Colonies in North America, From the Discovery of the Country to Year 1776, Washington, 1846, IV, 8.

colonists were concerned, were complete in 1696. However, in the period from 1699 to 1763 several important measures were passed which carried out the principles of the Navigation Acts. These measures did affect Massachusetts industry; therefore, they must be treated at some length.

## CHAPTER III

### PERIOD OF DISCOURAGEMENT OF MANUFACTURES: 1696-1763

The year 1696 marked a change in the attitude of the British authorities toward the American colonies. The administration of colonial affairs passed from the Lords of Trade to the Board of Trade, which group was more zealous in prosecuting the aims of England in the colonies.<sup>1</sup> In the same year a writer petitioning parliament urged attention to "the trade of the plantations" which was in an "irregular and disordered state."<sup>2</sup> Cary, also in 1696, called the colonies "our golden mines."<sup>3</sup> In 1696 Davenant described them as "a spring of wealth to the nation."<sup>4</sup>

Thus we see the attitude of the mercantilists changing

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1 Andrews, Colonial Period, IV, 339.

2 "The Irregular and Disorderly State of the Plantation Trade," Annual Report of the American Historical Association, 1892, 36.

3 An Essay on the Coin and Credit of England, 37, cited in Andrews, Colonial Period, IV, 339.

4 The Free State of Noland, A Utopia Situated Beyond the Line, 14, cited in Andrews, Colonial Period, IV, 339.

at the turn of the century. At the time of the Navigation Acts of the seventeenth century, shipping, trade, and the general good of the kingdom were the main concern, but in the early part of the eighteenth century arose the notion of a self-sufficing or self-contained empire, in which each part cooperated with each other part to form one complete and mutually sustaining whole. According to this idea, each part of the empire contributed something to the strength and profit of the whole; however, the ultimate advantage went to the mother country. In 1718 William Wood, later to be secretary to the commissioners of the customs, wrote:

The colonies are of the utmost concern for us to preserve and encourage, if we take care to preserve them from foreign insults and evasions they will, as they increase in people, probably consume much more of our manufactures than at present they do. They now give employment to many thousands of artificers here at home, and take off great quantities, especially of our inferior manufactures, the returns of which are made chiefly in tobacco, sugar, indigo, ginger, cotton, dying woods, etc., by which we are not only supplied for our own consumption, but with a considerable surplus, which is annually re-exported to Holland, Hamberough, Flanders, the East Country, Streights, etc., which amounts annually to a very great sum, and is of advantage to us in general balance.<sup>5</sup>

In this new view of things, the opinion of Massachusetts was also undergoing a change. A writer in the last decade of the seventeenth century said:

By tillage, pasture, fishing, manufactures and trade, they to all intents and purposes imitate Old England. . . If any,

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<sup>5</sup> William Wood, Survey of Trade, 132-133, cited in Andrews, Colonial Period, IV, 342.

such only should be neglected and discouraged who pursue a method that rivals our native kingdom and threatens in time, a total independence thereupon.<sup>6</sup>

Samuel Vetch supported the view of the importance of Massachusetts when he wrote in 1708 that the West Indies depended entirely on the continent for the necessities of life.<sup>7</sup>

Previously mercantilists had looked with disfavor on Massachusetts because it competed with the mother country in the carrying trade, and supplied provisions to the West Indies. In the new scheme of things the mercantilists valued the northern colonies both for their value as a market for English manufactures and a source supplying the sugar and tobacco plantations with bread, flour, meat, fruit, vegetables, houses, horses, sheep, pigs, pipestaves, and lumber.

Ultimately the cause of this new view toward the colonies must be traced back to 1688 when the Tories, representing the vested interests of the landed gentry, lost power to the Whigs. The Whigs represented the commercial and manufacturing classes who stressed the economic principle of protection for British commerce and manufacture.<sup>8</sup> From this time forward, the promotion of industry of every kind became the primary object pursued by

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6 Thomas, Harlian Miscellany, IX, 432, cited in Lipson, Economic History of England, III, 157-158.

7 Calendar State Papers, 1708-1709, 47.

8 Clark, History of Manufacture, 13-14.

parliament to build up the power and wealth of England; no effort was spared to make England the workshop of her vast spheres of influence.<sup>9</sup> This encouragement of manufacturing at home had its inevitable corollary in the discouragement of it in the colonies. From this arose those restrictive measures, beginning with the Wool Act of 1699, which barred the colonists from certain forms of industry.<sup>10</sup>

As early as 1638 the beginning of a cloth industry in America was noted, many of the settlers "having been clothiers in England."<sup>11</sup> After the Glorious Revolution the Commissioners for Trade and Plantations reported that New England and other northern colonies had applied themselves "too much" to the improvement of woollen manufactures among themselves.<sup>12</sup> In 1699 the British manufacturers tried to have a law enacted that no person making cloth in America should be allowed to expose the same for sale.<sup>13</sup> This law was never passed, but the same year another law was enacted which provided that no wool, woollen yarn, or woollen manufactures, "being the Product or Manufacture of any

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9 Cunningham, Growth of English Industry, 494.

10 Lipson, Economic History of England, III, 187-188.

11 G. L. Beer, Origins of the British Colonial System, 1578-1600, New York, 1933, 285.

12 House of Commons Journals, XII, 427.

13 Statutes at Large, 10 William III, V, 19.

of the English Plantations in America," should be exported from the colonies or even transported from one colony to another.<sup>14</sup>

The official view regarding the necessity of this regulation is given in the opening paragraph of the act of 1699.

Forasmuch as Wooll and Woollen Manufactures of Cloth, Serge, Bays, Kerseys, and other Stuffs made or mixed with Wooll, are the greatest and most profitable Commodities of this Kingdom, of which the Value of Lands, and the Trade of the Nation chiefly depend: And whereas great Quantities of the like Manufacture have of late been made, and are daily increasing in the Kingdom of Ireland, and in the English Plantations in America, and are exported thence to foreign markets, heretofore supplied from England, which will inevitably sink the Value of Lands, and tend to the Ruine of the Trade and the Woollen Manufactures within this Kingdom...<sup>15</sup>

By the time of the Restoration, wool growing and wool manufacturing had been developed in England beyond that of other European nations. Quite understandably, the English were determined not to allow this economic advantage to be lost. A long series of wool regulations were enacted from the time of Charles II through the reign of William III, and the Wool Act of 1699 was merely a minor item.

This act did not prohibit the production or manufacture of wool in America; it merely prohibited exportation by water of such goods. Thus, the domestic production was not directly affected, nor was the distribution within the colony of this

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<sup>14</sup> Ibid., 10 William III, X, 19.

<sup>15</sup> Ibid., 10 William III, X, 1.

commodity affected.<sup>16</sup> But in 1700 a heavy export tax previously collected on woolens sent to the colonies from England was abolished, with a view to discouraging homespun manufactures in the American settlements.<sup>17</sup> In general, however, there seems to have been little effort to compete commercially with England, since there was small profit in producing cloth whose quality was inferior to the lower-priced English cloth. Nonetheless, the back country clothed itself, and so did the larger settlements during those periods when there was little money to buy English manufactures.

In 1705 a Massachusetts official observed: "Country people and planters have entered so far into making their own woolens, that not one in forty but wears his own carding, spinning, etc."<sup>18</sup> The next year Governor Dudley remarked that the woolen trade with England had fallen off and the people were making clothes from their own wool.<sup>19</sup> In 1707 it was stated that the northern colonies "do not only clothe themselves with woolen goods, but furnish the same commodity to the more southern planta-

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16 O. M. Dickerson, The Navigation Acts and the American Revolution, Philadelphia, 1951, 19.

17 Statutes at Large, 11 William III, XX.

18 John Bridger to Lords of Trade, cited in Clark, History of Manufacture, 199.

19 Eleanor Lord, Industrial Experiments In The British Colonies, 132, cited in Clark, History of Manufacture, 199.



tions notwithstanding the prohibition in the Act of 1699."<sup>20</sup>

In its formal report of 1721, the Board of Trade mentioned that the inhabitants of Massachusetts "have always worked up their own wool into coarse cloths, druggets, and serges, but these, as well as their homespun linen, which is generally half cotton, serve only for the use of the meanest sort of people."<sup>21</sup>

Governor Belcher is quoted in a report of 1733:

There are some other manufactures carried on in New England, such as the making of brown holland for women's wear, which lessens the importation of calicoes and some other sorts of India goods into that province; that there are likewise some small quantities of cloth made of linen and cotton for ordinary sheeting and shirting. . . As to woollen manufactures of this province, people who used formerly to make most of their clothing of their own wool do not at present manufacture a third part of what is necessary for their own use but are generally clothed with English manufactures.<sup>22</sup>

Generally speaking, the total effect of the Woolen Act in the colonies must have been slight. True, the colonists were manufacturing wool in Massachusetts, but the law did not prohibit this. From the quotations above, it seems safe to say that some merchants were selling colonial wool within the colony, but the Wool Act did not prohibit this either. Certainly the people in

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<sup>20</sup> House of Lords MSS., 1706-1708, 250, cited in Lipson, Economic History of England, III, 188.

