

Constitution, elected senators to Congress, and ratified eleven of the twelve amendments previously proposed by Congress. The proceedings of the session, instead of concluding with "God save the State", as had been the custom of the past year, were now ended with "God save the United States of America". Rhode Island was at last within the Union.

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## CHAPTER XVII.<sup>1</sup>

### THE ADMINISTRATION OF THE FENNERS, 1790-1811.

The entry of Rhode Island into the Union through the adoption of the constitution may properly be considered as the beginning of a new era. During the colonial period it had enjoyed a greater measure of liberty than any of the other English settlements, although its independent existence had been often seriously threatened by the territorial claims of its colonial neighbors. Although the boundary line between the state and Massachusetts was not clearly defined at all points, its territorial rights had long been acknowledged, and very little change was henceforth to be made in its geographical limits.<sup>2</sup> The people of the state were mainly engaged in agriculture and commerce, but were just beginning to take an interest in manufactures. The soil of Rhode Island as a whole has always been considered as sterile, but certain sections of it, especially its islands, are fertile, and at the time under consideration considerable quantities of butter and cheese, pronounced of excellent quality, were exported to the neighboring colonies. Its fine breeds of cattle and sheep had also obtained a reputation

<sup>1</sup> Beginning with this chapter the writer wishes to acknowledge the efficient assistance of Josiah B. Bowditch. Up to this period it has been somewhat unnecessary to mention matters of minor importance, since Governor Arnold's comprehensive history of the state so fully covers all events. But from this date of 1790 until the close of the 19th century, we have no detailed account of the state's history. For this reason, therefore, the subject henceforth assumes rather the form of annals. As we approach, furthermore, the history of the present time, it becomes more difficult to form historical judgment. It is better to give the plain, unvarnished narrative of events, leaving to the writers of the future the deduction of motives and the forming of opinion.

<sup>2</sup> In 1862 Fall River, Rhode Island, which, in 1790, was the northerly portion of the town of Tiverton, was transferred to Massachusetts, while Rhode Island received compensation by the annexation of the Massachusetts town of Pawtucket, and the westerly portion of Seekonk. The latter is now the populous town of East Providence; the annexed Pawtucket now forms that portion of the present city of Pawtucket which lies east of the Seekonk river; while the town which Rhode Island lost in 1862 is now that portion of the present city of Fall River which lies east of Mount Hope bay.

outside of its borders, and were exported in considerable numbers. This little state, scarcely larger in area than Greater London, is now more than seven times as populous as it was in 1790, yet this great growth is almost entirely due to the development of its manufactures. Its farming interests may be considered to have been fully developed when the first Federal census was taken, and it is reasonable to believe that the farms as a whole were as well-tilled then as they now are, and that, outside of the sections where the cities and growing villages have encroached upon the country, the wooded area of Rhode Island is no smaller now (1901) than it was in 1790.<sup>1</sup>

The change from the loose union of the thirteen states, which had existed during and since the Revolution, to a strong, responsible Federal government, was a radical one, and although they had all finally accepted the new order of things, their adjustment into the Union, involving, as it did, many radical changes, could not be effected without some degree of friction. No other of the original states as British colonies, and none of the new states, except Vermont,<sup>2</sup> enjoyed, prior to their entry into the Union, so large a measure of independence as did Rhode Island. In adopting the constitution it had to surrender more of its individual authority than did any of its sisters, and it naturally hesitated the longest before taking the final step.

Immediately after the adoption of the constitution by the state, on June 14, 1790, Congress passed an act extending over Rhode Island the provisions of the tariff act of July 4, 1789, the tonnage act of July 20, the act to regulate the collection of customs and tonnage duties, passed July 31, and the registry act of September 1, 1789. The state was divided into two customs districts, those of Newport and Provi-

<sup>1</sup> West Greenwich had 2,054 inhabitants in 1790 and but 606 in 1900; Little Compton, 1,542 in 1790 and 1,182 in 1900; Foster, 2,268 in 1790, and 1,151 in 1900; Charlestown, 2,022 in 1790, and 975 in 1900; Exeter, 2,485 in 1790, and 841 in 1900; Richmond, 1,760 in 1890, and 1,506 in 1900. A careful comparison of the population figures of the remaining towns and cities of the state for the two periods leads to the conclusion that the farming population of the state is no larger now than it was in 1790. In examining the details of the census of 1790, however, it is well to understand that the accuracy of some of the returns is doubtful, as many citizens in the agricultural towns declined to give the required information, looking upon the inquiries as an attempt of the general government to interfere in their domestic affairs (See *R. I. Census Report*, 1885, page 380). The total population of the state, as given in 1790 was 68,825. That of 1800 was only 69,122, although Providence and two or three of the other towns had made large gains during the decade. The most noticeable fact in the census is the dwindled population of Newport. In 1774, when the last colonial census, before the beginning of hostilities, was taken, Newport contained 9,209 and Providence 4,821 inhabitants. The terrible effects of the Revolution upon Newport so much affected population that in 1790 that town contained but 6,716 inhabitants, while Providence had increased to 6,880.

<sup>2</sup> Vermont declared its independence and adopted a constitution on December 25, 1777, and from that date until its entry into the Union, in 1791, was absolutely independent of outside control.

dence, which were constituted ports of entry, and each given a collector, naval officer, and surveyor. There were also to be six surveyors for the seven ports of delivery, one of which—Pawtuxet—was in the Providence district, and the other six—North Kingstown, East Greenwich, Westerly, Bristol, Warren and Barrington—in the district of Newport. The two last-mentioned places were to be served by the same surveyor. The fact that all of the minor parts of the state save Pawtuxet were placed within the Newport customs district clearly indicates the relative importance in which the two leading towns of the state were held at that time in the judgment of the national officials.

The relinquishment of the customs and tonnage revenues to the general government at that time was a matter of considerable importance to the state, as its ordinary revenues must necessarily be diminished by their loss. The town of Providence, which had labored so zealously to secure the adoption of the constitution, discovered that an important public work, necessary to its continued commercial growth, was likely to be held up by the diversion of the port revenues to the national treasury. In January, 1790, the general assembly incorporated the River Machine Company for the purpose of dredging Providence river and improving its navigation. To remunerate the company for its work, and to pay the expense of building "the mud machine", the act provided for a duty of two cents a ton on all vessels of above sixty tons arriving at the port. It appears that the company had just begun the work of dredging, and had realized but sixty dollars in duties, when the acceptance of the constitution put a temporary stop to the work. The company directed its president and secretary to petition Congress for a continuation of the subsidy, and to secure the aid of the congressmen from the state in the matter. In a letter from Obadiah Brown, secretary of the company, to Senator Theodore Foster, dated August 2d, 1790,<sup>1</sup> he states that the river shoaled perceptibly every year or two, and had been several feet deeper during the memory of man; that owing to the filling up of the channel, all large vessels were obliged to unload part of their cargo at the "Crook", which in the icy season was dangerous, the scows sometimes taking in water to the damage of the goods, and sometimes sinking with the whole property on board; that there were a larger number of vessels belonging to the port than belonged to New York; that it was a place of more navigation than any of its size in the Union; that it was no chimera that, the exertions of art excepted, the time was fast approaching when Providence could be a port no longer; and that the machine and scow was then lying idle "in this very wormy river", awaiting the legislation necessary to set it dredging again. Congress

<sup>1</sup> *R. I. H. S. Publ.* viii, 127.

passed an act on August 11, 1790, continuing the tonnage duty for the benefit of the company until January 10, 1791, and subsequent acts prolonged its operation until June 1, 1796.

