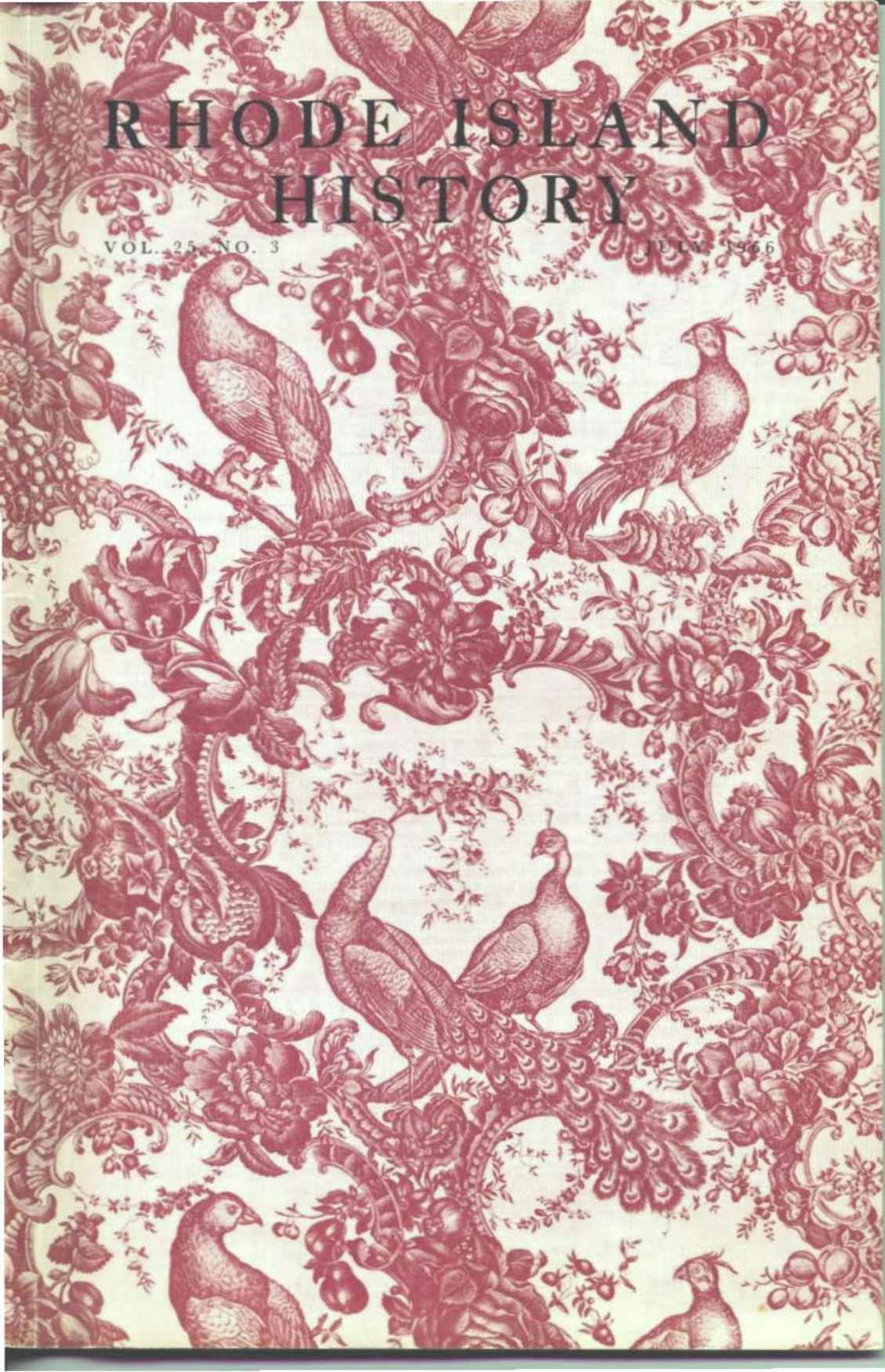


# RHODE ISLAND HISTORY

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# COVER

An exhibition of eighteenth century fabrics is currently on display at John Brown House and will remain until October 15. The materials have been lent by Mr. Norman Herreshoff and Yale University.