<sup>21</sup> O'Callaghan, Documents Relative to the Colonial History of New York, V, 591-610.

<sup>22</sup> "State and Condition of the British Colonies in America," cited in Clark, History of Manufacture, 202.

the back country or "frontier" clothed themselves with their homespun, but the Wool Act had no application to that practice. The Wool Act of 1699 prohibited exportation by water of woollen goods produced in America. The colonists had no inclination to compete with England commercially, since colonial cloth was admittedly far inferior to the lower priced English cloth.

The second act or law directly relating to manufacture was the Hat Act of 1732.<sup>23</sup> This act was the result of the action taken by the London Feltmakers when they submitted a petition stating that "the inhabitants of the plantations in America, being supplied with beaver skins at less expense than the petitioners, have been induced to set up a manufacture of hats, and are thereby enabled not only to supply the foreign markets but even to send over hats to Great Britain."<sup>24</sup>

In the opening paragraph of this act we read as follows:

Whereas the Art and Mystery of making Hats in Great Britain hath arrived to great Perfection, and considerable Quantities of Hats manufactured in this Kingdom have heretofore been exported to his Majesty's Plantations or Colonies in America, who have been wholly supplied with Hats from Great Britain; and whereas great Quantities of Hats have of late years been made, and the said Manufacture is daily increasing in the British Plantations in America, and is from thence exported to foreign Markets, which were heretofore supplied

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23 Statutes at Large, 5 George II, XXII.

24 House of Commons Journals, XXI, 802.

from Great Britain, and the Hat-makers of said Plantations take many Apprentices for very small Terms, to the Discouragement of the said Trade, and debasing the said manufacture: Be it enacted that. . . no Hats or Felts whatsoever, dyed or undyed, finished or unfinished, shall be shipped, loaden or put on Board any Ship or Vessel in any Place or Parts within any of the British Plantations, upon any Pretence whatsoever, by any Person or Persons whatsoever, and also that no Hats or Felts whatsoever, dyed or undyed, finished or unfinished, shall be loaden upon any Horse, Cart or other Carriage, to the Intent or Purpose to be exported, transported, shipped off, carried or conveyed out of any of the said British Plantations to any other of the British Plantations, or to any other Place whatsoever, by any Person or Persons whatsoever.<sup>25</sup>

In other words, hats could not be transported from any colony. The act also stipulated that only those could work on felts or hats who had served an apprenticeship; the number of apprentices was limited to two, and these apprentices were to serve for at least seven years.<sup>26</sup> Negroes were prohibited from employment in the industry by section eight of the act.<sup>27</sup>

New England could not have been seriously upset by these regulations, since the only effect the act could have had was to reduce the exportation of hats by water. Section ten of the act specifically limits the act so as to exempt local industries,<sup>28</sup> and the regulations regarding apprentices did not refer

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25 Statutes at Large, 5 George II, XXII, 1.

26 Ibid., 5 George II, XXII, 7.

27 Ibid., 5 George II, XXII, 8.

28 Ibid., 5 George II, XXII, 10.

to members of a worker's family.<sup>29</sup> Moreover, there is no record of any prosecutions of violations of the apprentice regulations. However, this is not surprising, since there was no legal machinery by which parliamentary laws imposing domestic regulations upon colonial industry could be enforced within a colonial government.<sup>30</sup>

In the report from Massachusetts of 1733 cited previously, we have the following concerning hat manufacture.

Great quantities of hats are made in that province of which the company of hatters in London have likewise complained to us, which gave birth to an act of Parliament that was passed in the last session upon this subject. We were further informed by the said Mr. Jeremiah Dunbar, that the people of New England export great quantities of hats of their own manufacture to Spain, Portugal and our West India Islands.<sup>31</sup>

Since hat manufacture was itself not prohibited, markets for hats could be reached by the hatmakers, even though these markets could not be reached by commerce. There was nothing to prevent a hat maker from traveling around after his market, rather than giving his supplies to a merchant to sell for him.<sup>32</sup>

Perhaps the best proof that this legislation did not

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29 Ibid., 5 George II, XXII, 7, 8.

30 Dickerson, Navigation Acts, 19.

31 "State and Condition of the British Colonies in America," cited in Clark, History of Manufacture, 202.

32 Dickerson, Navigation Acts, 46-47.

hamper hatmaking is to be found in Hamilton's "Report on Manufactures" in 1791 where he says speaking of the wool industry:

"Household manufactures of this material are carried on in different parts of the United States to a very interesting extent; but there is only one branch, which as a regular business can be said to have acquired maturity. This is the making of hats."<sup>33</sup>

Another regulation directly affecting manufactures in Massachusetts was the Iron Bill of 1750. Prior to the eighteenth century much iron was imported by England from Sweden, but the break with Sweden shortly after the accession of George I caused attention to be focused on American iron.<sup>34</sup> In 1717 the ironmongers and smiths of London and Bristol petitioned in favor of encouraging the smelting of pig iron in the American colonies.<sup>35</sup>

Iron-mongers or smiths were those engaged in making articles from the bar iron. They did not smelt pig iron into bar iron, but merely worked the bar iron into the finished products: pots and pans, etc. Iron masters, on the other hand, were those engaged in smelting pig iron into bar iron, so that the "raw material" of the iron masters was pig iron, while the "raw material" of the ironmongers and smiths was bar iron.

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<sup>33</sup> State Papers and Public Documents of the United States, Boston, 1817, I, 142.

<sup>34</sup> Lipson, Economic History of England, 189.

<sup>35</sup> House of Commons Journals, XVIII, 691.

The New England colonies abounded with wood and iron ore, so with a little encouragement a sufficient quantity of pig iron could be made to supply the forges of the mother country at reduced cost. The ironmasters objected; they claimed that any encouragement of the iron manufacture in the colonies would inevitably lead to the ruin of the iron trade of England. They stated that "no forbidding clause or restraint, if iron be made in the plantations, can prevent their manufacturing of it in those countries where there is coal in such plenty and conveniences for it;" and we should therefore lose both the making of pig and bar iron, and the manufacture of iron wares.<sup>36</sup> In 1719 a bill was introduced into parliament forbidding the making of bar iron and the manufacture of iron wares; this bill, which would have destroyed all the iron works in the colonies, failed to pass.<sup>37</sup>

In 1737 the question came up again. The ironmongers objected that no bounties were paid on iron, while other commodities benefitted by this type of encouragement. The ironmongers stated that the American colonies could produce iron "equal in goodness to the best from Sweden." The New Englanders had built furnaces, forges, and slitting mills; they had manufactured bar iron into "axes, nails and sundry other species" to supply

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36 Ibid., XIX, 118.

37 David Macpherson, ed., Annals of Commerce, London, 1805, III, 72-73.

themselves and their neighbors. The effect of this industry injured the iron manufactures in the Midlands, whose trade had "always increased and flourished till lately in the proportion to the American plantations, but now greatly declined for want of its usual demands."<sup>38</sup>

Here again we have the reason for the interest in American iron. The ironmongers wanted to create a market in England for the colonists' bar iron in order to discourage the colonies from manufacturing their own iron into finished products. It was thought that American bar iron would be sent to England, worked up there, and then returned to the colonies to be sold there cheaper than the American ironmonger could manufacture it. In 1737 a Committee of the House of Commons reported in favor of discouraging the iron industry as prejudicial to iron smelting at home; the committee added that there would be no injurious competition if the colonies were only permitted to prepare pig and bar iron for manufacture in England.<sup>39</sup>

Following the recommendations of the report of 1737, the Iron Bill was passed in 1750. The introduction of the act reads as follows:

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XII, 15.      38 House of Commons Journals, XXII, 772, 773, 828;

39 Ibid., XXIII, 109.

Whereas the Importation of Bar Iron from his Majesty's Colonies in America, into the Port of London, and the Importation of Pig Iron from the said Colonies, in any Part of Great Britain, and the Manufacture of such Bar and Pig Iron in Great Britain, will be a great advantage, not only to the said Colonies, but also to this Kingdom, by furnishing the Manufactures of Iron with a Supply of that useful and necessary Commodity, and by means thereof large sums of Money now annually paid for Iron to Foreigners, will be favored in this Kingdom, and a greater Quantity of Woollen and other Manufactures of Great Britain, will be exported to America, in Exchange for such Iron so imported; Be it enacted. . .<sup>40</sup>