The general assembly, in June, 1790, chose Joseph Stanton, jr., and Theodore Foster as United States senators, and they took their seats in the senate on the 25th of that month. In drawing lots for their respective classes, Mr. Stanton drew the four years' and Mr. Foster the two years' term, from March 4, 1789. To enable the two gentlemen to take their seats promptly, and to provide for their immediate needs, the general assembly voted to loan each of the gentlemen one hundred and fifty silver dollars, which they were to pay into the state treasury, with interest, upon their return. Provision was made in the resolution that, if the treasury did not then contain the necessary three hundred dollars, the money should be furnished the senators by either of the collectors of imposts.

The act authorizing the election of a member of the National House of Representatives, directed the election to be held on the last Tuesday of August; that the election be held under the same conditions as the regular state elections; that if no person received a majority at the first election, a second one should be held on the tenth day after the rising of the assembly, at which election only such candidates should be voted for as at the first election received the largest number of votes, and whose total vote constituted a majority of the whole number cast; that the votes cast at the second election should be counted at the next session of the general assembly, and that if no one then received a majority, a third election should be ordered on the 10th day after the rising of the two houses, at which only the two highest candidates should be voted for. The state appears to have been represented in the Continental Congress up to the time of the organization of the First Congress under the constitution. Benjamin Bourn, who had advocated the adoption of the constitution, was chosen representative to that Congress at the election in August, 1790. His term expired on the 4th of March following, but he was re-elected in October, 1790.

The desire to hold office at this time appears to have been as intense as it is at the present day. The principal Federal offices to be filled were those of collectors and surveyors, previously mentioned, district judge, district attorney, naval officers at Providence and Newport, commissioner of loans, and marshal. The applicants for Federal positions were mainly confined to those who had advocated the accession of Rhode Island to the Federal compact. The "antis", who had carried their opposition almost to the point of placing the little commonwealth in a ridiculous position, could hardly expect to be rewarded for their obstinacy. Washington was repeatedly warned to give office to none but his political friends. Some of the applicants for office did

not wait for the convention's action, but, anticipating its ratification, had written to the president personally. One of the first so to do was ex-Governor John Collins of Newport, who had served the state as its chief magistrate from May, 1786, to May, 1790. Under date of May 24, 1790, he detailed the sacrifices he had made in the cause. On the memorable Sunday in January of that year, it was his vote which, by breaking the tie in the senate, had caused that body to concur with the lower house in ordering a convention, and he assured Washington that he had lost public confidence because of that act. "And when I reflect", he wrote, "upon your friendship, generosity and goodness, with how much it will be in your power to gratify me, you will give me leave to anticipate your influence and appointment to the office of collector for the district of Newport. Your Excellency's attention to me in this shall be ever had in lasting remembrance". And he closed with these words: "Your goodness will forgive the trouble given you by an application from him who will obey your command with cheerfulness and alacrity, and honor you without flattery".<sup>1</sup> Governor Collins did not receive the appointment, which went to William Ellery. The letters<sup>2</sup> regarding appointment to office, sent to Washington, Hamilton, and the Rhode Island congressmen, by the applicants and their friends make interesting reading. They show the light in which the politicians of the day regarded each other, and also the fact that the political affiliations of some of the public men were not as yet clearly defined. Governor Fenner probably had as much to say about Federal appointments in Rhode Island as any one in the state. His letters to Senator Theodore Foster show him to have been an accomplished political fence-builder.

An important question, in which the state was greatly interested, and which probably had some influence in securing its ratification of the constitution, was Hamilton's project for the assumption of the state debts by the Federal government. It had been attached to the funding bill, which at the time seemed likely to pass without including the assumption of the state debts. Naturally the friends of the measure were anxious to have Rhode Island's assistance in securing its passage. The New England congressmen were generally in favor of the measure, while those from the southern states were, as a rule, opposed to it. The project was finally carried through by a compromise between Jefferson and Hamilton, by which southern votes were given for the state debts measure in exchange for northern ones for locating the permanent capital of the nation upon the Potomac. The senators from this state had lent their influence and their votes in

<sup>1</sup> *Am. Hist. Rev.* i, 279.

<sup>2</sup> *R. I. Hist. Soc. Publ.* viii, 2.

furtherance of the latter project, but at its final passage voted against it, because the amount fixed upon for Rhode Island was only \$200,000, while they and leading men of the state believed that a fair distribution of the \$21,500,000 assumed by the general government would have allotted at least \$500,000 as the amount due. This question caused a good deal of discussion throughout the state, and the outcome caused considerable dissatisfaction, and furnished an argument to the irreconcilables who still doubted the wisdom of Rhode Island's accession to the Union.

At the June session of the general assembly, immediately following the adoption of the constitution, the ten amendments to the latter, which had been adopted to soften the opposition of its opponents, were all accepted. The "Providence society for promoting the abolition of slavery, for the relief of persons unlawfully held in bondage, and for improving the condition of the African race", was chartered. The subject of slavery was under frequent discussion about this time. The newspapers contained many communications picturing the horrors of the slave ships, many of which sailed from Rhode Island ports. The arguments against the institution were mainly regarding the slave trade, rather than against the institution itself, although the latter received some degree of condemnation.

In August, 1790, after the adjournment of Congress, President Washington visited Newport and Providence. The autumn before, when he made his trip north he had shunned the state as he would any other foreign country, but now that she was in line, he made a special trip to welcome the wayward little sister which had entered the fold at the eleventh hour. He was accompanied by Jefferson, who was then secretary of state, Judge Blair, one of the justices of the United States Supreme Court, Governor Clinton of New York, Senator Foster of Rhode Island, Congressman Smith of South Carolina and Gilman of New Hampshire, and others. After spending a day at Newport, where he was duly saluted, addressed, banqueted and punched,<sup>1</sup> he took the packet Hancock, Captain Brown,<sup>2</sup> and after tossing many hours on a rough bay, arrived at Providence at four in the afternoon of August 18. A cannon was fired as the packet reached the outer harbor, and as Washington stepped upon the wharf he was greeted with a Federal salute (thirteen guns). Governor Fenner headed the largest and most distinguished procession the town had ever seen. The state and town dignitaries, the local militia organizations, the

<sup>1</sup> Rum and molasses.