On the cover is reproduced an English printed cotton, *ca.* 1780, which is a gift to the Society from the Misses Eleanor S. and Margaret F. Upton of Hadley, Massachusetts, who say "It probably came from the home of Joseph Sweet on Waterman Street."

# RHODE ISLAND HISTORY

VOL. 25

JULY, 1966

NO. 3

## HMS *GASPEE* — THE COURT-MARTIAL

by SAMUEL W. BRYANT

The Graduate School, Brown University\*

HMS *Gaspee*, a schooner carried on the Admiralty List of 21 January 1772 as the smallest of five vessels in Rear Admiral Montagu's North American Squadron, was rated as carrying no guns and thirty men, under the command of Lieutenant William Dudingston. Montagu ordered her to duty halting and searching vessels as they entered Narragansett Bay, an irksome assignment for a mettlesome captain and ship. It was as though an American warship were ordered to coast guard duty.

Montagu objected to the expense the work entailed, and he wrote on 31 January 1772 to Mr. Stevens, secretary of the Admiralty, telling him "of my desire of reducing the expence of Pilotage to the Navy by throwing a part upon the Revenue for the time Sloops and Schooners are employed upon the Service of the Custom House."<sup>1</sup>

Lieutenant Dudingston, perhaps frustrated, certainly ambitious, carried out his duty with such devotion that he and his command became notorious in the Bay. With notoriety came hatred and fear on the part of the merchants, shipowners, and the waterfront rabble who might at any time be impressed into the Royal Navy. When Dudingston's authority was questioned by a sheriff sent on board HMS *Gaspee* by Chief Justice Stephen Hopkins of Rhode Island, Hopkins found that Dudingston had the full support of Admiral Montagu. This was an inevitable reaction; the Royal Navy was vir-

\*This article was developed in the course of work on a Maritime History of Rhode Island. The writer is a student in the History Department of The Graduate School.

<sup>1</sup>Montagu's Journal, entry of 31 January 1772.



tually a rule unto itself, and its officers were mantled with arrogance as though so endowed by nature.

The Rhode Islanders, in contrast, were of the tradesman breed, eager to make a shilling either legally or illegally; when their pocket-books were affected, their complaints that their rights were being infringed grew shrill. The English knew the colony as the "latrino" of New England. HMS *Gaspee* had caused losses to several Providence and Newport merchants by seizing their vessels and sending them to Boston to be tried in the Vice-Admiralty Court there. It was considered impossible to get a just decision in such cases in a Rhode Island court. Even if a ship was condemned and offered at auction in Rhode Island, only the owner bid for her. Among the merchants HMS *Gaspee* had annoyed were the members of Nathanael Greene & Co., whose sloop *Fortune* she had seized. *Fortune's* cargo included "twelve hogsheds of West India rum, containing about fourteen hundred gallons, forty gallons of Jamaica spirits and one hoghead of brown sugar, all of the value of two hundred and ninety-four pounds lawful money."<sup>2</sup> She was condemned in Boston and her owners began a suit to recover damages that was to last for years.

Working in this atmosphere of animosity, HMS *Gaspee* was going about her lawful occasions on 9 June 1772, running up the Bay to Providence to pick up some of her ship's company who had taken a prize to Boston and were coming to Providence overland, when she ran hard aground on a sand spit with the tide running out. The news reached Providence, seven miles away, early that evening, and drums began to beat along the waterfront. An expedition was formed to attack the stranded vessel before the tide could flow and float her.

At about 12:45 a.m., June 10, in the moonless dark, HMS *Gaspee* was attacked by an overwhelming force and set afire. Lieutenant Dudingston was gravely wounded, and the crew handled roughly. The attackers, guilty of treason under English common law, had the wit to preserve a pusillanimous anonymity.

Lieutenant Dudingston, when he had recovered from his wounds, went to England on HMS *Beaver* to stand trial for the loss of his command, for whenever a Royal Navy ship is lost, her commanding, or senior surviving officer, must account for the loss of His Majesty's property to a court-martial.

<sup>2</sup>Court of Common Pleas, July term, 1764; 720-725.

A key document in the case that has recently come to light is the following record of that trial:<sup>3</sup>

MINUTES OF A COURT-MARTIAL ASSEMBLED ON  
BOARD HIS MAJESTY'S SHIP *CENTAUR* IN PORTS-  
MOUTH HARBOUR ON THE FOURTEENTH DAY OF  
OCTOBER 1772.

