

# THE PROCLAMATION LINE OF 1763

In 1763, at the end of the French and Indian War, the British issued a proclamation, mainly intended to appease the Indians by stopping the intrusion of settlers on their lands. After the conclusion of the [French and Indian War](#) in America, the British Empire began to tighten control over its colonies. This royal proclamation, which closed down colonial expansion westward, was the first measure to affect all thirteen colonies. In response to a revolt of Native Americans led by Pontiac, an Ottawa chief, King [George III](#) declared all lands west of the Appalachian Divide off-limits to colonial settlers. The edict forbade private citizens and colonial governments alike to buy land from or make any agreements with natives; the empire would conduct all official relations. Furthermore, only licensed traders would be allowed to travel west or deal with Indians. Theoretically protecting colonists from Indian rampages, the measure was also intended to shield Native Americans from increasingly frequent attacks by white settlers.

The reaction of colonial land speculators and frontiersmen was immediate and understandably negative. From their perspective, risking their lives in the recent war had been rewarded by the creation of a vast restricted native reserve in the lands they coveted. Most concluded that the proclamation was only a temporary measure and a number ignored it entirely and moved into the prohibited area.

# THE STAMP ACT

The Stamp Act was a tax put on the American colonies by the British in 1765. It said they had to pay a tax on all sorts of printed materials such as newspapers, magazines and legal documents. It was called the Stamp Act because the colonies were supposed to buy paper from Britain that had an official stamp on it that showed they had paid the tax.

## **Paying for the War**

The [French and Indian War](#) was fought between the British American colonies and the French, who had allied with the American Indians. It lasted from 1754 to 1763. The American colonies eventually won the war, but only with the help of the British army. The British government felt that the colonies should share in the expense of the war and help to pay for the British troops in the Americas.

The Stamp Act of 1765 was a tax to help the British pay for the French and Indian War. The British felt they were well justified in charging this tax because the colonies were receiving the benefit of the British troops and needed to help pay for the expense. The colonists didn't feel the same.

## **No Representation**

The colonists felt that the British government had no right to tax them because there were not any representatives of the colonies in the British Parliament. The colonies had no say in how much the taxes should be or what they should pay for. They didn't think this was fair. They called this "taxation without representation".

## **The Colonies React**

The colonies reacted in protest. They refused to pay the tax. The tax collectors were threatened or made to quit their jobs. They even burned the stamped paper in the streets. The colonies also boycotted British products and merchants.

## **The Stamp Act Congress**

The American colonies felt so strongly against the Stamp Act that they called a meeting of all the colonies. It was called the Stamp Act Congress. Representatives from the colonies gathered together in New York City from October 7 to October 25 in 1765. They prepared a unified protest of the Stamp Act to Britain.



1 PENNY PER STAMP



STAMP ACT RIOTS

## WRITS OF ASSISTANCE

THE "WRITS OF ASSISTANCE" WERE GENERAL WARRANTS ALLOWING OFFICIALS TO SEARCH FOR SMUGGLED MATERIAL WITHIN ANY SUSPECTED PREMISES. WRITS OF ASSISTANCE WERE USED TO PREVENT COLONISTS FROM AVOIDING THE IMPORT TAXES THAT WERE PART OF THE TOWNSHEND ACTS.



James Otis

I will to my dying day oppose, with all the powers and faculties God has given me, all such instruments of slavery on the one hand and villainy on the other as this Writ of Assistance is.

*Writs of assistance* were search warrants granted to officials under British law. They were used in England for some time before they began being utilized in the colonies in 1751 to help customs officers enforce import laws and ensure collection of duties. They were particularly used in Boston to keep smuggling in check. The merchants of Boston were displeased with these writs of assistance for several reasons.

The writs of assistance were very vague documents. They did not specify what building was being searched. Nor did they specify what was being sought. It was presumed that they were searching for smuggled goods, but their paperwork did not reflect what those goods were. Furthermore, they were passed out by the courts like candy to every sort of loyal official you could imagine. On top of that, they did not expire unless the king died. Because of this, an official could obtain a writ of assistance and use it at will whenever he felt the slightest bit suspicious of a merchant.