<sup>2</sup> Plying between Providence and New York. It appears that Providence was considered of sufficient importance in 1790 to have a line of passenger boats to New York in the winter time. Until very recently the people of Providence, a city of 175,000 inhabitants, have been required in the winter to go to a small Connecticut town to take boat for the metropolis.

officers and members of the order of Cincinnati, the Masonic brethren, the officers and members of the Society of Mechanics and Manufacturers, and other local organizations, each had their place in the procession before the "gentlemen strangers" and common people were reached. The leading citizens of the young republic a century ago paid great homage to the exacting goddess of Precedence, and even the minor officers of the local societies were placed in line on this occasion with a scrupulous regard to their supposed importance. It is interesting to note that Governor Clinton was given position next to Washington himself, and ahead of Jefferson and Senator Foster, while Judge Blair of the Supreme Court had to trudge along by the side of the two ordinary congressmen. Bells were rung as the procession passed through the streets, and, in the quaint language of the Providence Gazette of that week's issue, "all ages, classes and sexes were full of sensibility on the joyful occasion, and the brilliant appearance of the ladies from the windows was politely noticed by the President, and gave animation to the scene". Arriving at the "Golden Ball Inn",<sup>1</sup> President Washington, Governor Fenner and the other notables reviewed the procession as it marched past. There was a plentitude of drumming and fifing in those days, and it is to be presumed that the military bands of the town, which were probably largely composed of musicians who had had long practice during the Revolution, discoursed good music, but the only record we have of this feature of the reception is from the journal of Congressman Smith, who said the procession contained three "negro scrapers", who made "a horrible noise". At nine at night, Washington and his companions went to the Rhode Island College grounds, at the invitation of the students, who had handsomely illuminated the building. Visiting celebrities have been badly overworked in all ages. At nine o'clock the next morning, Washington and his companions were taken in hand and shown the town. They traversed all the principal streets, and examined everything of interest, looked over the college building, went on board of a large ship—the President—of 900 tons, built for Messrs. Brown & Francis, and partook of wine and punch at the residences of the Governor and three other prominent citizens. In the course of the day, Washington received formal addresses of welcome and congratulation from the Providence Town Council, from the corporation of the Rhode Island College, and from the Society of the Cincinnati, to all of which

<sup>1</sup> This old inn, now known as the Mansion House, is still standing on Benefit street, opposite the Old State House. Among the Providence Town Papers Nos. 5,700, 5,701, 5,703, 5,704, 5,712, 5,717, 5,797, are many original documents relating to the visit of Washington to the town. No. 5,703 is the original address of the town to President Washington and No. 5,704 is Washington's reply. Other documents are bills for candles supplied the poor to illuminate their houses, for printing tickets and programmes and services incident to the occasion.

he made appropriate responses. At three in the afternoon, at which time, according to the South Carolina chronicler, all of Washington's companions were completely exhausted, the company sat down to a banquet in the Court House (the Old State House), which was set for two hundred plates. The inevitable toasts followed. They were thirteen in number, of which "The Congress of the United States" was first, and "The President of the United States" was second. When the latter was announced, Washington immediately arose and drank to the company present. The third toast was to the Governor and the state, the fourth to the King and National Assembly of France, the fifth to Lafayette, and the sixth to the fair daughters of America. At the conclusion of the thirteenth toast, Washington arose and proposed "The Town of Providence", and after it had been pledged in good Providence rum, immediately departed for the New York boat, which sailed about four o'clock.<sup>1</sup>

The prominence given to the French in the toasts at this banquet shows that the state in which "our French allies" had performed their chief service in the Revolution retained a warm regard for them. Almost every public occasion about this time ended with a banquet and a long programme of toasts. The newspapers of the day, which ordinarily gave but little local news, always recorded the text of the toasts drunk on the Fourth of July and on other special occasions. Even the commencement exercises of Brown University usually ended with a banquet by the "Federal Adelpi", and the drinking of toasts.

At the September session of the general assembly legislation was enacted requiring the keepers of gaols throughout the state to commit for safe keeping all prisoners arrested under the authority of the United States, in "full assurance" that Congress would make provision for their support. The time for the election of congressmen was changed at this session to the third Monday in October. At an adjourned session in October the general assembly adopted an address to President Washington. His polite response was ordered to be inscribed in the public laws.

In the spring election of 1791, Arthur Fenner, who had displaced Governor Collins in the previous year when Rhode Island was a colony, was re-elected as Governor of the state. So popular a man he was that he was chosen to the office each successive year until his death in 1805, and then was succeeded by his son, James Fenner, who held the office until the triumph of the Federalists in 1811. The administration of these two men—father and son—covered a period of twenty-one years, during which many important events connected with Rhode Island's entry into the Union occurred.

<sup>1</sup>There is a comprehensive account of Washington's visit to Providence in the *Prov. Journal* for Oct. 15, 1899.



In 1791 several lotteries for public purposes were granted. It was much easier at that time to raise money for such purposes than by either regular taxation or subscription, and it was considered perfectly legitimate. The building of bridges, the laying out and improvement of roads, the erection of churches, and the raising of money for Rhode Island College were some of the praiseworthy purposes in the furtherance of which the natural propensity of mankind to indulge in games of chance was stimulated and encouraged. Commissioners to help adjust the boundary line between Rhode Island and Massachusetts were appointed at the May session of the general assembly in 1791; and at the same sitting a petition for a division of the town of Gloucester was referred to the next session. It was discussed at the session of February, 1792, and again laid over for further consideration.

An unimportant resolution passed at the October session this year, to pay John Carr, gunner, and four oarsmen their wages for services at Fort Washington from May 8, 1790, to May 8, 1791, and the appointment of a committee to consider and report upon the advisability of retaining the gunner and oarsmen in the service of the state, indicates that Rhode Island had not yet rendered unto Caesar all things that were Caesar's. The fact that the national government should have sole charge of the fortifications was not fully understood until some time later. In 1792 the assembly voted to remount the cannon at Fort Washington, and to furnish suitable colors and a reasonable amount of powder for it. Probably both state and national colors were raised over it. That the former were used seems certain, for two years later an indignant correspondent in the Providence Gazette complains because the state colors were raised over the fort on the receipt of the false intelligence of the capture of the Duke of York by the French. In 1791 several of the well-to-do merchants and other men of means in Providence secured a charter for a bank. It was known as the "Providence Bank", and went into operation in October of that year. It was the first bank organized in the state, and its immediate success encouraged the starting of others.