PRESENT

Captn. Richard Hughes Junr.  
John Wheelock  
John Bentinck  
Charles Douglas

Captn. Thos Collingwood  
George Balfour  
Richard King  
Henry Davis

APPEARED

Wm. Duddingston, Lieut. & Commander of His Majesty's late Schooner  
*Gaspee*

Wm. Dickinson — Midshipman

John Johnson — Boatswain's Mate

&

Thomas Parr, Edward Pullibeck & Bartholemew Chivers — Seamen.

AUDIENCE ADMITTED.

The Order of the Right Hble. Lords Commissioners of the Admiralty dated the seventh Day of October instant directed to Captain Edward Jekyll Commander of His Majesty's Ship *Egmont* and now Senior Captain of His Majesty's Ships and Vessels at Portsmouth for assembling a Court Martial to inquire into the Loss of His Majesty's Ship *Gaspee* in Providence River Rhode Island on the tenth Day of June last, and to try Lieutenant Dudingston together with such of the Officers and People who belonged to her at the Time and are returned to England in His Majesty's Sloop *Beaver* for their conduct upon that Occasion, was read.

The Members of the Court and Deputy Judge Advocate, then in open Court and before they proceeded to Trial, respectively took the

<sup>3</sup>Admiralty records more than fifty years old are in the custody of the Public Record Office, Chancery Lane, London, W.C. 2. The record of Dudingston's court martial (Adm. 1/5305) is listed in the "Index of Officers Tried by Court Martial from 1750 to 1792 with Index of Ships Lost" (IND. 4782). A photostatic copy of the court record has been deposited in the Library of The Rhode Island Historical Society. Crown copyright.



several Oaths enjoined and directed by an Act of Parliament made and passed in the twenty-second Year of the Reign of our late Sovereign Lord George the second intituled "An Act for amending explaining and reducing into one Act of Parliament the Laws relating to the Government of His Majesty's Ships Vessels and Stores by Sea."

Lieutenant Dudingston was then acquainted by the Court that it was incumbent on him to account to the Court for the Loss of His Majesty's Schooner the *Gaspee* under his Command.

On which he delivered a Narrative marked with the Letter A, which was read & is hereto annexed.<sup>4</sup>

He then desired that Bartholomew Chivers and Mr. Dickinson might be sworn to support the Narrative.

BARTHOLOMEW CHIVERS SEAMAN SWORN.

Q. Was you Centinel on the Quarter Deck when the *Gaspee* was lost?

A. I was.

Q. At what Hour?

A. Three Quarters after twelve at Night.

Q. Relate the Circumstances to the Court.

A. I saw four or five Boats coming from the Shore. I hailed them but had no answer. I tried to fire but the Musquet snapt six or seven Times. I acquainted the Captain and Midshipman of it. I took the People at first for Rocks, the Captain came on Deck in his Shirt. He went forward to the Starboard side fore Chains. I hailed them again they answered G-d d--n your Blood we have you now. The Schooner was aground they came alongside. The Captain called for Matches but could get none, he called for Arms but the Arms Chest was lockt, the Captain ordered all hands to be called the Captain ordered the Boats to keep off, and kept striking with his Hanger sword to keep them off, and he threatened to fire into them, they cursed and swore that they would come on board, they then fired a Musquet at the Captain and wounded him. The Captain went off the People from the Boats got into the Vessel so fast as they could, they told the People they should not come up the Shuttle, they then said, d--n them let them come up, and we will do for them, they drove them down the Hatchway and took possession of the Vessel, swore they would burn the Schooner and put us all to Death, they ordered the Crew up one by one and pinioned them, put us into the Boat and carried us ashore, they released me to assist the Captain.

<sup>4</sup>It is likely that this "narrative" did not differ greatly from Dudingston's report Admiral Montagu, which is reprinted here as an appendix.

Q. How many Boats?

A. There were many Boats, about five or six Boats, — they said about eight or nine.

Q. How many men?

A. About two hundred.

Q. How many had you on board?

A. About nineteen Persons, the Master and four Men were gone on Duty to Boston with a Vessel which we had seized.

WILLIAM DICKINSON MIDSHIPMAN SWORN.