The worst thing about the writs of assistance is that they gave officials authority to search not only storehouses and shops, but also the homes of merchants. This infuriated the merchants of Boston. Of course, many of them were smuggling goods to avoid paying taxes to the British government. However, they did not feel like they should have to and what is more, men who were paying their taxes should not have been subjected to home searches on an official's whim.

Despite the fact that the writs of assistance were technically legal, the colonists of Boston felt affronted by them. They were finally getting tired of answering to a governmental body in which they were not represented. In 1761, the writs expired with the death of the king. The merchants took this opportunity to oppose their renewal. With the help of former loyalist, **James Otis**, they contested the legality of the writs at the Old State House. They ultimately lost the case. However, as time wore on and Boston became the seat of an impending revolution, fewer and fewer officials were inclined to use the writs of assistance. It had become a dangerous thing to force Bostonians to bow to laws that they had no say in. With the passage of the Townshend Acts in 1767, *writs of assistance* became more widely used in an attempt to ensure that colonial merchants paid their import taxes in accordance to the new law.



# THE TOWNSHEND ACTS

## What were the Townshend Acts?

The Townshend Acts were a series of laws passed by the British government on the American colonies in 1767. They placed new taxes and took away some freedoms from the colonists including the following:

- New taxes on imports of paper, paint, lead, glass, and tea.
- Established an American Customs Board in Boston to collect taxes.
- Set up new courts in America to prosecute smugglers (without using a local jury).
- Gave British officials the right to search colonists' houses and businesses.

## How did they get their name?

The acts were introduced to the British Parliament by Charles Townsend.

## Why did the British make these laws?

The British wanted to get the colonies to pay for themselves. The Townshend Acts were specifically to pay for the salaries of officials such as governors and judges.

The British thought that the colonists would be okay with taxes on imports. They had repealed an earlier tax called the Stamp Act because of colonial protests, but thought that taxes on imports would be okay. They were wrong, however, as the colonists once again protested these taxes.

## Why were they important?

The Townsend Acts continued to push the American colonists towards revolution. They showed that the British didn't understand that "**taxation without representation**" was a really big deal to many of the colonists.

## Why were the American colonists so upset?

The American colonies were not allowed any representatives in the British Parliament. They felt that it was unconstitutional for the Parliament to place taxes and laws on them without representation. It was not about the cost of the taxes, but more about the principle.

## Results of the Acts

The acts caused continued unrest in the colonies. John Dickinson, who would later write the *Articles of the Confederation*, wrote a series of essays against the acts called *Letters from a Farmer in Pennsylvania*. He stated that the taxes set a dangerous precedent and, if the colonists paid them, more taxes would be coming soon. Many of the merchants in the colonies organized boycotts against British goods. They also began to smuggle in goods to avoid the taxes. Finally, protests in Boston turned violent when British soldiers panicked and killed several people in what would become known as the Boston Massacre.

# THE DECLARATORY ACT

*AN ACT for the better securing the dependency of his Majesty's dominions in America upon the crown and parliament of Great Britain.*

*WHEREAS several of the houses of representatives in his Majesty's colonies and plantations in America, have of late, against law, claimed to themselves, or to the general assemblies of the same, the sole and exclusive right of imposing duties and taxes upon his Majesty's subjects in the said colonies and plantations; and have, in pursuance of such claim, passed certain votes, resolutions, and orders, derogatory to the legislative authority of parliament, and inconsistent with the dependency of the said colonies and plantations upon the crown of Great Britain: ... be it declared ...,*

*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 that the King's majesty, by and with the advice and consent of the lords spiritual and temporal, and commons of Great Britain, in parliament assembled, had, hash, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever.*

*II. And be it further declared ..., That all resolutions, votes, orders, and proceedings, in any of the said colonies or plantations, whereby the power and authority of the parliament of Great Britain, to make laws and statutes as aforesaid, is denied, or drawn into question, are, and are hereby declared to be, utterly null and void to all intents and purposes whatsoever.*



*The Declaratory Act*, issued by [Britain](#) during America's colonial period, was one of a series of resolutions passed attempting to regulate the behavior of the colonies. American rebels had organized a boycott in response to the [Stamp Act](#) which called into question the right of a distant power to tax them. The Declaratory Act asserted Britain's exclusive right to legislate on and tax its colonies. The taxes were mainly used to finance war debt which had been accumulated during a recent series of wars, part of which (known as the [French and Indian War](#) in America) were fought in the colonies.