In February, 1792, the general assembly passed an act to regulate the affairs of the Narragansett Indians and a committee, of which Governor Fenner was the chairman, was chosen to investigate their troubles and take the most effectual measures to end them. The remnant of the once powerful tribe was mostly located in the town of Charlestown, and it was required, by the terms of the act, to hold an election and make choice of a council. All Indian male adults and all adult males of mixed Indian and white parentage were authorized to participate in the election, but the sons of Indians and negroes were declared ineligible. An act was passed at the February session providing for the division of intestate estates in equal shares among the surviving children. At the same sitting the question of ordering the

election of delegates for a constitutional convention was brought up, but was side-tracked for the time by referring it to the next session. The assembly was convened in special session in August of this year because of the death of Beriah Brown, the high sheriff of Washington county, there being no legal method for the appointment of his successor, except by act of the general assembly. Legislation was therefore enacted empowering the deputy sheriff to act upon the decease of his principal until a successor was chosen; and to provide for vacancies caused by death of clerks of courts, the appointment of temporary successors was vested in the chief justice. A resolution was passed at this extra session to distinguish candidates for Congress upon the ballots as "First" and "Second Representative", and to reject all votes otherwise cast. A curious bit of legislation at this same session was the passage of an act forbidding horse racing or



CORONATION ROCK, KENYON FARM ON THE OLD PEQUOT PATH, CHARLESTOWN.

On this rock it is authentically stated that Queen Esther, the latest ruler of the Narragansetts, was crowned in 1770. This rock is about twelve rods north of the house erected by King Thomas Ninigret.

liquor selling within one mile of the Seventh Day Baptist church in the town of Hopkinton at any time during church services. The act was of course designed to give this sect, which has always been quite strong in Hopkinton, the same exemption from week-day activities on Saturday that other worshipers were given on Sunday; but as the act applied to all days in the week, it was likely to be oppressive if carried out to the letter. At the October session it was voted to choose presidential electors by joint ballot of the two houses, and that in future elections the electors should be chosen by the people at large in town meeting. A resolution was passed at this session accepting the United States standard value for gold coins. The assembly's formal acceptance of the United States standard of money was evidently considered necessary to give it legal sanction.

At the February session of the assembly in 1793 a special act was passed granting Newport permission to hold theatrical entertainments. In May the assembly resolved to transfer the lighthouse in Jamestown to the United States of America, "provided, nevertheless, and be it further enacted, by the authority aforesaid, that if the United States shall at any time hereafter neglect to keep it lighted and in repair, the lighthouse aforesaid, that then the grant of said lighthouse shall be void and of no effect".<sup>1</sup> Thus was the United States put on its good behavior by its smallest state. As a result of the war between England and France, and the capture of certain of the latter's possessions in the West Indies, and of the uprising of the blacks on the island of St. Domingo, many of the French inhabitants fled from their homes and came to Rhode Island, seeking refuge in the state in which the soldiers of France had campaigned so pleasantly and so safely during the Revolution. Some of these exiles were destitute when they arrived, and others, failing to obtain remunerative employment, had to apply for aid from the towns in which they were located. The general assembly voted the necessary funds for the maintenance of such destitute persons at the October session of this year, and appropriated money to reimburse the towns providing for them during several of the years immediately succeeding. By an act passed in 1794 the charity was restricted to French exiles from St. Domingo only. In the aggregate several thousand pounds were expended for this charity, the larger portion being paid to the towns of Newport and Providence. Necessary legislation was enacted for the reorganization of the militia, in conformance to the act of Congress. It was organized in one division of four brigades.

In February, 1794, the marriage law was amended so as to allow Methodist clergymen to perform the marriage ceremony, as well as those of the other denominations who were already invested with the privilege. At the March session the land on Goat Island, in Newport harbor, on which the fortifications were located, was formally ceded to the United States. In October an act was passed prohibiting theatrical exhibitions and other stage plays "in this colony."

No record can be found showing the relative strength of the two national parties in the state previous to 1794. Joseph Stanton, jr., who was elected as one of the first United States senators, and whose term expired on March 4, 1793, was of anti-Federal affiliations, and was succeeded at that time by William Bradford, a Federalist. Theodore Foster, Stanton's colleague, whose term expired on March 4, 1791, was re-elected for six years. There is no record of the popular vote for representatives in Congress in 1792, when Benjamin Bourn and Francis Malbone, Federalists, were chosen. They were elected in 1794

<sup>1</sup> Acts and Resolves, May, 1793.

by the following vote: Francis Malbone, 1,911; Benjamin Bourn, 1,880. Their anti-Federal opponents, Joseph Stanton, jr., and Peleg Arnold, received respectively 1,178 and 1,138 votes.

In May of this year (1794) an incident occurred at Newport that might very easily have assumed grave national importance. The British sloop of war *Nautilus*, Captain Boynton, arrived there on the 8th of that month bringing the French Governor of St. Lucie and his suite, who by the terms of capitulation were to be landed at Newport. Captain Boynton, who had landed with his first lieutenant, asked permission of the general assembly to purchase provisions for the ship's company, and while the request was being considered, report was received that there were thirteen Americans on the *Nautilus*, and that three of them had been impressed in the West Indies. The two houses took immediate action, inviting the judges of the State Superior and the United States District Courts to confer with Captain Boynton, and investigate the truth of the rumor. The British officer and his lieutenant, on invitation, met the court officials in the council chamber, and flatly denied that there were any American sailors among his crew. The two officers started to leave the building, but fearing to encounter the excited crowd in the corridors and outside, immediately returned. Finally the captain consented to send a line to the officer in charge of the *Nautilus*, directing him to muster the crew in the presence of the court officers, and release the American sailors, if any should be found. As a result, six sailors declared their American citizenship, and were discharged and paid their arrears of wages. This ended the incident, but the British captain was undoubtedly intimidated. Had he acknowledged that fact, however, he would have been cashiered by the British Admiralty. As it was, the release of the impressed seamen was made to assume the appearance of an act of good will on the captain's part, and therefore neither he nor the British government could complain of either the outcome or the methods by which it was brought about. But the wound rankled beneath the British naval buttons, and it was intensified by the partiality shown the French in Newport and other coast towns. On July 31, 1795, the sloop *Peggy*, running as a packet between Newport and New York, was stopped and searched as she was entering Newport harbor by the British line-of-battle-ship *Africa* (Captain Rodman Home), which was anchored near the lighthouse. Captain Home had received information that M. Fauchet, the late French minister to Washington, was on board, but the latter, being warned, had debarked at Stonington. Failing of his prey, the *Africa's* captain ordered the trunks of the passengers to be opened and searched, in the hope of finding some of the embassy papers. Nothing of the nature was found, however, but Captain Home sent an insolent letter to Governor Fenner, through the

British vice-consul at Newport, Thomas W. Moore. He demanded that a British lieutenant, who, as he claimed, had been taken in Newport and confined on the French frigate *Medusa*, then in the harbor, be allowed to come on board the *Africa*; that the state authorities aid him (with genuine and not pretended assistance) in capturing British deserters; that he be allowed to purchase provisions for his crew; and that the same neutrality be extended to the officers and crew of the *Africa* that was accorded the French. And he warned the Governor that if any of his men were even impeded in the least degree by either a mob or a single person, he would consider the neutrality of the place violated, and would govern himself accordingly. Governor Fenner was at his home in Providence at the time, and upon receipt of the British officer's insulting epistle, wrote to Vice-Consul Moore, expressing astonishment that he should have forwarded such a letter, and informing him that he had sent it to President Washington. The latter, upon receipt of the letter, promptly issued a proclamation<sup>1</sup> censuring Vice-Consul Moore, and revoking his exequatur. No official notice was taken of Captain Home. He chased the French frigate out to sea, and returning, resumed his anchorage near the lighthouse. On August 24, according to the deposition of Captain Tillinghast of the ship *Ann* of Providence, the *Africa* brought to his vessel and impressed three of his crew. All were British by birth, but two of them, he declared, were naturalized citizens of the United States, and had families in America.<sup>2</sup>

At the June session of the general assembly in 1795 a resolution was adopted changing all money accounts from pounds, shillings and pence to dollars, cents and mills, and a committee was appointed to make a new estimate of property for state taxation purposes. In October, the assembly voted to change the designation of the upper house from "Assistants" to "House of Magistrates", and that of "Deputies" to "House of Representatives". The "House of Magistrates", however, never came into use.