The bill goes on to allow the importation of bar iron from the colonies, duty free, into London, and of pig iron into any port.<sup>41</sup> While thus encouraging the production of pig and bar iron, it prohibited the erection of any colonial "mill or other engine for slitting or rolling iron, or any plating forge to work with a tilt hammer, or any furnace for making steel."<sup>42</sup>

This iron bill seems to be mainly a measure to encourage the infant iron industry in England rather than an attempt to destroy colonial manufacture of iron. Though the law prohibited the erection of new mills for processing iron, it did not forbid the expansion of those mills which were already in existence. A. C. Bining, who has made the most detailed study of the colonial iron industry, failed to find a single case where any iron work was discontinued, any slitting mill or steel furnace

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<sup>40</sup> Statutes at Large, 23 George II, XXIX, 1.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid., 23 George II, XXIX, 9.



destroyed, or even an attempted prosecution of an iron works operator.<sup>43</sup>

Most of the iron works in the colonies were designed to supply a neighborhood market only. Any large iron works that were built seemed unprofitable because of the gradual exhaustion of the local charcoal supply. The dependence on this fuel probably meant the ultimate failure of even the smaller iron works; the furnaces quickly used up the available wood supply within a profitable hauling distance.<sup>44</sup> This lack of a permanent fuel was a handicap to the iron industry of both England and the colonies.<sup>45</sup> A permanent iron and steel industry would arrive only with the use of coal in blast furnaces as a dependable fuel supply.

Although the regulations concerning wool, hats, and iron were the only instances of British legislation directly affecting manufactures in Massachusetts during this period, there were two other cases where the British legislation did have an indirect effect. These other regulations concern timber and molasses.

In the days of wooden ships, an ample supply of tar,

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<sup>43</sup> Bining, British Regulation of Colonial Iron Industry, 18.

<sup>44</sup> Dickerson, Navigation Acts, 47-48.

<sup>45</sup> Macpherson, ed., Annals of Commerce, III, 173.

pitch, turpentine, resin, hemp, and masts was of vital necessity to naval and commercial shipping. Navies could not operate without such articles in time of war, and large quantities at reasonable prices were needed for expanding the British carrying trade.<sup>46</sup>

Before 1700 the main source of supply for these naval stores was the Baltic regions. However, as early as the first Dutch war in 1654, when the Dutch and Danes succeeded in cutting off the narrow strait which connects the North Sea with the Baltic, Britain began to appreciate the colonies as a source of masts.<sup>47</sup> In 1685 began restrictions on colonial cutting of desirable trees. The king appointed a Surveyor General, under whom certain men were assigned to mark the trees to be reserved. Nearly all trees over twenty-four inches in diameter were under these restrictions by 1691. None of the marked trees could be cut without a license from the crown, under penalty of one hundred pounds for every tree cut.<sup>48</sup>

During the Spanish War, from 1702 to 1713, the shortage of naval stores became acute, due to the interruption of the Baltic trade and the practical monopoly secured by the Tar Com-

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<sup>46</sup> Dickerson, Navigation Acts, 12.

<sup>47</sup> Ibid.

<sup>48</sup> William R. Carlton, "New England Masts and the King's Navy," New England Quarterly, XII, 9.

pany of Sweden.<sup>49</sup> In 1705 an act was passed, whose introduction is a clear statement of the then current opinion on the subject.

Whereas the royal navy, and the navigation of England, wherein, under God, the wealth, safety and strength of this kingdom is so much concerned, depends on the due supply of stores necessary for the same, which being now brought in mostly from foreign parts, in foreign shipping, at exorbitant and arbitrary rates, to the great prejudice and discouragement of the trade and navigation of this kingdom, may be provided in a more certain and beneficial manner from her Majesty's own dominions: and whereas her Majesty's colonies and plantations in America were at first settled, and are still maintained and protected, at a great expense of the treasure of this kingdom, with the design to render them usefull as may be to England, and the labour and industry of the people there, profitable to themselves: and in regard the said colonies and plantations, by the vast tracts of lands therein, lying near the sea, and upon navigable rivers, may commodiously offord great quantities of all sorts of naval stores, if due encouragement be given for carrying on so great and advantageous an undertaking which will likewise tend, not only to the further imployment and increase of English shipping and sea men but also to the enlarging, in a great measure, the trade and vent of the woollen and other manufactures and commodities of this kingdom, and of other her Majesty's dominions, in exchange for such naval stores, which are now purchased from foreign countries with money or bullion: and for enabling her Majesty's subjects, in the said colonies and plantations, to continue to make due and sufficient returns in the course of their trade.<sup>50</sup>

The object of this act was to encourage naval stores by granting bounties for their delivery to England, with the provision that these supplies were to be sent to England only.

Here is the first instance of the policy of enumeration

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49 Ibid.

50 Statutes at Large, 3 Anne, X.

affecting Massachusetts. At the time the encouragement given by old England was not appreciated by the New Englanders, because the Portuguese had become customers of the Massachusetts timber industry before England became seriously interested. In time of war there was more profit in doing business with Portugal; during the periods of war, when enemy nations were cut off from other sources of supply, high prices were offered for these articles delivered either to their own ports or to their fleets at sea.<sup>51</sup> Ordinarily, however, England had the best market for naval supplies. Foreign trade was more profitable in time of war, but all things considered, the colonists had a better market in England, because it was steady. Hence all available export surplus was shipped to England.

This new policy toward naval stores in America was profitable to England also. In 1703 the overbalance of England's trade because of the purchase of these commodities from the Baltic states amounted to 350,000 pounds.<sup>52</sup> In 1725 Erasmus Philips could say that England was enabled to obtain a favorable balance of trade with France, Flanders, Hamburg, Holland, and the East Countries of more than 600,000 pounds a year.<sup>53</sup>

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51 Dickerson, Navigation Acts, 68.

52 Andrews, Colonial Period, IV, 103.

53 Ibid., 340.

Another regulation during this period which indirectly affected manufactures was the Molasses Act of 1733.<sup>54</sup> This act grew out of the colonial rivalry of England and France. After the Treaty of Utrecht, England was anxious to prevent trade with France; the New England colonies felt the pinch of this attitude in the difficulty they found in establishing commercial relations with the French, particularly in the West Indian Islands. English statesmen insisted that the colonies should not be left free to enrich France by their trade, which was beneficial to both the northern colonies, and, unfortunately, to the French islands.

New England seamen had long fished in the waters around Newfoundland. Here they met mariners from France, and the New Englanders had no scruple in violating the trade laws by taking wine, brandy, and other prohibited European goods in return for provisions.<sup>55</sup> That the home government was aware of this fact is evident from the instructions to Governor Andros Boston is described as a magazine of all sorts of goods brought there from France, Holland, Scotland, Ireland and other places.<sup>56</sup> The trade with the French colonists in the West Indies was even more profitable than with the French seamen in the north. In these islands the New England colonists found an excellent market for

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54 Statutes at Large, 6 George II, XIII.

55 Cunningham, Growth of English Industry, 481-482.

56 Beer, Old Colonial Policy, 223.

fish and cereals; in return the French supplied them with rum and molasses on easy terms, since the brandy producers of France were protected from the competition of the French colonies. By this trade with the French the northerners were able to deal with the Indians for furs, which were exported to England to pay for their manufactures.<sup>57</sup>

Molasses from the French islands could be purchased at a rate twenty-five to fifty per cent lower than that of the English islands. In 1731 the attention of parliament was called to this situation when the British sugar planters stated that:

Of late years (divers subjects) carried on a trade to the foreign sugar colonies in America, from whence they are supplied with sugar, rum, molasses and their other productions, instead of those from our own colonies. . . and as this new method of trade increases and enriches the colonies of other nations, so it is injurious to the trade of this kingdom and greatly impoverishes the British sugar colonies.<sup>58</sup>

The fact was that British capital was invested in the sugar plantations in these islands, and many of these sugar planters resided in England and were members of parliament. This gave the sugar planters power to secure favorable legislation, even when it appeared to burden other sections of the Empire.<sup>59</sup>

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57 Cunningham, Growth of English Industry, 482.