Following is the text of the Declaratory Act:

March 18, 1766

AN ACT for the better securing the dependency of his Majesty's dominions in America upon the crown and parliament of Great Britain.

WHEREAS several of the houses of representatives in his Majesty's colonies and plantations in America, have of late, against law, claimed to themselves, or to the general assemblies of the same, the sole and exclusive right of imposing duties and taxes upon his Majesty's subjects in the said colonies and plantations; and have, in pursuance of such claim, passed certain votes, resolutions, and orders, derogatory to the legislative authority of parliament, and inconsistent with the dependency of the said colonies and plantations upon the crown of Great Britain: ... be it declared ...,

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 that the King's majesty, by and with the advice and consent of the lords spiritual and temporal, and commons of Great Britain, in parliament assembled, had, hash, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever.

II. And be it further declared ..., That all resolutions, votes, orders, and proceedings, in any of the said colonies or plantations, whereby the power and authority of the parliament of Great Britain, to make laws and statutes as aforesaid, is denied, or drawn into question, are, and are hereby declared to be, utterly null and void to all intents and purposes whatsoever.

## THE DECLARATION OF RIGHTS OF THE STAMP ACT CONGRESS

OCTOBER 19, 1765 <sup>1</sup>

[On the motion of James Otis, on June 8, the Massachusetts legislature sent a circular inviting all the colonies to send delegates to a congress at New York in October, 1765. Representatives from only nine colonies appeared. Virginia, New Hampshire, North Carolina, and Georgia were not represented. The Congress agreed upon the Declaration of Rights reproduced here and, further, petitioned the king and Parliament. Because the credentials of certain delegates authorized them merely to consult and not to take action, the petition was signed by the members of only six colonies.]

---

### DECLARATION OF RIGHTS

The members of this congress, sincerely devoted, with the warmest sentiments of affection and duty to His Majesty's person and government, inviolably attached to the present happy establishment of the Protestant succession, and with minds deeply impressed by a sense of the present and impending misfortunes of the British colonies on this continent; having considered as maturely as time would permit, the circumstances of said colonies, esteem it our indispensable duty to make the following declarations, of our humble opinions, respecting the most essential rights and liberties of the colonists, and of the grievances under which they labor, by reason of several late acts of Parliament.

- 1st. That His Majesty's subjects in these colonies owe the same allegiance to the crown of Great Britain that is owing from his subjects born within the realm, and all due subordination to that august body, the Parliament of Great Britain.
- 2d. That His Majesty's liege subjects in these colonies are entitled to all the inherent rights and privileges of his natural born subjects within the kingdom of Great Britain.
- 3d. That it is inseparably essential to the freedom of a people, and the undoubted rights of Englishmen, that no taxes should be imposed on them, but with their own consent, given personally, or by their representatives.
- 4th. That the people of these colonies are not, and from their local circumstances cannot be, represented in the House of Commons in Great Britain.
- 5th. That the only representatives of the people of these colonies are persons chosen therein, by themselves; and that no taxes ever have been or can be constitutionally imposed on them but by their respective legislatures.
- 6th. That all supplies to the crown, being free gifts of the people, it is unreasonable and inconsistent with the principles and spirit of the British constitution for the people of Great Britain to grant to His Majesty the property of the colonists.
- 7th. That trial by jury is the inherent and invaluable right of every British subject in these colonies.
- 8th. That the late act of Parliament entitled, "An act for granting and applying certain stamp duties, and other duties in the British colonies and plantations in America, etc.," by imposing taxes on the inhabitants of these colonies, and the said act, and several other acts, by extending the jurisdiction of the courts of admiralty beyond its ancient limits, have a manifest tendency to subvert the rights and liberties of the colonists.