At the February session of the general assembly in 1796, Governor Fenner laid a letter before the two houses from Senator Foster, de-

<sup>1</sup> Dated September 5, 1795

<sup>2</sup> A foot note in the *Providence Gazette* of August 29, 1795, states that the British lieutenant whose release was demanded by Captain Home had been taken in a British vessel and brought to Newport on July 25, and immediately transferred to the *Medusa*, that he was then paroled, and had left for New York in one of our packets the next day, a fact which Vice-Consul Moore must have known, and of which Captain Home was probably not ignorant. As the captured lieutenant was plainly entitled to his freedom upon his arrival in neutral waters, and as his transference as a captive from one ship to another within the harbor had been made without protest, the British officer took the liberty to frame his insulting demand. In any event, it was an affair which should have been settled through regular diplomatic channels, and Home's demand was entirely without justification.

fending the action of President Washington and the United States senate regarding the Jay Treaty. A joint resolution was passed expressing confidence in the President and favoring the ratification of the treaty, and this action was further strengthened in the following April by a memorial from the merchants of Providence to Congress, praying for the acceptance of the treaty. The report of the committee on state valuation was rendered at the June session in 1796, and was adopted by the assembly notwithstanding the protest of several members of Providence, Bristol and Newport counties, who claimed that the estimates for their respective towns were excessive. The house refused to allow the protest to be inscribed in the records. It was published, however, in the newspapers, and at a town meeting held in Providence, June 25, it was resolved not to assess the tax, on the ground that it was excessive and unconstitutional. A committee was appointed to draft a circular letter to other towns inviting them to send delegates to a convention to be held in Providence, to consider the taxation matter, and also the question of forming a written state constitution. Delegates from eight towns in Providence and Bristol counties assembled in convention in the town house at Providence on July 26, and after some discussion adjourned to August 15, at which time it was determined to issue two circulars to be sent to the several towns, regarding the taxation question and urging the calling of a convention to form a constitution. At the October session of the general assembly a resolution was passed requesting the freemen of the several towns to instruct their representatives during the recess of the assembly on the question of calling a convention of delegates to frame a written constitution. The town of Providence rescinded the vote passed in June, refusing to assess the state tax, but it took no immediate measures for raising it.

Francis Malbone having declined a re-election to Congress, his friends put forward Christopher Grant Champlin of Newport for the office, while others presented the name of William Greene of East Greenwich. The vote was close, but Mr. Champlin won by about 100 majority. Benjamin Bourn was elected the same day—August 30, 1796—without opposition, but he declined to serve, and another election was held on November 15, 1796, when Elisha R. Potter was chosen by a majority of 945 votes.

The general assembly, at the February session in 1797, endorsed the alien and sedition laws of Congress, in reply to resolutions condemning them, received from the legislatures of Kentucky and Virginia. On August 4, of this year, President Adams visited Providence, and was received at the wharf by prominent citizens with a military escort. Salutes were fired, bells were rung, the college was illuminated, and he was presented with an address. The large trade enjoyed by Providence with the states to the southward and with the West Indies ex-

posed it to contagious tropical diseases. In August of this year the yellow fever made its appearance in the India street section of the town, and during that month and the next, thirty-six persons died with it. Doubtless with a view of guarding against such visitations in the future the general assembly passed a law relating to drainage and the assessment upon abutting owners in Providence. Public meetings were held during the year in Providence and other towns in the interest of a constitutional convention. In a Fourth of July oration at Providence, Colonel George R. Burrill, a prominent Federalist leader, made an elaborate argument in favor of the formation of a constitution. At the October session of the general assembly, a proposition to call a constitutional convention was negatived by a large majority. Elisha R. Potter, of South Kingstown, who was elected to Congress in 1796, resigned in July, 1797, and Thomas Tillinghast, Republican, was elected in his place by 53 majority.<sup>1</sup> This was the first victory in the state for the anti-Federalists, who now called themselves Republicans, of which we have any record. At the regular congressional election in August, 1798, Tillinghast was defeated for re-election, he receiving but 1,415 votes to 2,836 and 2,680 given respectively to the Federal candidates, C. F. Champlin and John Brown.<sup>2</sup>

At the annual town meeting in Providence, April 21, 1798, patriotic resolutions were adopted respecting troubles with France that had arisen from the capture of American merchant vessels on the high seas by the war vessels and privateers of the French republic. The resolutions were forwarded to President Adams. At the June session this year, the towns of Providence, Tiverton, North and South Kingstown, Barrington, East Greenwich and Coventry, having neglected to assess the state tax ordered in June, 1796, the general treasurer was directed to issue executions against the delinquents ten days after the rising of the assembly. This brought the protesting towns to terms. They assessed the tax, but Providence was for many years thereafter (and several other towns as well) very tardy in the collection of the state tax, while Newport constantly exhibited a clean record in this respect. To soften the peremptory course adopted against the delinquent towns, however, a committee was appointed at the October session, the same year, to examine the general estimate of valuation. The committee reported, at a subsequent session, that the estimate was a just and equitable one.

<sup>1</sup> *Providence Gazette*, November 4, 1797. There are no official records of this election. The Federalists had presented the name of James Burrill, jr., of Providence, as Mr. Potter's successor. The Republicans, according to the statement of a correspondent in the *Providence Gazette* of August 5, 1796, opposed Mr. Burrill, on the ground that he was a lawyer. At the election, August 29, Mr. Burrill received 180 majority in Providence, but the country towns are supposed to have generally supported Tillinghast.

<sup>2</sup> One of the famous "Four Brothers", descended from Chad Brown, an associate of Roger Williams.

At the June session of the general assembly in 1799, a resolution presented by John Smith of Providence, for calling a convention of delegates, elected on the basis of one delegate for each thousand inhabitants, for the purpose of forming a state constitution, received its quietus in the house by the adoption of the previous question, by a rising vote. At the October session, the house voted—50 to 9—against exempting members of the Friends denomination from military duties. An act to establish free schools passed the house at this session, but was held up by the senate until the next February session, when it concurred. The assembly also adopted resolutions favoring direct taxation to defray national expenses, and requesting the state's representatives in the two houses of Congress to use their best efforts to secure the adoption of such a system. The term "Senators" was used for the first time in May of this year to designate members of the upper house. Fort Adams, the largest fortification in the United States, with one exception, was dedicated on July 4 of this year.