58 House of Commons Journals, XXI, 641-642.

59 Dickerson, Navigation Acts, 17.

Up to this time there was nothing illegal in this trade with the French, as long as the colonists did not ship to these islands enumerated articles, or pick up from these islands articles that were forbidden. This trade with the French had another advantage: by trading there the New Englanders escaped any duties charged on foreign commodities brought to England according to the Navigation Acts. The answer to the objections of the British planters was that most of the profit from this trade with the French paid for the manufactures from the mother country.<sup>60</sup> Moreover, if this trade were stopped New England shipping would be ruined and the French shipping would have the benefit of the trade. Besides this, it would mean that the British planters would have a monopoly of both the English and American market with the consequent prohibitive prices.<sup>61</sup>

In 1731 a bill was introduced in parliament to prohibit the importation of foreign sugar, rum, or molasses into Great Britain, Ireland, or any of the dominions.<sup>62</sup> The bill was defeated. However, in order to discourage this trade, the Molasses Act was passed in 1733 which laid a heavy duty of six pence on every gallon of foreign molasses coming into the colonies.<sup>63</sup>

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60 Cunningham, Growth of English Industry, 482.

61 Lipson, Economic History of England, 178-179.

62 Macpherson, ed., Annals of Commerce, III, 171-177.

63 Statutes at Large, 6 George II, XIII.

This tax was so drastic that evasion seemed justifiable and even absolutely necessary. English officials were not very serious about enforcing the act, but the customs officers seized the opportunity to make a little spare change. Though the evasion of this act was an accepted fact by both the colonists and the government, it always involved bribing corrupt officials.<sup>64</sup> That the act was not a success is evident from the fact that by 1742 the French islands were producing about twice as much sugar as the British. About the only market the French had for their sugar was the American colonies, since they could not send rum to France.<sup>65</sup>

This situation was entirely changed in 1755 when England declared war on France. All trade with the French colonies was ipso facto illegal, and all ships engaged in such trade, together with their cargoes, could be seized and confiscated.<sup>66</sup> Though all direct trade with the French was prohibited, provisions still could be shipped legally from Ireland and from the American colonies to the islands of neutral powers in the West Indies who would transport them to the French colonies.<sup>67</sup> Since the British

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64 Adams, Revolutionary New England, 265.

65 Dickerson, Navigation Acts, 16-17.

66 Beer, British Colonial Policy, 78.

67 Ibid., 79.



wanted to cut off the supplies of the French in the West Indies, they had to stop this trade with the neutral powers, especially the Dutch and Spanish.<sup>68</sup>

Consequently, in 1757 an act was passed which prohibited during the war with France, the exportation of all provisions except fish, roots, and rice from the colonies to any place but Great Britain, Ireland, or some British colony.<sup>69</sup> Nonetheless, the temptation to engage in this trade was too great. In time of peace the French West Indies furnished a large market for the surplus agricultural products of the British continental colonies, and also provided them with cheap molasses, which was essential to their economy; in time of war this profitable trade became even more lucrative, since the French suffered from lack of provisions and were willing to pay high prices for them. Another factor which made this trade lucrative was that the French had difficulty in marketing their sugar and molasses because of the war, and they were most willing to sell them at moderate prices.<sup>70</sup>

British officials were irked at the situation created by this illegal trade. This trade helped the enemy and interfered with military operations of the British by depriving the

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68 Ibid., 80-81.

69 Ibid., 83.

70 Ibid., 87.

army of necessary provisions. Because of this trade, the price of provisions rose rapidly in the American colonies, so that at times it would have been cheaper to purchase in England the flour and bread needed for the troops in the colonies.<sup>71</sup> Burnaby, the English traveller who was in America during the war, testified to the wealth this trade brought the continental colonies when he reported that New York had "acquired great riches" in this manner.<sup>72</sup>

Full reports of the illegal trade were sent to Pitt, who expressed his feelings on the subject in a letter written August 23, 1760, to the governors in North America and the West Indies.

The Commanders of His Majesty's Forces, and Fleets, in North America, and the West Indies, having transmitted repeated and certain Intelligence of an illegal and most pernicious Trade, carried on by the King's Subjects, in North America, and the West Indies, as well to the French Islands, as to the French Settlements on the Continent of America, and particularly to the Rivers Mobile, and Mississippi, by which the Enemy is, to the greatest Reproach, & Detriment, of Government, supplied with Provisions, and other Necessaries, whereby they are, principally, if not alone, enabled to sustain, and protract, this long and expensive War; And it farther appearing, that large Sums, in Bullion, are also sent, by the King's Subjects, to the above Places, in return whereof, Commodities are taken, which interfere with the Produce of the British Colonies themselves, in open Contempt of the Authority of the Mother Country. . .<sup>73</sup>

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71 Ibid., 112.

72 A. Burnaby, Travels Through North America, New York, 1904, 118.

73 Gertrude S. Kimball, ed., Correspondence of William Pitt, New York, 1906, II, 320-321.

To put a stop to this trade with the enemy, the British employed, first and foremost, the royal navy. They also used another very effective weapon. The Molasses Act of 1733 had never been enforced, and the chief returns the enemy made for provisions were sugar and molasses.<sup>74</sup> It seemed obvious, then, that the duties on these articles, already on the books, could be used to stop this trade. William Bull, the lieutenant-governor of South Carolina wrote to Pitt to this effect.

And I humbly offer it as my Opinion that, until some new Laws are made by the Wisdom of our Mother Country to remedy this Evil, If the Duties upon Foreign Spirits, panels and Molasses by 6 George II were rigorously exacted by the Officers of his Majesty's Customs, and the Clandestine Landing of them discouraged, by watchfully seizing them in such case, the High Duties and Losses of Seizure would in great Measure put an end to this Trade; And the presumption that much Molasses hath been thus illegally carried into some Northern Colonies seems well founded, if the great Quantities of Rum exported as distilled there, are compared with the Molasses imported, according to the Custom House Books of the respective Colonies.<sup>75</sup>

As a result of this sentiment, the Molasses Act was enforced as never before. Massachusetts had been getting its French molasses indirectly through Spanish Monte Cristi, and when customs officials tried to collect the duties imposed by the act of 1733, serious friction between these officials and the colony of Massachusetts began. The enforcement of the Molasses Act was a

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74 Beer, British Colonial Policy, 114.

75 Kimball, ed., Correspondence of Pitt, II, 396.

serious step. As has been mentioned, the West Indian trade was the basis of industry in Massachusetts. The British West Indies could not use all the surplus lumber, fish, and provisions of Massachusetts, nor could they furnish an adequate supply of molasses. This trade with the French West Indies enabled Massachusetts to pay for the British manufactures they imported. As Lieutenant-Governor Colden said in 1760: "Prohibition to the Colonies cannot serve the purposes of the (Molasses) Act, but is evidently of prejudice to the trade of the Colonies, & in its consequence of prejudice to Great Britain: for without freedom in trade the Colonies are not able to pay for the British Manufactures consumed in them."<sup>76</sup> Governor Stephen Hopkins of Rhode Island agreed with Colden when he wrote:

From the money and goods produced by the sale of these Surplusages, with many others of less Consequence, sold by one means or other to the Spaniards, French, and Dutch in America, the Merchants of these Northern Colonies are principally enabled to make their Remittances to the Mother Country for the British Manufactures consumed in them. And this is most certain that the Quantity of British Manufactures consumed in these Colonies, are only limited by the Ability of the Inhabitants to pay for them.

Supposing this Intercourse of the Colonies with the Spaniards, French, and Dutch, entirely stopped, the persons concerned in producing these Surplusages will of course change the Manner of their Industry, and Improvement, and, compelled by Necessity, must set about making those Things they cannot live without, and now rendered unable to purchase from their Mother Country.<sup>77</sup>

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76 Ibid., 379.

77 Ibid., 377.

During this period of conscious discouragement of manufactures, 1699 to 1763, Britain passed several laws concerning such industries as wool, iron, hats, naval stores, and molasses. As was pointed out above, these laws did not impede the colonial production of wool, iron, or hats. Most of these regulations on these three articles related to their exportation, and the colonists were not engaged in industry for exportation. The regulations concerning naval stores were a decided advantage to Massachusetts, since they meant a steady market for surplus material.

When the French and Indian War began the colonists came to serious disagreement with England. Trade with the French West Indies was basic to the whole economy of Massachusetts, since the French islands constituted the most profitable colonial market. In return for the provisions of Massachusetts, the French supplied the northern colony with the sugar from which molasses and rum were made. The English began to enforce the Molasses Act of 1733 when the war with France began. The decision to enforce the Molasses Act might mean a more efficient prosecution of the war, but in carrying out this policy England ran the danger of forcing a depression on Massachusetts and thus beginning a period of industrial expansion similar to that of the 1640's.

The French and Indian War had brought on a crisis in the relations of England to her colonies. The events from the beginning of the war until its end were to change the policy of England toward her continental colonies, and Massachusetts would

develop manufacture and become the leader of the revolutionary movement because of this changed policy.