Q. Relate what you know of the Loss of the *Gaspee* Schooner.

A. About half past twelve on the eleventh of June the Centinel came down and made an Alarm that there were a Number of Boats coming down the River, Mr. Dudingston was going in his Shirt on Deck, I was close to him he told me to go back and get the Keys of the Arm Chest which were in the Cabbin, I went on Deck opened the Chest, and threw some arms on Deck. I took up one and fired it, the Boats were then about forty or fifty Yards from the Quarter Deck. I went forward and saw Mr. Dudingston striking a Person coming into the Chains with his Hanger, there were Pistols fired from us, I don't know how many, the Fire was returned from the Boats, and Mr. Dickinson [Dudingston] was shot, they then came on board us, and I saw them beating two of our People down the Shuttle. Mr. Dickinson [Dudingston] went aft, and I stood by him, our other People were driven down. Then the Witness referred for what passed on the Deck to the Deposition<sup>5</sup> taken before Governor Hutchinson accompanying the Order.

Q. How many on Deck at the Time of their Boarding?

A. Six.

Q. How long was it between your first seeing them to the Time of their Boarding her?

A. Not quite three Minutes.

Q. Were there any wounded in the Boats?

A. I don't know.

Mr. Dudingston acquainted the Court that he was informed that one of the People in the Boats was privately buried ashore.

COURT ASKED:

Q. Do you apprehend every Measure was pursued that could be on so

<sup>5</sup>This deposition is similar to Dudingston's report to Montagu.



short a Notice for the Preservation of His Majesty's Schooner?

A. Yes.

Q. Was you tied as the others were?

A. Yes, and thrown into the Boat and afterwards on the Captains wanting me they released me.

Q. Did they set her on fire?

A. Yes I waited on shore till I saw her on Fire.

Q. Were you released on the Shore?

A. Yes.

Q. How many People do you think boarded her?

A. About one hundred and fifty in seven Boats, which I counted in Launches and Merchant Ships Boats.

Q. Had you any Fire on board?

A. None but Candles they struck a Light an Hour and a Half before I left her.

Q. How many Persons were on board of the Schooner's Complement?

A. About nineteen.

Mr. Dudingston acquainted the Court that the Reason of his sending for Mr. Dickinson and Chivers down into the Cabbin was that they might take particular Notice of the Peoples Features who were there.

Captain John Linzee late of His Majesty's Sloop *Beaver* sworn. Mr. Dudingston asked

Q. You know the Spot where the *Gaspee* was destroyed and as I had only left you a few Hours could you suppose I could possibly have the least Reason to apprehend an Attack from the Shore in the Manner I did being so far from the Shore?

A. I am of the Opinion there was no Reason to apprehend any Attack as she lay four Miles from any principal Town.

#### COURT ASKED

Mr. Dudingston Have you any Objection to the Conduct of the Officers or People?

A. None, they would have done their Duty had they had their Cloaths on.

The same question was put to the People as to the Captain's Conduct.

A. He did his utmost.

#### THE COURT WAS CLEARED.

The Court agreed that the Schooner was seized in the Night by a Number of armed Men in Boats that Mr. Dudingston and the Rest of the Officers and People belonging to her did their Duty in opposing the Seizure to the Utmost of their Power on so short a Notice and that they should be honorably acquitted.

The Court was opened and Sentence passed accordingly.

THOS. BINSTED

*Depty. Judge Advocate.*

Dudingston was promoted soon after the Court found him blameless, and eventually became a rear admiral.

The search for the criminals continued for nearly a year but no one was ever convicted. Since the court which convened in Newport had orders to send the culprits to England for trial, the colonists objected strongly; it was their conviction that Great Britain had no right to transfer such accused prisoners to England, far from the scene of the crime. On this point Rhode Island was supported widely by several of the colonies and to a modest extent the incident helped to create the spirit of union which later, with the Tea Party and the Coercive Acts, led to Revolution.

#### APPENDIX

PAWTUCKET, 12th June, 1772.

SIR:—On Wednesday morning, about one o'clock, as his Majesty's schooner was lying upon a spit of sand called Nancutt, the centinels discovered a number of boats coming down the River towards us. As soon as I was acquainted with it, I came upon deck and hailed the boats, forbidding them to come near the schooner, or I should order them to be fired upon. They made answer, they had the sheriff with them, and must come on board. I told them, the sheriff could not be admitted on board at that time of night, on which they set up a hallow and rowed as fast as they could towards the vessel's bows. I was then using every means in my power to get the guns to bear upon them, which I could not effect, as they came right ahead of the vessel, she being aground.