A proposition to divide the town of Gloucester, which had been brewing for some years, was negatived by a vote of 39 to 19 at the March session of the general assembly in 1800. In answer to a resolution of the Vermont legislature in favor of the proposed constitutional amendment to designate separately candidates for President and Vice-President, the assembly, at the June session, declined to concur with Vermont's action, and expressed the opinion that such a change would decrease the power and influence of the small states. Providence having again been visited by the yellow fever this year, the general assembly in October adopted a resolution requesting Rhode Island senators and representatives in Congress to use their best efforts to procure the establishment of a hospital within the borders of the state for the use of ships of war arriving in Rhode Island waters with cases of contagious diseases on board.

The presidential election of 1800 appears to have been the first time in which the two great parties were clearly arrayed against each other in Rhode Island. As the time approached for the choice of electors, the Federal newspapers of the state contained lengthy communications warning voters against the dangers which would result from a triumph of the "Jacobins"<sup>1</sup> at the polls. Jefferson was denounced as a man who wished to subordinate the interests of his country to those of France, and as an infidel. At the same time the electors were exhorted to vote for the Adams electors because of their high character and ability. At the election the declared totals were: Adams, 1,941; Jefferson, 1,642.<sup>2</sup> Providence gave Adams 512, Jeffer-

<sup>1</sup> The Federalists at this time called the Republicans "Jacobins", or "Democrata."

<sup>2</sup> From some towns only the majorities were reported. Some very interesting letters concerning Rhode Island's attitude on national politics at this time are printed in Mason, *Reminiscences of Newport*, p. 108.



son 56. Jefferson, however, carried Newport, he receiving 217, and Adams 211 votes. At the congressional election in August, Thomas Tillinghast, Republican, was elected, while there was no choice for the other representative. At a special election in April, 1801, Joseph Stanton, jr., Republican, was elected by a vote of 2,292 to 1,443 for Thomas Noyes, Federalist.

At the February session of the general assembly in 1801, the populous village of Pawtucket, in the town of North Providence, was created a fire district with authority to tax its inhabitants for purposes of protection against fire, independent of the town. A curious feature of the act was a provision, authorizing the taxation of houses and furniture at double or more than the rates levied upon land. In June certain portions of the free school law were suspended, and a committee was appointed to examine the act and recommend such changes as they might think expedient. While Jefferson's inaugural message seemed to modify somewhat the opinion in which he was held in Federal circles, it was evident from the phrasing of the toasts at the Fourth of July celebration in Providence, in 1801, that he was still distrusted. At that time, and for many years afterwards, a toast was always drunk to the memory of Washington, and ex-President Adams was warmly toasted throughout Rhode Island for several years. On this occasion a toast was drunk to the President of the United States, but it was in the form of a desire that he might prove true to the constitution and the country. At the annual state election of this year six Republican representatives to the general assembly were elected in place of Federalists in the town of Newport.

A resolution was adopted by the assembly in February, 1802, limiting the time for presenting vouchers of State indebtedness to January 1, 1803. At the congressional election in August, Joseph Stanton and Nehemiah Knight, Republicans, were both elected by nearly a thousand majority over the "Federal Republican" candidates, Elisha R. Potter and Thomas Tillinghast. Providence, however, gave the Federal candidates 282 votes to 78 for the Republicans. An attempt was made this year on the part of the Federalists to defeat Governor Fenner, who had voted for Jefferson in 1800. They supported William Greene of Warwick, who had been governor of the state from 1778 to 1786. Governor Fenner, however, won at the polls by a vote of 3,802 to 1,934 for Greene.

Considerable excitement was created in Newport in the autumn of 1802 by certain developments, growing out of two forged letters which had been sent to President Jefferson in 1801, and to which the name of Nicholas Geffroy, a Newport watchmaker of foreign birth, had been affixed. A Newport newspaper, the Rhode Island Republican, of September 18, 1802, published these letters—which urged the President to turn out all Federal officeholders, to order work on the forti-

fications discontinued, etc.—and charged John Rutlege, a Federalist congressman from South Carolina, who resided summers at Newport, with being the author of the letters. It appeared that Christopher Ellery of Newport, who had been elected to the United States senate in May, 1801, and Postmaster Richardson and his son, the assistant postmaster at Newport, all Republicans, were Mr. Rutlege's accusers. Mr. Farnsworth, the editor of the Republican, invited the public to call at his office and compare the letters with other specimens of Mr. Rutlege's handwriting. Certain of the accused congressmen's political and personal friends who examined the letters, made affidavits in his favor, while the Republicans who inspected them were sure of his guilt. The Newport Mercury came to his defense, as did the Providence Gazette. Senator Ellery was charged by the Federalists with being the real author of the letters, and on October 25, as Mr. Rutlege was about to depart to his home in Charleston, he was given a letter of confidence, signed by over a hundred of the citizens of the town, who were presumably Federalists. Mr. Rutlege, who had served three terms in Congress, failed of re-election, his term expiring on March 4, 1803. During the winter session of 1802-3, Rutlege sent a challenge to Senator Ellery, who declined to meet him. Thereupon Rutlege threatened to obtain satisfaction in some other manner. During the Christmas holidays, both gentlemen happened to meet at an inn in the country, and Rutlege attacked Ellery with a cane. In the scuffle which ensued the Rhode Islander proved himself the stronger man, but instead of punishing his assailant, he appealed to the innkeeper for protection. The fact that the South Carolinian was surrounded by personal friends, while he was alone, may have caused him to stay his hand, but the Federalist papers published articles reflecting upon his courage.

Pamphlets were published on both sides regarding this affair. That of Duane, the well-known publisher of the "Aurora", gave an exhaustive analysis of the whole matter, and was remarkably free from personalities, at a time when vituperation was considered the strongest argument. It alleged that anonymous letters in the same disguised handwriting of the forged letters had been sent to the "Aurora" during or immediately after the congressional sessions at Philadelphia in the winters of 1797, 1798 and 1799, which from the secrets divulged by them must have been written by a member of Congress; that these letters, and the forged ones contained certain peculiarities of punctuation, phraseology and construction that were common to Rutlege's acknowledged handwriting; that the forged letters were written on an imported paper, not then known in Rhode Island, but which had been delivered out to members of Congress in December, 1800; that Senator Ellery had never been out of New England when the letters were writ-

