

Directions for Jury #1:

- Read your grievance. Decide as a group what it is accusing the King of and record that information on your Evidence Worksheet.
- Read each of your primary and secondary sources. Complete the Primary Source Analyzing Sheet that goes with it and then record which side it seems to support on your Evidence Worksheet. This will go quicker if your jury divides the sources and then shares the information gathered as a group.
- Share all collected information and discuss which side is MORE supported by the evidence given.
- On your evidence Worksheet, come up with your final verdict. Did the Colonists have a valid reason for including this grievance in the Declaration of Independence, or did the King have valid reasons for committing this “crime?” Is the grievance GUILTY or NOT GUILTY of falsely accusing the King? Be sure to use evidence from your sources to support your answer.

Excerpt from the Declaration of Independence

Grievance #1:

He has kept among us, in times of Peace, Standing Armies, without the consent of our Legislatures.

For Quartering large Bodies of Armed Soldiers among us.

Primary Sources:

- Quartering Act 1765
- Quartering Act 1775
- Commentary of Quartering Act

Secondary Sources:

- History of US “A Taxing King”
- Myths and Realities of the Quartering Act

Document Group 1B

Quartering Act of 1765

March 24, 1765

AN ACT to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.

WHEREAS ... [by the Mutiny Act of 1765] ... several regulations are made and enacted for the better government of the army, and their observing strict discipline, and for providing quarters for the army, and carriages on marches and other necessary occasions, and inflicting penalties on offenders against the same act, and for many other good purposes therein mentioned; but the same may not be sufficient for the forces that may be employed in his Majesty's dominions in America: and whereas, during the continuance of the said act, there may be occasion for marching and quartering of regiments and companies of his Majesty's forces in several parts of his Majesty's dominions in America: and whereas the publick houses and barracks, in his Majesty's dominions in America, may not be sufficient to supply quarters for such forces: and whereas it is expedient and necessary that carriages and other conveniences, upon the march of troops in his Majesty's dominions in America, should be supplied for that purpose: be it enacted ...

Quartering Act of 1774

June 2, 1774

WHEREAS DOUBTS HAVE BEEN ENTERTAINED whether troops can be quartered otherwise than in barracks...

...it shall and may be lawful for the persons who...are....authorized by law...to cause any officers or soldiers in His Majesty's service to be quartered and billeted in such manner as is now directed by law where no barracks are provided by the colonies.

2. ... if it shall happen at any time that any officers or soldiers in His Majesty's service shall remain within any of the said colonies without quarters for the space of twenty four hours after such quarters shall have been demanded, it shall...be lawful for the governor of the province to order....so many uninhabited houses, outhouses, barns, or other buildings as he shall think necessary to be taken...and make fit for the reception of such officers and soldiers, and to put and quarter such officers and soldiers therein for such time as he shall think proper.

Document Group 1D

Myths and Realities of the Quartering Act

Parliament's Quartering Act has a lousy historical reputation. It was one of the "Intolerable Acts," according to Patriot politicians in 1774. A lot of us probably imagine that law forcing subjects to host soldiers in their homes. After all, the Third Amendment to the U.S. Constitution seems to have been written to forestall just such a law:

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

At least, that's what I thought until I looked at the "quartering" conflicts that came up in the years before the Revolution, and at the texts of the Quartering Acts themselves.

Parliament first passed a Quartering Act in 1765.

So the first and most important part of this law required local authorities to "quarter and billet" royal troops "in the barracks provided by the colonies." Because of the long string of wars with France and the militia system, most large port towns colonies had such barracks.

If no such barracks were available, then the law gave local authorities the responsibility to find soldiers accommodations in inns, livery stables, and taverns. The first two types of buildings were already taking in guests and their horses. All the liquor-selling establishments described by the law were licensed by the local authorities, so they were already beholden to the state and receiving the public. They were "public houses," in the period parlance.

Only after all those possibilities were exhausted, and only after jumping through a set of legal hoops that would take several breaths to describe, did the authorities have the power to requisition "uninhabited houses, outhouses, barns or other buildings." The law said nothing about *inhabited* houses.

But what about the Quartering Act of 1774, the one that seemed "Intolerable"? It starts by reaffirming the previous law, and transferring that power to demand barracks to "the officer who, for the time being, has the command of his Majesty's forces in North America"—i.e., Gen. [Thomas Gage](#), commander-in-chief. Then it adds this provision:

That if it shall happen at any time that any officers or soldiers in his Majesty's service shall remain within any of the said colonies without quarters, for the space of twenty-four hours after such quarters shall have been demanded, it shall and may be lawful for the governor of the province to order and direct such and so many uninhabited houses, out-houses, barns, or other buildings, as he shall think necessary to be taken,

(making a reasonable allowance for the same), and make fit for the reception of such officers and soldiers, and to put and quarter such officers and soldiers therein, for such time as he shall think proper.

Again, this boosts the power of the royal governors—including Gen. Thomas Gage. But again, it's limited to “uninhabited houses, out-houses, barns, or other buildings.” I haven't found a single case of the peacetime British army in North America demanding the use of a private home to quarter troops. Instead, as we saw in yesterday's posting about Boston in late 1774, the army [rented buildings](#), mostly from friends of the royal government.

Document Group 1E

First hand account of the Quartering Act:

When troops were put into government buildings:

We now behold the Representatives' Chamber [in the Town House], Court-House, and Faneuil-Hall, those seats of freedom and justice occupied with troops, and guards placed at the doors; the Common covered with tents, and alive with soldiers; marching and countermarching to relieve the guards, in short the town is now a perfect garrison.