## CHAPTER IV

### NAVIGATION ACTS FOR REVENUE:

#### 1763-REVOLUTION

By the end of the French and Indian War in 1763, manufacturing in England was increasing by leaps and bounds, and statesmen like William Pitt began to think of the colonies of the Empire in a different light. By this time nearly every major European state was seriously furthering the production of their own woolen goods, with the consequent reduction of the European outlet for British woolens.<sup>1</sup> Progressive Englishmen became more convinced of the value of the colonies as markets. There was great profit to British manufacturers if Englishmen beyond the seas wore English clothes, furnished their homes with English furniture, and ate their food on English plates with English cutlery.<sup>2</sup> The more colonists overseas, the greater the market for English manufactures; the more colonists in North America, the greater the market for English woolens. The tropical West Indies

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1 Beer, British Colonial Policy, 139.

2 Claude H. Van Tyne, Causes of the War of Independence, Boston, 1922, 62.

offered a poor market for Britain's warm clothing, even though they were more profitable as producers of raw materials not grown at home. The population of the North American colonies doubled itself every generation, while that of the West Indies remained rather stationary.<sup>3</sup> The landed classes of England were interested in the woolen industry; their views on the colonial situation were the same as those of the manufacturers. These men favored the North American colonies, as opposed to the West Indies whose products favored trading and commercial interests.<sup>4</sup>

In the Treaty of Peace in 1763, the landed and manufacturing classes made themselves heard. The idea that the colonies were markets for British industry determined Pitt to take Canada from France rather than Guadeloupe as one of the spoils of war.<sup>5</sup> The West Indian interests suffered a defeat; they claimed that the tropical possessions were the ideal colonies, since they supplied materials needed in Great Britain, and did not compete with British interests. The argument of the continental interest that won the day was the fact that the removal of France, by giving full security to the North American colonies, would lead to a rapid growth of their population, and consequently to a

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3 Bigelow, ed., Works of Benjamin Franklin, III, 315-317.

4 Beer, British Colonial Policy, 139.

5 Van Tyne, Causes of War of Independence, 62.



corresponding increase in the exports of Great Britain.<sup>6</sup>

This decision to keep Canada and the West helped Massachusetts in that it relieved the fear of the French to the north, but it hurt them in so far as it disrupted the balance of trade between Massachusetts and the West Indies. Before the acquisition of Canada, the English West Indies were by no means able to take all the surplus products of Massachusetts. When Canada was added to the northern colonies, these were able to produce still more, but there was no corresponding increase in markets. On the other hand, the French West Indies were more dependent than ever on the business of New England, since France had lost Canada, her only temperate possession. Massachusetts was more dependent than before on the trade with the French West Indies, and the French West Indies were more dependent on the trade with Massachusetts.<sup>7</sup>

Illegal trade of the American colonies with these French islands during the war had called attention to the whole question of contraband trade that hindered consumption of British products. After the war the British government took steps to correct the situation. One of the most effective weapons used against this trade during the war was the use of special vessels to stop smuggling. Capitalizing on this lesson, parliament in 1763

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6 Beer, British Colonial Policy, 152.

7 Adams, Revolutionary New England, 281.

passed an act authorizing the employment of the navy to prevent contraband trade.<sup>8</sup>

This act was not popular in Massachusetts, since it meant a permanent danger to the trade in molasses.<sup>9</sup> The home government did not seem to realize the importance of this trade to the very life of Massachusetts. Governor Bernard of Massachusetts was familiar with the situation and he was loyal to the home government, but in 1763 he wrote to the Board of Trade, recommending that the important trade in molasses from the West Indies be not touched, either by executing the old law or passing a new one.<sup>10</sup> In the following year Bernard admitted that "if coniving at foreign sugar & molasses, & Portugal wines & fruit, is to be reckened Corruption, there was never, I believe, an uncorrupt Custom House Officer in America till within twelve months."<sup>11</sup>

In 1763 a group of one hundred and sixty-four merchants of Boston organized "The Society for encouraging Trade and Commerce within the Province of Massachusetts Bay."<sup>12</sup> Immediately

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8 Statutes at Large, 3 George III, XXII, 4.

9 Beer, British Colonial Policy, 229.

10 Ibid., 239.

11 Quincy, 423-424, cited in Beer, British Colonial Policy, 239.

12 Colonial Society of Massachusetts, Publication, XIX, 161ff., cited in Adams, Revolutionary New England, 294.

after the war business was bad in the colonies, and it was expected that the Molasses Act, which was about to expire, would be reenacted. This group of merchants appointed a committee to write up all the arguments against the duty of six pence a gallon on foreign molasses, and the arguments concerning the essential character of the West Indian trade. It was all in vain; the report reached London five days after the new Sugar Act became law.<sup>13</sup>

The Sugar Act of 1764 is very important in the history of colonial Massachusetts and in the history of the United States. The aim of this bill was to raise a colonial revenue and to reform the old colonial system.<sup>14</sup> In the introduction or preamble of the act the purpose is stated: "Whereas it is just and necessary, that a revenue be raised in your Majesty's said colonies in America, for defraying the expences of defending, protecting, and securing the same," parliament imposes a series of taxes in the colonies.<sup>15</sup> The revenue arising from this act, less the charges of collection, was to be paid into the exchequer, "and shall be reserved, to be from time to time, disposed of by parliament, toward defraying the necessary expenses of defending, protecting,

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13 Ibid., 382ff., cited in Adams, Revolutionary New England, 294.

14 Dickerson, Navigation Acts, 172.

15 Statutes at Large, 4 George III, XV.

and securing, the British colonies and plantations in America."<sup>16</sup> The articles selected for taxation were: (1) foreign sugars and molasses; (2) Madeira and other wines imported directly from Spain and from other places of growth; (3) wines from Portugal and other places; (4) foreign coffee and indigo; (5) foreign silks, silk mixtures, calicoes, linens, lawns, and cambrics imported from England; (6) British grown coffee and pimento exported from any British colony.<sup>17</sup>

This was the first statute distinctly taxing the colonies, but the taxation sections were not the most important. Only six sections were concerned with new taxes, while more than forty sections were devoted to a revision of the customs and commerce regulations which amounted to a constitutional revolution in the relations of the colonies to the mother country. These forty non-taxing sections were included for the purpose of changing the old system to the new system that was being planned. They became a vital part of later revenue and enforcement legislation.<sup>18</sup>

This act made the Molasses Act perpetual, but the duty imposed on molasses was cut in half in order to discourage smug-

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16 Ibid., 4 George III, XV, 11.

17 Ibid., 4 George III, XV, 1-3.

18 Dickerson, Navigation Acts, 179.

gling.<sup>19</sup> The importation of foreign rum was absolutely forbidden;<sup>20</sup> this prohibition was aimed at Guadeloupe and Martinique which had learned to make rum while held by the British during the war. France prohibited the importation of rum into the mother country, so this regulation was designed to hurt the French rum industry and to benefit the rum industry of both the British West Indies and the northern colonies.<sup>21</sup> Though this new duty on molasses was one-half of what the old one had been, the new duty hurt more because it was enforced. Besides this, the burden of this taxation was uneven, since more than seventy per cent of all sums collected from the continental colonies under the Sugar Act fell upon the trade of only five ports in four of the twenty colonies covered by the Inspector General's reports. The taxes collected at the other thirty-seven ports amounted to only twenty-eight per cent of the total. Massachusetts alone paid more than one-fourth of all Sugar Act taxes; during the seven years it was in operation, the Sugar Act took from Massachusetts one hundred thousand pounds.<sup>22</sup>

As a result of the new sugar bill a movement was begun

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19 Adams, Revolutionary New England, 295.

20 Statutes at Large, 4 George III, XV, 18.

21 Beer, British Colonial System, 278.

22 Dickerson, Navigation Acts, 185-186.

by the Boston merchants in August, 1764, to boycott certain lines of English goods. The colonists were well aware that the West Indies planters had much to do with this new bill. A writer in the Providence Gazette suggested suspending business entirely between the continent and the English islands to teach the planters a lesson. In general this movement had little economic effect, but Hutchinson says it helped to unite the people against parliament.<sup>23</sup> Some people showed great enthusiasm for the project: "the young gentlemen at Yale College" unanimously resolved to abstain from "any foreign spirituous liquors." They agreed that this would "not only greatly diminish the Expences of Education" but prove excellent for health.<sup>24</sup> Governor Franklin of New Jersey warned the Board of Trade that, as a result of the enforcement of this law, there was a good deal of murmuring among the merchants, and others, in North America.<sup>25</sup>

The Sugar Act alone could never produce sufficient revenue to support the American army needed for defending, protecting, and securing the colonies. Grenville recognized this when he introduced this bill in the House of Commons, for he

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<sup>23</sup> Hutchinson, History, III, 117, cited in Adams, Revolutionary New England, 300.