ten, and could not have had any of the congressional paper in his possession; that certain expressions used in the letters proved the writer to be a southerner; that Postmaster Richardson was previously knowing to Rutlege's having sent an anonymous letter to Elbridge Gerry, in the same disguised hand, and that he had good evidence of his sending a communication under an assumed name in the same hand to Callender, the publisher of the Richmond Recorder, which paper soon after receiving it, savagely attacked President Jefferson; that the postmaster and his son had informed Senator Ellery of the facts at the time of their occurrence, and that the three had not made the matter public until a year afterward, and only then because they believed public interests demanded the exposure. Rutlege, on his part, issued a pamphlet, in which he only met the most damaging charges by a general denial, by affidavits of a negative character, and by personal attacks upon Senator Ellery, the Richardsons and Farnsworth, the publisher of the Republican. A private letter addressed to Congressman Champlin, and now in possession of the Rhode Island Historical Society, which was written by Rutlege just before he issued his pamphlet, shows him in an unfavorable light. In it, he asks Champlin to obtain, if possible, facts regarding the private life of the Richardsons and Ellery, and he was particularly anxious to have a copy of the "epitaph" which Ellery "had inserted on his father's tomb", and anything in Mr. Champlin's knowledge which would prove his "atheism".<sup>1</sup> The direct and circumstantial evidence against Rutlege was weighty, and his cause does not seem to have been strengthened by his personal attacks upon the private character of his accusers.

The free school act was repealed by the general assembly in 1803. At the October session of this year, upon the petition of one Jacob Burke, who had been convicted of the crime of rape and sentenced to death, a resolution was passed commuting his sentence to perpetual banishment. By the terms of the resolution he must find security in \$10,000 that he would leave the state and sail for Germany at his own expense within a specified time, and if he ever returned, the original sentence was to be enforced. At the May session in 1804, another petition from Burke asked to be relieved from the obligation to furnish surety. This was granted, and the time for his departure was extended to November 1, 1804, by which time he was supposed to have managed to get out of the country. It was customary a century ago to release prisoners for various offenses upon their promising to leave the country, a favorite method of getting rid of undesirable characters being to require them to ship on a whaling vessel.

The presidential campaign in 1804 was hotly contested. The Re-

<sup>1</sup> From the "Mason Papers" in the R. I. Hist. Soc. Lib'y.

publicans now had newspaper organs in both Providence and Newport, and personalities and abuse, which constituted the greater portion of the political arguments of the time, were freely exchanged between them and the Federalist newspapers. Jefferson carried the state, almost by default, in November. There is no record of the total vote, but the Providence Gazette stated that its town had endorsed the Democratic electors, but that only 120 votes were given out of a total of between 700 and 800. In the August previous, Messrs. Stanton and Knight, the Republican candidates, were elected to Congress without opposition.

Both Governor Fenner and Lieutenant-Governor Mumford died during the year 1805. Governor Fenner had been in feeble health for some time, and the assembly passed a special act in June, 1804, authorizing Lieutenant-Governor Mumford to perform the duties of chief executive temporarily. Although neither was physically fit for his duties, both were re-elected in April, 1805, and after their deaths Henry Smith, the first senator, officiated as Governor. The Federalists made some gains in the general assembly this year. At the April election, Newport, which had sent solid Republican delegations to the house for several sessions, returned three Republicans and three Federalists, but in August a full Federalist delegation was elected. Rhode Island being largely interested in ocean commerce, was a constant sufferer from the depredations of the rival belligerents, and because of the impressment of her sailor-citizens on British vessels, British sailors were constantly deserting from their war vessels, and shipping upon American merchantmen. Britain's naval commanders would stop American vessels upon the high seas, and take out any seaman they believed to be a British subject, and if they were short of men, often impressed sailors who were unable, on the spot, to prove their American citizenship. When these high-handed proceedings were brought to the attention of the British government, and the American citizenship of the impressed sailors was clearly proven, they were discharged; but this was a slow and difficult process, and the "sea power" of Britain, which bore so potential a part in the overthrow of the great conqueror who aimed at universal dominion, was sustained in no small degree by the enforced aid of American tars. In the autumn of 1805, Rhode Island newspapers contained the names of seventeen Rhode Island seamen who were detained on British naval vessels because of the want of documents to prove their citizenship. The loss of property from the seizure of vessels and cargoes was also acutely felt in the state. At a meeting of the merchants of Providence, on December 11, 1805, a committee of six leading citizens was selected to collect and transmit to Secretary of State Madison a list of vessels belonging to or insured in Providence, which had been captured, detained, condemned

or plundered, by the national ships, privateers, or any of the armed vessels of the belligerent powers.

The Republican party divided its forces in the April election in 1806 and there was no choice for governor. The totals, as reported, and which probably represented majorities in some cases, gave Richard Jackson, jr., the Federalist candidate, 1,662; Henry Smith, 1,097; and Peleg Arnold, 1,094. Providence, as usual, gave the Federalist candidates large majorities. The Federalists controlled the house and elected Elisha R. Potter speaker. George R. Burrill of Providence moved in the house that Richard Jackson, jr., be declared Governor, since he had received a large plurality of the votes cast, since the charter required a choice to be made, and since in 1780 the assembly had elected a delegate to Congress by a plurality vote. James De Wolfe of Bristol spoke in opposition, and the motion failed, the vote standing 16 to 52.

Isaac Wilbour of Little Compton, a Republican, who had been elected Lieutenant-Governor, performed the duties of Governor during that political year. A number of the towns had instructed their representatives to endeavor to secure the passage of a resolution ordering a convention to form a state constitution, but although the question was brought up at the June session, nothing was done regarding it. At the congressional election in August, 1806, Nehemiah Knight, Republican, received a majority of all the votes cast. A special election was held in December for the other representative, and Isaac Wilbour was chosen by 1,720 votes to 1,220 for William Hunter, Federalist. The latter carried Providence by 200 majority. In this same year, 1806, the town of Burrillville was formed from the northerly portion of the town of Glocester.

At the February session in 1807, the assembly, after considerable opposition on the part of the Federalist members of the house, adopted an address to President Jefferson, inviting him to accept a nomination for President for the third time. James Fenner, a son of the late Governor, had been elected to the United States senate in 1804, in place of Christopher Ellery. The Republicans persuaded him to accept the nomination for Governor in 1807, and he was elected by a vote of 2,564 to 1,268 for Seth Wheaton, Federalist. The Federalists, who in the years immediately following endorsed his candidacy for re-election, terming him a Federal Republican, do not seem to have opposed him in the first instance, and he actually carried Providence by a vote of 177 to 122 for Wheaton. There seemed to be a little friction in the Republican ranks about this time, Fenner and ex-Senator Ellery apparently representing the two extremes. Ellery was a resident of Newport, and that town gave Wheaton 16 majority over Fenner for Governor. In June of this year, Attorney-General James Burrill, jr., and his brother, George R. Burrill, were appointed a

committee, by vote of the general assembly, to prepare a law for the relief of insolvent debtors and for the trial and decision of the petitions of such debtors.