I then ordered the men to come forward with their small arms and prevent them from boarding. As I was standing myself to oppose them, and making a stroke with my sword at the man who was attempting to come up, at that instant I found myself disabled in my left arm, and shot through the groin. I then stepped from the gunwale with an intention to order them to retire to close quarters, but soon saw that most of them were knocked down, and myself twice, (after telling them I was mortally wounded.) They damned me, and said I was not wounded;—if I was, my own people had done it. As loss



of blood made me drop down upon deck, they ordered me to beg my life, and commanded the people to surrender. As I saw there was no possibility of defending the vessel against such numbers, who were in every respect armed and commanded with regularity by one who personated the sheriff, I thought it best for the people's preservation, to propose to them that I would order them to surrender if they assured me they should not be hurt, which they did. I then called out, which was immediately echoed by the people round me, that I had given them orders to surrender. They hurried all the people below and ordered them up one by one and tied their hands behind their backs, then ordered them into different boats. I then begged they would either despatch me or suffer my wounds to be dressed; upon that they allowed my servant to be unbound to get me things for dressing, and carried me below. But what was my surprise when I came down in the cabin, two surgeons were ordered down from the deck to dress me, who were furnished with drops and began to scrape lint for that purpose. During this time I had an opportunity of observing the persons of about a dozen, who were in the cabin. They appeared to me to be merchants and masters of vessels, who were at my bureau reading and examining my papers. They promised to let me have the schooner's books and my clothes; instead of which, as they were handing me up to go in the boat they threw them overboard, or into some of the boats. I was soon afterwards thrust into a boat, almost naked. During the time they were rowing me on shore, I had an opportunity of observing the boat, which appeared to me to be a very large long-boat. I saw by the man who steered her a cutlass lying by him, and directing the men to have their arms ready. As soon as they put off, the Sheriff gave them orders to land me on some neck, and the boat to come off immediately, and told me if I did not consent to pay the value of the rum I must not expect to have any thing belonging to me saved. I made answer, whatever reparation law would give, I was ready and willing; as to my things they might do with them as they pleased. They were accordingly going to land me on this neck, which I told them they had better throw me overboard. One man, who had a little more humanity than any of the rest, said they had better land me at the Point of Pawtuxet. As I was unable to stand, they unbound five of the men and gave them a blanket to carry me up. When I was half way on shore I heard some of the schooner's guns go off, and heard the people say she was on fire. I had not been carried far when the people exclaimed, I was on an Island; and they saw no house—on which they laid me down and went in quest of one. Soon after they came to acquaint me they saw one, which I was carried to; a man was immediately despatched to Providence for a surgeon. A little after the people joined me with the midshipman; all of whom that I could persuade are sent on board his Majesty's sloop Beaver. The schooner is utterly destroyed, and every thing appertaining to her, me, and the schooner's company. If I live, I am not without hope of being able to convict some of the principal people that were with them. The pain with the loss of blood rendered me incapable of informing you before of the particulars. There are none of the people any ways wounded, but bruised with handspikes.

I am, sir, your most humble servant.

W. DUDINGSTON.

## BAD LUCK IN THE CHINA TRADE

by JACQUES M. DOWNS

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### PETER WANTON SNOW

SURELY PETER WANTON SNOW was the unluckiest of men. For the greater part of his life Snow followed the old China trade but was dogged by ill health, wrong decisions, bad timing, death and the most miserable luck of any American who ever went to China.

Born December 28, 1788, the son of a leading China trader and the son of a granddaughter of a former governor of Rhode Island, Snow should have been able to take advantage of the most lucrative opportunities in the entire history of oriental commerce. However, he was fated to remain in the trade longer and die poorer than almost any comparable merchant of whom we have record. His father, Samuel Snow,<sup>1</sup> was one of Rhode Island's earliest representatives in Canton. He was the second American consul at Canton, the builder of the American factory, and the first to have resident representatives both in China and America.