<sup>24</sup> Boston Gazette, Dec. 3, 1764, cited in Adams, Revolutionary New England, 300.

<sup>25</sup> New Jersey Colonial Documents, IX, 402-404, cited in Beer, British Colonial Policy, 291.

stated that it was his further intention to institute a colonial stamp tax.<sup>26</sup> Though this stamp tax was not a law regulating trade or navigation, it vitally affected further trade and navigation laws.

When Grenville introduced the Stamp Act in 1765, he met with virtually no opposition.<sup>27</sup> The purpose of this act is given in the preamble as a further revenue necessary for defraying the expense of protecting the American colonies.<sup>28</sup> The act required the use of revenue stamps upon packages of playing cards and dice, legal papers, liquor licenses, pamphlets, newspapers, almanacs, and other written or printed documents, and provided that infractions of the law must be tried in the Admiralty Courts.<sup>29</sup> The Sugar Act and the Stamp Act were expected to produce an income sufficient to meet from one-third to one-half the cost of the American army.<sup>30</sup>

Most of the opposition to both the Sugar Act and the Stamp Act seems to have been centered in Massachusetts. Richard Henry Lee of Virginia applied for the position of Stamp Distributor, and Benjamin Franklin advised Jared Ingersoll to accept the

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26 Beer, British Colonial Policy, 285.

27 Ibid., 286.

28 Statutes at Large, 5 George III, 12, 1.

29 Ibid.

30 Beer, British Colonial Policy, 286.

position for his colony when it was offered to him.<sup>31</sup> Such was not the case in Massachusetts where the Stamp Act led to a resumption of the non-importation and non-consumption policy that the Boston merchants had tried to organize the year before. "Plough-jogger" in the Boston Gazette gives a typical Boston viewpoint:

I don't believe our young folks would leve to dance together at husking frolics and to kiss one another a bit less, if they wore woollen shirts and shifts of their own making, than they do now in their fine ones. I do say, I won't buy one shilling worth of anything that comes from Old England till the stamp act is appeal'd."<sup>32</sup>

The young ladies of Providence agreed not to accept the attention of any youth who favored the stamp tax. All gay blades, whether they supported to tax or not, probably felt the pinch on their social life because of the opposition to the stamp tax; the maids and matrons of all New England were spinning from sunrise to dark to increase the supply of homespun. In December of 1764 two hundred and fifty merchants of Boston signed a formal agreement not to import any articles, with necessary exception, from England until the Stamp Act was repealed.<sup>33</sup>

Intense agitation by the colonists against both the

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31 Adams, Revolutionary New England, 310.

32 Boston Gazette, Oct. 14, 1765, cited in Adams, Revolutionary New England, 335.

33 Schlesinger, Colonial Merchants, 78, cited in Adams, Revolutionary New England, 335.



Stamp Act and the Sugar Act had the desired result. In 1766 the Stamp Act was repealed,<sup>34</sup> and the Sugar Act changed in such a way that only a duty of one penny a gallon was imposed on both British and foreign molasses imported into the colonies.<sup>35</sup> The fight for the repeal of these acts had turned the minds of many of the colonials against any restrictions on trade.

For example, James Otis in 1764 agreed with the fundamental principles involved in restriction of trade when he said that the French "can send none of their manufactures here; and it is the wish of every honest British American that they never may; 'tis best they never should; we can do better without the manufactures of Europe, save those of Great Britain, than with them."<sup>36</sup> In the following year, after the Sugar Act and Stamp Act had been passed, Otis speaks in a different tone:

Can any one tell me why trade, commerce, arts, sciences, and manufactures, should not be as free for an American as for a European. . . Is there anything in the laws of the nature of our allegiance that forbids a colonists to push the manufacture of iron much beyond the making of a horse-shoe or a hob nail.<sup>37</sup>

34 Statutes at Large, 6 George III, XI.

35 Ibid., 6 George III, LII.

36 James Otis, The Rights of the British Colonists Asserted and Proved, ed. Charles A. Mullet, University of Missouri Studies, Columbia, IV, July, 1929, 99.

37 James Otis, Considerations on Behalf of the Colonists in a Letter to a Noble Lord, ed. Charles A. Mullet, University of Missouri Studies, Columbia, IV, October, 1929, 116.

Nothing could prove to him the rectitude of the entire system of regulating colonial trade.

Though the colonists had won a victory in the defeat of the Stamp Act and the reduction of the duty on molasses, the British parliament, three days before the repeal of the Stamp Act, had passed the Declaratory Act. This title of this act, "An Act for the better securing the dependency of his Majesty's dominions in America upon the crown and Parliament of Great Britain," sums up its general purpose. The act vindicated the right of the English government to make laws such as the Stamp Act and the Sugar Act. It stated that "the said colonies and plantations in America have been, are, and of right ought to be, subordinate unto and dependent upon the imperial crown and parliament of Great Britain," and the king and Parliament "had, hath, and of right ought to have, full power and authority" to make laws "of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever."<sup>38</sup>

In the following year, 1767, the Townshend Acts were passed. These acts placed a tariff on paint, paper, glass, and tea. The acts also reorganized the customs service in America, creating a new American Board of Customs Commissioners. In addi-

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<sup>38</sup> Statutes at Large, 6 George III, XII.

tion, vice-admiralty courts were set up in Boston, Philadelphia, and Charleston.<sup>39</sup> The purpose of the tariff clauses in these acts was to create a revenue needed to pay the salaries of royal officials in the colonies, so they would no longer be dependent on the colonial legislatures for their pay.

Serious consequences followed the creation of the American Board of Customs Commissioners. For the first time the administration of the Empire in customs and trade regulations was divided. The choice of a port of residence for the new board fell on Boston, which then became the capital of America for the administration of the trade and revenue laws, and, in turn, made Boston the capital of political agitation also. According to Professor Dickerson, the creation of this separate board for American trade was England's "most fateful decision," since it changed fundamentally the course of English history.

Every episode after 1767 that is given in the textbooks as a cause of the Revolution can be traced to the activities of this commission. The summons of the Romney to Boston, the seizure of Hancock's ship Liberty, and the sending of troops to support its authority, were all the responsibility of the commission. So it is evident that the British empire was led into a civil war to preserve the administrative division of the coloni-

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39 Ibid., 7 George III, XLVI.

al empire that had been decided upon in 1767. Until the beginning of the Revolution the Americans were arguing for imperial unity, while the ministry was using force to support separate administrative treatment for a part of the empire.<sup>40</sup>

Opposition to the Townshend Acts took the same form as opposition to the Sugar and Stamp Acts. Again non-importation was the weapon used to fight the tariff clauses of the new act. In Massachusetts the first formal action regarding non-importation was taken at this time; town meetings in Boston and other communities agreed not to purchase stated lists of imported goods. Home manufactures were to be encouraged, especially glass and paper, and it was agreed that frugality was to be observed in mourning. The use of imported tea was also discouraged, though it was not on the lists signed by the town meetings; ultimately fifteen hundred families in Boston gave up drinking tea. Harvard theses were printed on paper made in the colonies. Free spinning schools to help the poor were subsidized by the Boston town meeting, as an encouragement to the linen industry.<sup>41</sup>

Non-importation continued to spread until June, 1769, when word was received that the Townshend Acts were to be repealed in part. This news divided the merchants. Some of them

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<sup>40</sup> O. M. Dickerson, "England's Most Fateful Decision," New England Quarterly, XXII, 393-394.

<sup>41</sup> Van Tyne, Causes of Independence, 255.

had signed the non-importation agreements with enthusiasm, but some only from a sense of duty or from fear of reprisals by the colonists. Those merchants, tradesmen, and retailers who did not sign were boycotted, excommunicated politically, subjected to various forms of violence, tarred and feathered, hung in effigy, ducked in ponds, or had their goods burned.<sup>42</sup> When Boston heard that the Townshend Acts were to be partially repealed, new agreements were signed that were to remain in force until the revenue acts of 1764 and 1766 should be repealed as well. Fourteen merchants refused to sign this new agreement, but six of these finally submitted after a threat that their names would be published as enemies of the country.

Actually the Townshend Acts were a blessing in disguise. The tariff placed on paint, paper, glass, and tea raised the prices on these commodities. In this way the Townshend Acts spurred the colonists on to manufacture these articles for themselves, since it was quite costly to import these articles from foreign countries. Together with the non-importation movement, the added cost of the tariff definitely contributed to the increase of colonial production of these articles.<sup>43</sup>

These non-importation agreements were given unity dur-

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<sup>42</sup> Adams, *Revolutionary New England*, 361.