The two parties ran a joint ticket for state officers in April, 1808, with Fenner for Governor, and Simeon Martin, a Federalist, for Lieutenant-Governor. In August the Federalists carried the general assembly, and as a consequence Francis Malbone was elected United States senator in November by six majority. At the congressional election in August, Elisha R. Potter and Richard Jackson, jr., the Federalist candidates, were elected by more than 300 majority over Jonathan Russell and Isaac Wilbour, the Republican nominees, and in November the state chose Pinckney electors by a vote of 3,072 to 2,692 for the Madison ticket. Providence gave the former 540 votes and the latter 131. Newport cast 215 Madison and 264 Pinckney votes. At a town meeting held in Providence on August 9 of this year, a committee of leading citizens was selected to draft a petition to President Jefferson to suspend the embargo so far as it related to Spain and Portugal and their dependencies. At the June session the assembly requested Governor Fenner to notify the secretary of war of the defenseless condition of the state, and ask for the erection of suitable buildings to preserve the cannon from injury.

Town meetings were held in Providence and several other towns of the state early in 1809 to secure protection against the embargo.<sup>1</sup> The petitions, memorials and resolves adopted at these meetings were presented to the general assembly, a joint committee of which was appointed to draft a memorial to Congress. In consequence of the developments regarding the Farmers' Exchange Bank of Gloucester, a law was enacted requiring banks and insurance companies thereafter to make annual reports to the assembly. There was no opposition to Governor Fenner's re-election this year, but the Republicans nominated Isaac Wilbour in opposition to Lieutenant-Governor Simeon Martin. The latter, however, was re-elected by 644 majority, Providence contributing 352 and Newport 126 of that total. The Federalists obtained control of the assembly at this election, having 47 of the 72 members of the house. In the fall of 1809 the Republicans started a Tammany society in Providence, and early the next year societies, or rather "tribes", as they called themselves, were started in Newport and Warwick, and rapidly increased in membership.<sup>2</sup> This organization was believed to have had great influence in bringing the Fenner and Ellery factions of the Republican party together in the spring of 1810. The Federalists, or "Federal Republicans", as they called

<sup>1</sup> For the address from the town of Providence, presented by William Jones, see *Narr. Hist. Reg.* vii, 385.

<sup>2</sup> See Jernegan, "The Tammany Societies of Rhode Island" in *Brown Univ. Hist. Sem. Papers*, No. 8.

themselves, nominated Fenner and Martin for re-election. Their ticket was known as the "American Union Prox", while they called that of their opponents the "Tammany Prox". Governor Fenner, who headed both tickets, came out in a card a few days before election, denying a rumor that he was a Federalist, and affirming that he was then and always had been a Republican. It was too late for the Federalists to change their ticket, and Fenner was elected without opposition, but they crossed his name off from their party books. The Republican Prox, with Isaac Wilbour as candidate for Lieutenant-Governor, won at the polls by an average majority of 206. The Republican vote in Providence advanced from 97 of the year previous to 152, and the Federalist vote from 449 to 489. The sentiments of a community can often be judged by those expressed on convivial occasions. At the celebration of Washington's birthday in Providence this year, an occasion which was participated in by a large concourse of citizens, "accompanied by the reverend clergy", Madison was toasted in these terms: "The President, may the condemning shade of Washington admonish and reclaim him."

The Republicans elected a majority of both houses in April, 1810, and Nathaniel Hazard of Newport was elected to the speakership of the house over William Jones of Providence, the Federalist candidate, who had held the office two terms. But at the semi-annual election for representatives in August, the Federalists obtained a small majority, and William Jones was reinstated as presiding officer in October. The term of Elisha Mathewson as United States senator expired March 4, 1811, and the two houses of the general assembly, on November 2, 1810, met in grand committee, with Governor Fenner in the chair, to elect his successor. The contest was between Jeremiah B. Howell, the first senator, and James Burrill, jr., the attorney-general of the state, the Federalist candidate. The two parties appear to have been evenly balanced, each having 41 votes, without taking the governor into account. But Governor Fenner, without waiting for the announcement of the vote, and then casting his vote to break the tie, voted as a member of the grand committee for Howell. His election was thus assured, the ballot resulting in 42 votes for Howell and 41 for Burrill. The Federalists were quite indignant at the Governor's action, and also blamed Howell for voting for himself, and the house by a majority of five passed a resolution censuring Governor Fenner for his unusual course.

In February, 1811, a bill granting to all male citizens who were rated for either a poll or a property tax, or who served in the militia, a right to vote for general officers and town representatives, passed the senate with only two dissenting votes. When it reached the house, according to a Republican newspaper,<sup>1</sup> the leading Federalists, several

<sup>1</sup> *The Providence Phoenix.*

of whom were lawyers, held an informal caucus, and decided to insist that the advocates of the bill, most of whom were farmers and unaccustomed to speechmaking, should give their reasons for favoring it. This was done, but the farmers were reinforced by James De Wolfe of Bristol.<sup>1</sup> The weight of eloquence, however, if not of argument, was with the Federalists. After William Hunter, the Federalist leader in the house, and Messrs. Bridgham and Mason of Providence and Totten of Richmond had spoken against it, it was postponed by a vote of 39 to 19. The "yea" vote represented the full Federalist strength, and, as the Republicans had 33 members in the house, they do not seem to have been unanimously in favor of the bill. During the consideration of this bill a petition, presented by Mr. De Wolfe of Bristol, asked for a better enforcement of the law regarding freeholders. It called attention to the fact that 122 new voters had been "propounded" at Providence during a short time, an increase which the petitioners evidently believed to have been largely due to fraud. Providence was a growing town. It was now considerably larger than Newport, and was the third town in New England, and the ninth in the country. Its valuation, according to the state estimate, was more than double that of Newport, and the latter and the country towns were already watching it with jealous eyes, lest it gain more than its due from legislation. The Republican papers claimed that the political overturn which took place this year (1811) was entirely owing to the increased Federalist vote in Providence, and they charged the Federalists with fraudulent practices in creating new voters. The Federalists were through with Governor Fenner. They nominated Speaker William Jones of Providence for Governor. After supporting Fenner for four years they had discovered that he was unfit for office. William Jones, they said, was a worthy citizen; he was a veteran of the Revolution, and a regular attendant upon divine service, while the candidate of the "Jacobins" (Fenner) only attended on Thanksgiving day. The arguments of the Republicans were equally shallow. They denounced the opposing candidate as "a haberdasher of British hardware", probably in allusion to the fact that he kept imported goods in his Providence store. Jones was elected by only 172 majority in the largest vote (7,508) ever polled up to that time. The Federalists increased their vote in Providence from 489 to 679, while that of the Republicans had fallen from 152 to 147. The Federalists also secured control in the legislature, their majority in the house being eight.<sup>2</sup>

<sup>1</sup> James De Wolfe (1763-1837) was speaker of the house from May, 1810, to February, 1821, when he resigned to take his seat in the United States senate. He succeeded William Hunter (1774-1840), who was speaker of the house from May, 1811, to February, 1812, and United States senator from December, 1811, till March 4, 1821.

<sup>2</sup> For a somewhat detailed account of political conditions in Rhode Island up