Peter W. Snow first sailed for Canton with his father in 1803 on the *Patterson* (Captain Jonathan Aborn). Doubtless because of his father's position and trading connections, young Snow became the partner of Edward Carrington who, within fewer than a dozen years, was to become the greatest China merchant in Rhode Island, if not in the entire country. However, instead of remaining in Canton, Peter Snow embarked aboard the *Stranger* (Captain Prescott), early in November 1804, on a venture for Carrington & Snow which seems to have involved a voyage to Europe and thence to China. It is not clear precisely what happened subsequently. However, Carrington became most disturbed when Snow did not appear in fifteen months as planned.<sup>2</sup>

In the Carrington collection (R.I.H.S.), there are some very interesting data bearing on Peter Snow. One of Carrington's sideline

<sup>1</sup>See my article in *Rhode Island History*, January 1966, pp. 1-8.

<sup>2</sup>Snow apparently sailed from Providence on the *Baltic* as agreed, but not until December 1805. He embarked for Canton on the same vessel in April of the following year, however the time lapse seems to have destroyed his chances for a successful voyage.



businesses was lending money, and Snow seems to have been one of the recipients at the extraordinarily high rate of 18% interest per year.<sup>3</sup> It is revealing to note that the going rate in Canton was 12% on good risks at this time, and Snow, nominally at least, was Carrington's partner. However the partnership seems to have withered shortly after its formation, as Carrington was soon doing business in his own name only. Very possibly this fact is related to Samuel Snow's bankruptcy which occurred in 1807. Carrington repeatedly warned both Snows about this growing interest account, but there is no record of the eventual fate of the loan.<sup>4</sup>

During his stay in America young Snow seems to have fallen in love, for Carrington's principal correspondent in Providence reported in December 1805 that Snow would soon be married to a "Miss Smith."<sup>5</sup> Actually, he returned to China on the *Baltic*<sup>6</sup> (Captain Jonathan Aborn) the following spring and did not wed the lady, Jeanette Smith, until two years later, by which time he had returned to Providence.<sup>7</sup>

By 1808, Carrington was prospering and writing Providence that he hoped Peter Snow would return to China despite his "misfortunes," because he wanted to help the young man. He strongly implied that upon his own departure for home Snow would take over his Canton agency.<sup>8</sup> In the summer of the same year Snow expressed his willing-

<sup>3</sup>Carrington & Snow Ledger (Carrington Collection, R.I.H.S.).

<sup>4</sup>One piece of evidence may explain more than it appears to. Among Carrington's papers for the year 1815, there is a note to Thomas Hoppin, of B. & T. C. Hoppin, Providence, to transfer \$33,585.88 from the joint account of Carrington and P. W. Snow to Carrington's personal account.

<sup>5</sup>Benjamin Hoppin, Providence, to Edward Carrington, Canton, December 27, 1805 (Carrington Collection).

<sup>6</sup>The *Baltic* was registered at Providence in the names of Carrington and Snow on April 5, 1806. It remained jointly in their names until the papers were surrendered at Boston on August 15, 1810; *Ship Registers and Enrollments of Providence, Rhode Island* (Providence: National Archives Project, 1941). This source also lists five other vessels of which Snow was sole or part owner, the ship *General Hamilton* (1825-1832), the brig *Shibboleth* (1826-1829), the second brig *Shibboleth* (1830-1833), the brig *Henry* (1814-1815) and the ship *Superior* (1823-1824). He seems to have owned part of the last vessel because he served as her captain.

<sup>7</sup>*Providence Gazette*, November 17, 1807.

<sup>8</sup>Several letters, Carrington to Hoppin and Carrington to Snow in 1807 and 1808 in the Carrington Collection.

ness to go to China for Carrington "for 2 or 3 years, if you wish it,"<sup>9</sup> and he arrived in Canton December 5, 1809, aboard the *Baltic*. Presumably he carried out the plan, as Carrington sailed for home early in 1811 and Snow was writing Carrington from Canton by August of the same year.