<sup>43</sup> *Ibid.*, 352.

ing the Continental Congress of 1774 when, for the redress of grievances, the colonies formed the Continental Association which established non-importation, non-consumption, and non-exportation until England should yield.<sup>44</sup> These resolutions of the Continental Congress caused a drastic decrease in the imports from England. True, there had been a rush to buy English goods before the boycott should begin; English importations into New York increased from 289,214 pounds in 1773 to 437,937 pounds in 1774, but in the next year, during the operation of the Continental Association, trade fell off to only 1228 pounds.<sup>45</sup>

A fortuitous chain of events in Europe prevented the Continental Association from having the full desired effect on British commerce that the patriots desired. The Russo-Turkish War opened new markets and increased demands on English production. Nonetheless, before the change of events took place in Europe, petitions from the merchants of Belfast, Leeds, Manchester, Glasgow, Birmingham, and many other factory towns and shipping centers, rained down on parliament, foretelling bankruptcy and ruin unless the Americans were conciliated by a repeal of the abnoxious acts.<sup>46</sup>

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<sup>44</sup> Worthington Chauncey Ford, ed., Journals of the Continental Congress, 1774-1789, Washington, 1904, I, 74.

<sup>45</sup> Macpherson, ed., Annals of Commerce, III, 549, 564, 585.

<sup>46</sup> Van Tyne, Causes of Independence, 443-444.

Parliament decided that since the Americans had refused to trade with England, England would not let the Americans trade with any other nation. In March, 1776, a restraining act was passed which cut the people of New England off from the northern fisheries and confined their commerce wholly to the British Empire. After a few weeks this law was extended to the other colonies as well.<sup>47</sup>

In general the non-importation agreements did not produce great distress among the British merchants at this time. As Samuel Curwen wrote in August: "One of the warmest of the friends of America told me that letters from Manchester expressed joy that no American orders had been sent, otherwise there must have been disappointment somewhere."<sup>48</sup> Though English manufactures might not have been affected by non-importation, merchants and planters interested in the British West Indies felt the seriousness of the situation. A pamphleteer wrote that if non-exportation was maintained by the continent, over one-quarter of the 400,000 slaves would die of starvation.<sup>49</sup>

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<sup>47</sup> Statutes at Large, 15 George III, X.

<sup>48</sup> G. A. Ward, Journal and Letters of Samuel Curwen, 37, cited in Adams, Revolutionary New England, 421.

<sup>49</sup> Sir John Dalrymple, "The Address of the People of Great Britain to the Inhabitants of America," 15, cited in Adams, Revolutionary New England, 422.

From the end of the French and Indian War to the Revolution, the legislation of England had definitely alienated the Massachusetts colonists. With the passage of the Sugar Act in 1764 Massachusetts merchants banded together in firm opposition to the commercial regulations of the mother country. During the succeeding years, this opposition increased and expressed itself vehemently in non-importation agreements. As this weapon of non-importation grew in strength, the colonists found themselves without the usual supply of English imports. Necessity being the mother of invention, the industrious Massachusetts spirit came to the fore to develop home industries that would supply what had been imported from England. The growth of industry had been slow but steady during the years prior to 1763; after 1763, development sprinted.

Almost every town and countryside in eastern Massachusetts was supported partly by home manufactures a few years before the outbreak of the Revolution. According to the assessment rolls of Haverhill in 1776, there were in the township forty-four workshops and nineteen mills, or one mill for every fifteen residences and a workshop for less than seven residences.<sup>50</sup> And a few years after the Revolution a French writer, in describing the Middlesex-Boston district, wrote: "This part of America dis-

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<sup>50</sup> Clark, History of Manufacture, 186.



plays in every respect true European industry. In every village the streets along the roads are lined with shops. Cabinetmakers, shoemakers, saddlers, coachmakers and tanners are very numerous.<sup>51</sup>

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<sup>51</sup> La Rochefaucault, Travels Through North America, I, 399, cited in Clark, History of Manufacture, 186.

## CHAPTER V

### CONCLUSION

When studying the economic system on which the British Empire was based for two centuries, it must be remembered that England rendered her overseas possessions great services. The right of the mother country to regulate trade was denied neither by the colonists nor by the British themselves. The mother country supplied colonists to populate the new lands; she furnished capital to develop the lands; she protected the trade-routes of the colonies; and she defended the colonies from hostile attacks.<sup>1</sup>

Sir John Sinclaire pointed out that the North American Colonies had cost England about 40,000,000 pounds, and the international strife in which England had been involved in consequence of possessing them cost 240,000,000 pounds more.<sup>2</sup> In partial payment for these benefits, England established certain regulations which would insure that the trade of these colonies would accrue to herself.

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1 Lipson, Economic History of England, 158.

2 History of the Public Revenue of the British Empire, II, 87, cited in Cunningham, Growth of English Industry, 850.

England's economic policies regarding her colonies can be traced in the navigation acts. These policies were first formulated in 1651 when parliament passed a law that has come to be known as the "first navigation act." Parliament had legislated in favor of English trade prior to this date, but this was the first ordinance which in any comprehensive way defined England's commercial policy.<sup>3</sup>

According to this law, no goods from Asia, Africa, or America would be imported in England, Ireland, or other English possession except in ships owned, manned, and captained by Englishmen or English colonists. Further, no Englishman or alien could import European goods into the Commonwealth except these goods that were from the place of actual production or from the port of first shipment.<sup>4</sup> In these two sentences we find the fundamental notions of English economic policy.

This act of 1651 was renewed and amended throughout the colonial period. In 1660 the act was made more specific by the insertion of a list of articles produced in the colonies that could be shipped only to England. These articles were known as the enumerated commodities; they included sugar, tobacco, cotton,

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3 Andrews, Colonial Period, IV, 36.

4 Firth and Rait, eds., Acts and Ordinances of the Interregnum, II, 559.

indigo, ginger, and dye-woods.<sup>5</sup> Three years later parliament legislated in the act of 1663 that all European commodities imported into the colonies should be carried first to England, and there put in English or colonial vessels bound for America.<sup>6</sup> Finally, the period of policy formation was completed in 1696 when the colonies were forbidden to export their products directly to Scotland or Ireland.<sup>7</sup>

These early navigation acts had a favorable effect on Massachusetts industry. During the depression of the 1640's, Massachusetts had developed home industry to some extent, since the colonists did not have the means to buy from England. This period of depression developed Massachusetts' shipbuilding and trade to a noticeable degree. The navigation acts of the seventeenth century nurtured this shipbuilding and trade of New England, since according to these regulations all commodities to and from England and the colonies had to be carried in English or colonial ships. This early expansion of the maritime activity of Massachusetts gave the colony the means to transport its products to all corners of the world, but especially to the French West Indies which were anxious to take whatever surplus products Massachusetts could sell them.

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5 Statutes at Large, 12 Charles II, XVIII.

6 Ibid., 15 Charles II, VII.

7 Ibid., 7 William III, XXII.

The greatest benefit the colonists had from the mother country seems to have been the protection of the royal navy in an age of real peril from powerful enemies. "These restrictive laws founded upon principles of the most solid policy, flung a great weight of naval force into the hands of the mother country, which was to protect the colonies, and without a union with which the colonies must have been entirely weak and defenceless."<sup>8</sup>

In view of these very definite advantages, the British government thought they were entirely within their rights in regulating trade and manufacture. In 1756, in connection with a law passed in Massachusetts to encourage the manufacture of linen in that colony, the Board of Trade wrote to Shirley:

The passing of Laws in the Plantations for encouraging Manufactures, which any ways interfere with the manufacture of this Kingdom, has always been thought unproper, & has ever been discouraged. The great Expence, which this Country has been and is still at, for the defence and Protection of the Colonies, which they on the other hand contribute little or nothing to the Taxes with which it is burthened, give it a just Claim to restrain them in such Attempts.<sup>9</sup>

England wanted to encourage manufacture at home, but manufacturing to any extent in the colonies would impede home manufacture. This was the reason for the restrictive measures on the manufacture of wool, hats, and the working up of iron. All

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<sup>8</sup> Hansard, Parliamentary History, SVI, 201, cited in Van Tyne, Causes of Independence, 67.