9th. That the duties imposed by several late acts of Parliament, from the peculiar circumstances of these colonies, will be extremely burthensome and grievous, and, from the scarcity of specie, the payment of them absolutely impracticable.

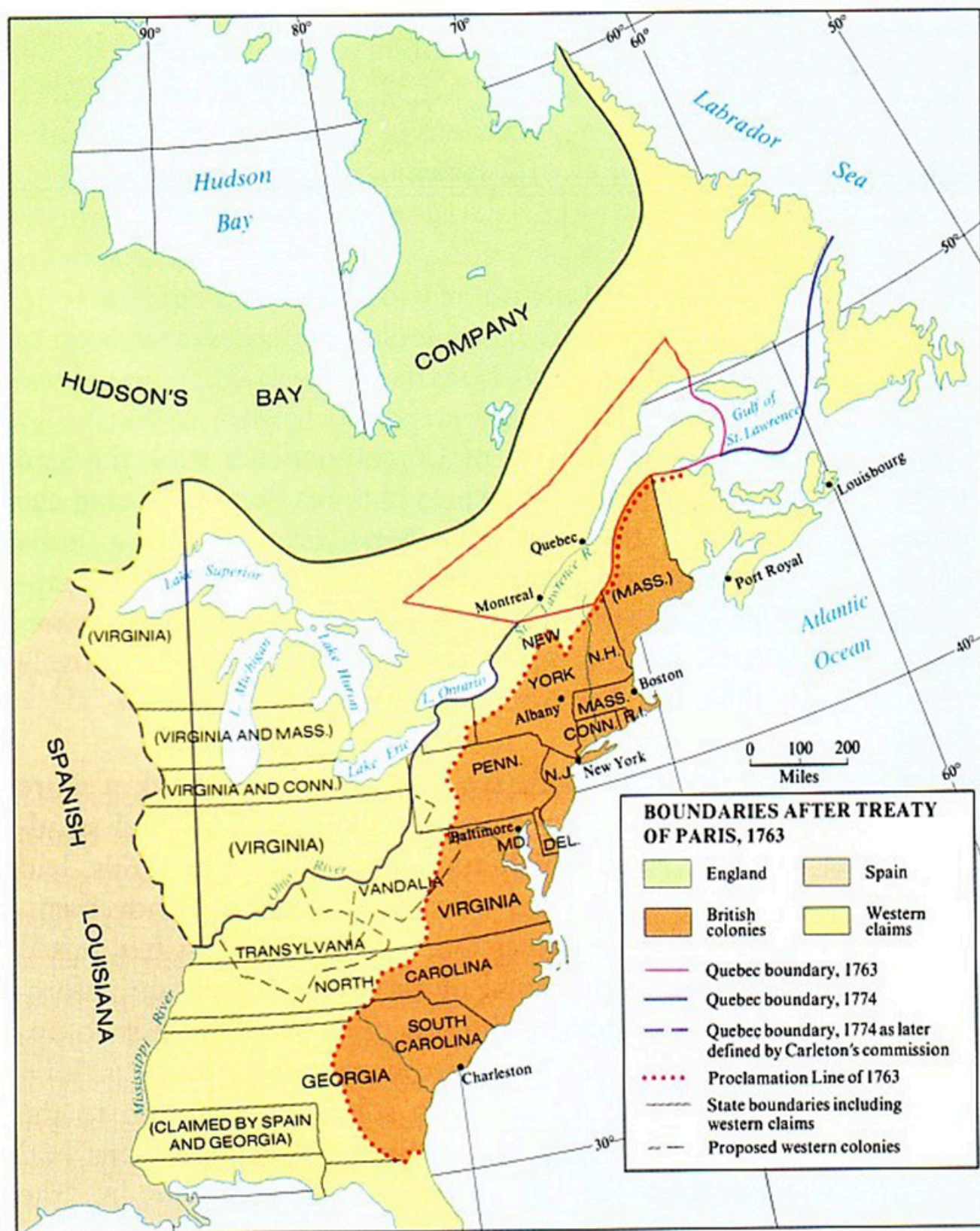
10th. That as the profits of the trade of these colonies ultimately center in Great Britain, to pay for the manufactures which they are obliged to take from thence, they eventually contribute very largely to all supplies granted there to the crown.