Even then Snow's luck did not change. John P. Cushing noted in a letter to Carrington a few months later:

Young Snow is also complaining bitterly of his friends, not having received a line this year by any of the vessels which have heretofore arrived. He has not as yet determined what to do, and will not I presume 'til he hears from you: I endeavour to cheer him up and keep him in spirits [*sic*], but the climate of Canton does not at all agree with him nor will it with any other person that has the same attractions in America that Snow has.<sup>10</sup>

Snow's apprehensions must have increased considerably when the news of the War of 1812 arrived. He remained until 1814, hoping for peace, but as time went on, he apparently grew desperate and took passage in an enemy vessel, the British East India Company's *Marquis of Ely*, for London.<sup>11</sup> He arrived in New York in November or December to learn that his only son, Charles Wanton, had died a year earlier at the age of five years. James & T. H. Perkins reported that "his health was good, tho' his spirits were depressed . . ."<sup>12</sup> To compound his personal tragedy, Snow lost two baby daughters in the next three years.<sup>13</sup>

Soon after the war Snow resumed his China voyages, frequently sailing as supercargo and/or captain for his friend Carrington. Although he never appears to have gotten out of debt, he was able to work productively and cheerfully. John P. Cushing wrote from China in 1817 that since Snow was no longer despondent, there was hope for his financial recovery. He had convinced Snow's creditors that they could do nothing but wait for Snow to earn the money to pay

<sup>9</sup>Snow, Providence, to Carrington, Canton, July 8, 1808 (Carrington Collection).

<sup>10</sup>John P. Cushing, Canton, to Edward Carrington, Providence, December 20, 1811 (*ibid.*).

<sup>11</sup>John P. Cushing, Canton, to Edward Carrington, Providence, February 12, 1814 and February 15, 1814 (*ibid.*).

<sup>12</sup>James & T. H. Perkins, Boston, to Edward Carrington, Providence, December 14, 1814 (*ibid.*).

<sup>13</sup>Harriet Rogers, aged 8 months (*Providence Gazette*, October 27, 1817) and Frances Wanton, aged 1 year, 3 months (*ibid.*, August 19, 1819).



them off.<sup>14</sup>

In the summer of 1818 Snow sailed again for China in Carrington's ship *George*. This time he remained in China until the end of the following year, but upon his departure, Samuel Russell wrote Carrington about Snow in the same patronizing but charitable spirit which so often characterized letters concerning Snow. Mr. Snow, reported Russell, would sail on the *Chauncey*, whose cargo was assigned to him.

It seems to be the opinion here, that if there should be any profit arising from the sale of the Cargo, that Mr. Snow will share it. If not he will receive a commission on the sales, without incurring any loss. This however may be mere conjecture.<sup>15</sup>

Whether or not Russell's story was true, at least the attitude of other China traders seems clear. They were trying to help Snow, but he appeared destined for poverty. The previous year, Perkins & Company, Canton, had written Carrington,

The object of the present is to state to you that in case you or your friends should hereafter send any vessels to this quarter that it would gratify us much to see them consigned to our friend Snow.<sup>16</sup>

Snow was scheduled to sail for Canton again in May 1821,<sup>17</sup> and one cannot help hoping he had some success, for his evil fortune was shortly to return. In 1824 and 1826 the Providence directory lists him as a "mariner" residing on Benevolent Street and from 1828 to 1832 as a merchant at the same address, apparently with a counting room at 113 South Water Street. However prosperous he might have been, Snow had plenty of discouragement. Within the twenty-nine months between March 1829 and August 1831 Snow lost most of his family, including his fourteen-year-old daughter, his only sister (he had no brothers), and his wife. Then, in April 1834, Carrington wrote his partner in New York, "Mr. Snow has been quite unwell, and very much discouraged," for he had failed and "very indiscreetly [*sic*]

<sup>14</sup>John Perkins Cushing, Canton, to Edward Carrington, Providence, March 4, 1817 (Carrington Collection).

<sup>15</sup>Samuel Russell, Canton, to Edward Carrington, Providence, November 6, 1819.

<sup>16</sup>Perkins & Co., Canton, to Edward Carrington, Providence, March 4, 1817 (*ibid.*). Of course, Perkins & Company's trade had grown so mountainous that Cushing was in the process of ridding the firm of its commission business altogether.