<sup>9</sup> Board of Trade, Massachusetts, 84, cited in Beer, British Colonial Policy, 328.

these acts were passed to protect the interests of the British subjects. Woolen manufactures were thought of as "the greatest and most profitable Commodities of this Kingdom, on which the Value of Lands, and the Trade of the Nation do depend."<sup>10</sup> The ban on the export of hats was the result of the London Feltmakers' petition, in which they represented that "the inhabitants of the plantations in America, being supplied with beaver skins at less expense than the petitioners, have been induced to set up a manufacture of hats, and are thereby enabled not only to supply the foreign markets but even to send over hats to Great Britain."<sup>11</sup> The iron masters of England protested that any encouragement of the iron manufacture in the colonies would inevitably tend to the ruin of the iron trade of the kingdom.<sup>12</sup>

Sugar refining was discouraged, but it was never forbidden by law. The molasses act was to prohibit trade between the colonies and the French West Indies. The English West Indies petitioned for this act claiming that:

Of late years (divers subjects) carried on a trade to the foreign sugar colonies in America, from whence they are supplied with sugar, rum, molasses and their other productions, instead of those from our own colonies. . . and as this new method of trade increases and enriches the colonies of other nations, so it is injurious to the trade of this

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10 Statutes at Large, 10 William III, X.

11 House of Commons Journals, XXI, 802.

12 Ibid., XIX, 118.

kingdom and greatly impoverishes the British sugar colonies.<sup>13</sup>

These acts that directed or restricted the commerce and manufacture of the colonies were nothing new to England. Almost all these acts had been used in England to protect the privileges of certain localities and classes and to restrict the economic activities of other classes and localities. Some British ports were denied the right to trade directly with foreign ports, as were the ports of the colonies; some towns were permitted to manufacture articles which were not permitted to be manufactured for sale in other places, in the same way that England tried to prevent some manufactures in America which were to be confined to Great Britain proper.<sup>14</sup>

England's policy was more beneficial than harmful to manufactures in America. About 1775 a writer listed the measures that caused the colonists to diversify their industries.

1. To confine the colonies to their present bounds, and to cut them off from all the more fruitful parts of the continent, which would produce anything for Britain, or enable the colonies to make remittances to her.
2. To lay duties on many of the goods they have from Britain, which so enhanced their price that the merchants could not deal in them; and at any rate such duties could only be an additional premium on the manufactures of the colonies, which are already very great, from the dearness of English goods.

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13 Ibid., XXIV, 818.

14 Clark, History of Manufacture, 14.

3. To restrain their trade, which is already so limited, that it will not maintain a tenth part of the people; and to lay new impositions on that trade, by which they are already losers, although many of the colonies have no other source of remittance to Britain.<sup>15</sup>

Thus, the British colonial policy by discouraging industry and increasing the price of British manufactures in America, impeded the trade of raw materials for finished goods between the two countries, or continents, and therefore forced the colonists to manufacture for themselves.

In general, other than naval protection the advantages of the economic dependence of the colonies on Great Britain were the following: military protection, protection for colonial shipbuilding and shipping under the navigation acts, encouragement of naval stores and iron manufacture by premiums and opening to them a protected English market, free or privileged trade with other parts of the Empire, especially the West Indies. The benefit of Great Britain's commercial treaties opened to the colonies European markets for fish, oil, flour, rice, and some other products. Against these were set the disadvantages of restricted trade outside the Empire and laws preventing or discouraging the manufacture within the Empire of finished iron, woolens, and hats.<sup>16</sup>

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<sup>15</sup> Ibid., 29.

<sup>16</sup> Gilpin, Notes on the History and Principles of the Tariff, cited in Clark, History of Manufacture, 30.



Of all the colonies, Massachusetts profited most from the navigation acts. The real object of these acts was the increase of English shipping, and New England seems to have gained more in this regard than old England. As Englishmen residing in America, the colonists were able to have their share of shipping, while both the Scots and the Irish were excluded.<sup>17</sup> Certainly the facilities for shipbuilding along the Atlantic sea-board were better than in England itself, for in 1724 the Thames shipbuilders bitterly complained of the disadvantages under which they carried on their trade.<sup>18</sup>

Since on the whole the colonists seem to have gained more than they lost of the navigation acts up to 1763, what can be said of these acts as a cause of serious complaint on the part of the colonists. O. M. Dickerson states: "Whoever seeks to explain the American Revolution must start with the proved loyalty of all the colonies in 1763 and their general satisfaction with the commercial system which bound the Empire together."<sup>19</sup> The First Continental Congress dated the beginning of oppressive policies in 1764.<sup>20</sup> Even in the Declaration of Independence there

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17 Statutes at Large, 6 Anne, XXXVII, 9.

18 Ashley, Surveys, 313, cited in Clark, History of Manufacture, 479.

19 Dickerson, Navigation Acts, 161.

20 Journals of the Continental Congress, I, 71.

is no direct reference to the Navigation Acts, except the phrase "for cutting off our trade with all parts of the world,"<sup>21</sup> which may refer only to the Boston Port Bill.

Up to the beginning of the revolutionary movement in 1764 and 1765 the colonies made no complaint against the trade laws as a whole. James Otis, a leader of the revolutionary movement, stated in 1764 that the colonies were "confined in their imports and exports," and added: "Very well, we have submitted to this. The act of navigations is a good act, so are all that exclude foreign manufactures from the plantations, and every honest man will readily subscribe to them."<sup>22</sup>

The few objections there were against the Navigation Acts up to 1763 were confined to three articles: hats, woolen goods, and iron. It has been seen that the hat act limited the inter-colonial shipment of hats, and in no case checked their actual manufacture. The same can be said for wool. The object of the iron act was to encourage exportation of colonial bar and pig iron to Britain to reduce the dependence of England on foreigners for these materials. Did these laws greatly limit the development of the manufacture of these three articles? It seems not. Manufacturing was too much in the household stage; the

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21 Ibid., VI, 1095.

22 James Otis, The Rights of the British Colonists Asserted and Proved, University of Missouri Studies, IV, 84.

production of goods was meant for neighborhood consumption. In the debates of 1770 over the repeal of the main taxation program, Lord North himself said that it was clearly not to the interest of the Americans to engage in general manufacturing at this time, either for their own use or for export.<sup>23</sup>

However, the situation changed drastically when the acts of 1764 and 1765 were passed. The whole question of the trade laws was now examined more critically. James Otis, who in 1764 called the act of navigations a good act,<sup>24</sup> doubted the justice of the whole British commercial system in 1765.<sup>25</sup>

Certainly the acts of 1764 and 1765 had an important influence in bringing about a more rapid development of manufacture. In August, 1764, the Boston merchants began their non-importation policies. These non-importation agreements united the people in an effort to produce more for themselves, and from that time forward the Americans became more determined to develop manufactures of their own to take the place of regular supplies from Great Britain. British merchants, manufacturers, laborers, and ship-owners became alarmed at this movement, since their business

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<sup>23</sup> Hansard, Debates, XVI, 855, cited in Dickerson, Navigation Acts, 293-294.

<sup>24</sup> Otis, The Rights of the British Colonists Asserted and Proved, University of Missouri Studies, IV, 84.

<sup>25</sup> Otis, Considerations on Behalf of the Colonists, University of Missouri Studies, IV, 116.

interests in America were in danger. They therefore supported those measures of Grenville, Townshend, and North that were supposed to preserve the old colonial markets. In this sense, then, manufacturing in America might be called a cause for the Revolution: not that the colonists violently opposed the trade acts for curtailing their manufactures, but that Englishmen feared competition which threatened to destroy their American market.<sup>26</sup>

It seems clear that the development of the American industrial potential was about where it would have been if the colonies had been free to determine their own economic policies. Whatever the result of the American Revolution, and whatever the policy of England prior to that war, our resources would have been developed as our markets at home and abroad expanded.<sup>27</sup>

The industries that were checked by British laws remained unimportant under the Republic for many years after the Revolution, because conditions in America did not change overnight. In 1821 the United States imported woolen goods valued at \$11,971,933, and this was nearly thirty per cent of all United States imports for that year.<sup>28</sup> This seems to prove the statement of the Englishman Franklin quoted in 1769 when he wrote:

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26 Dickerson, Navigation Acts, 294.

27 Clark, History of Manufactures, 2.

28 American State Papers, XI, 686, 709.

"Tho' the men may be contented with homespun stuffs, the women will never get the better of their vanity and fondness for English modes and gewgaws."<sup>29</sup>

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<sup>29</sup> Bigelow, ed., Works of Benjamin Franklin, V, 73.

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APPROVAL SHEET

The thesis submitted by **William O. Madden, S.J.**, has been read and approved by three members of the Department of **History**.

The final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the degree of Master of Arts.

Mar 18, 1954  
Date

Herman J. Muller, S.J.  
Signature of Adviser