11th. That the restrictions imposed by several late acts of Parliament on the trade of these colonies will render them unable to purchase the manufactures of Great Britain.

12th. That the increase, prosperity, and happiness of these colonies depend on the full and free enjoyment of their rights and liberties, and an intercourse, with Great Britain, mutually affectionate and advantageous.

13th. That it is the right of the British subjects in these colonies to petition the king or either house of Parliament.

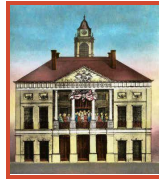
Lastly, That it is the indispensable duty of these colonies to the best of sovereigns, to the mother-country, and to themselves, to endeavor, by a loyal and dutiful address to His Majesty, and humble application to both houses of Parliament, to procure the repeal of the act for granting and applying certain stamp duties, of all clauses of any other acts of Parliament whereby the jurisdiction of the admiralty is extended as aforesaid, and of the other late acts for the restriction of the American commerce.







# THE STAMP ACT CONGRESS: Declaration of Rights and Grievances 1765



The Declaration of Rights and Grievances was issued on October 19, 1765 by the First Congress of the American Colonies, also known as the Stamp Act Congress.

The delegates of the Stamp Act Congress drew up a "Declaration of the Rights and Grievances of the Colonists" in which they stated that they had the same rights as British subjects living in Britain, that only the colonial assemblies had a right to tax the colonies (no taxation without representation) and they had the right of trial by jury. This article provides the words and text of the Declaration of Rights and Grievances as issued by the members of the Stamp Act Congress.

## DECLARATION OF RIGHTS

The members of this congress, sincerely devoted, with the warmest sentiments of affection and duty to his majesty's person and government, inviolably attached to the present happy establishment of the protestant succession, and with minds deeply impressed by a sense of the present and impending misfortunes of the British colonies on this continent; having considered as maturely as time would permit, the circumstances of said colonies, esteem it our indispensable duty to make the following declarations, of our humble opinions, respecting the most essential rights and liberties of the colonists, and of the grievances under which they labor, by reason of several late acts of parliament.

1st. That his majesty's subjects in these colonies, owe the same allegiance to the crown of Great Britain that is owing from his subjects born within the realm, and all due subordination to that august body, the parliament of Great Britain.

2d. That his majesty's liege subjects in these colonies are entitled to all the inherent rights and privileges of his natural born subjects within the kingdom of Great Britain.

3d. That it is inseparably essential to the freedom of a people, and the undoubted rights of Englishmen, that no taxes should be imposed on them, but with their own consent, given personally, or by their representatives.

4th. That the people of these colonies are not, and from their local circumstances, cannot be represented in the house of commons in Great Britain.

5th. That the only representatives of the people of these colonies are persons chosen therein, by themselves; and that no taxes ever have been, or can be constitutionally imposed on them, but by their respective legislatures.

6th. That all supplies to the crown, being free gifts of the people, it is unreasonable and inconsistent with the principles and spirit of the British constitution, for the people of Great Britain to grant to his majesty the property of the colonists.

7th. That trial by jury is the inherent and invaluable right of every British subject in these colonies.

# THE DECLARATORY ACT

**Eventually, the protests of the colonies to the Stamp Act began to hurt British merchants and businesses. The Stamp Act was repealed on March 18, 1766. However, the British Parliament wanted to send a message to the colonies. The Stamp Act may not have been a good way to tax the colonies, but they still felt they had the right to tax the colonies. The same day they repealed the Stamp Act, they passed the Declaratory Act which stated that the British Parliament had the right to make laws and taxes in the colonies.**