<sup>17</sup>Mary T. Jenckes, Providence, to Edwin T. Jenckes, Canton, April 27, 1821 (Nightingale-Jenckes Papers, R.I.H.S.).

made an assignment of his property."<sup>18</sup>

Apparently bankruptcy induced Snow to go to China once again to attempt to provide for himself and his two remaining children, one of whom, John Cushing Snow, seems to have been mentally deficient.<sup>19</sup> To his daughter, Snow apparently devoted the affection that, under more fortunate circumstances, might have been shared by his once-large family. This time Snow's friends procured for him the office of American Consul, but despite this comparatively auspicious beginning, Snow's black luck continued. He apparently never really prospered again. As late as 1840, the great hong merchant Houqua wrote John P. Cushing,

I have also been trying to assist our old friend P. W. Snow to a small fortune, and have capital now employed for his account to amount of Eighty Thousand Dollars.<sup>20</sup>

However, only five days later Isaac M. Bull, Carrington's nephew, wrote from Canton,

Mr. [R. B.] Forbes of the house of R[ussell] & Co. has received letters to January 30 over land and is advised of the death of Mr. Snow's daughter, but as yet he has not informed Mr. S. as he (Mr. F) has been absent . . . , Mr. Snow is now in as good health as he has been since his arrival in China, still he is weak in body, and a very little trouble or disappointment breaks him down and reduces him completely unable to do anything [*sic*] — Poor man, his countrymen here feel much sympathy for him, and fear the result of this news on him. This daughter has appeared to be the only thing which could induce Mr. Snow to make any exertion, and he often spoke of her with all the feelings of a Father who centered all his happiness, in this world, in making her comfortable and happy, and in the expectation of returning to America and of ending his days in her arms — It was a pleasure to him to think of her and to speak of her to his friends and I fear that the intelligence of his loss may prove his death blow — he has but very little energy and has been so long in misfortune that he can bear but little.

<sup>18</sup>Edward Carrington, Providence, to Samuel Wetmore, New York, April 25, 1834 (Carrington Collection).

<sup>19</sup>Snow's execrable luck held even here. The handicapped son was the only one of his children to survive him. (See Providence Probate Record, Estates No. A-6178 and A-6236.)

<sup>20</sup>Houqua, Canton, to John P. Cushing, Boston, June 1, 1840 ("Howqua's Letterbook, 1840-1843"; copy in Baker Library, Harvard Business School).



As to his pecuniary circumstance I know nothing but he cannot have made more than sufficient to support himself and his family at home—from the American Government he has never had a cent, and his office has given him much annoyance the past year and it could be nothing more than justice that Congress should give him something.

I should be sorry to say anything which might cause his friends any uneasiness, but I fear he will never leave Macao and I should not be surprised if he should not live six months.<sup>21</sup>

That December 21st, Houqua wrote that "we" had "fitted out Mr. Snow as well as could be expected" and that he hoped Snow had enough to support himself comfortably.<sup>22</sup>

He sailed for the United States later that year on the *Valparaiso*, arriving in New York on February 5, 1841, but he was back in China in 1842, still alive though ailing<sup>23</sup> and still insolvent. Shortly thereafter Snow sailed for home for the last time. He died in Providence May 7, 1843, virtually penniless.<sup>24</sup>

Snow's greatest contribution to the history of the old China trade lies not so much in his own commerce, which certainly was never imposing, but rather in his work as United States consul. During the opium crisis of 1839-40, Snow did yeoman work despite his physical infirmities, his commercial disappointments and his emotional calamities. For the most part he reported to the State Department regularly and fully, something few consuls since the early 1820s had bothered about.

Unquestionably the most demanding task of Snow's official career was the handling of the delicate situation which resulted following the confinement of the entire foreign community at Canton by the famous "Commissioner" Lin Tse-hsü.<sup>25</sup> The "Commissioner" ordered

<sup>21</sup>I. M. Bull, Macao, to Edward Carrington Jr., Providence, June 6, 1840 (Carrington Collection).

<sup>22</sup>Houqua, to Robert Bennet Forbes, December 23, 1842 ("Houqua's Letter-book").

<sup>23</sup>Among other problems, Snow suffered greatly from rheumatism in his later years, so much so that one writer notes that he showed "little inclination to leave his seat at any time and . . . [was] a singularly dignified and reserved official—habitually seated in state as it were." (Gideon Nye, *Peking the Goal, the Sole Hope of Peace* (Canton, 1879), p. 18.

<sup>24</sup>Providence Probate Records, Estate No. A-6236.

<sup>25</sup>Probably the best treatment of this matter is to be found in Hsin-pao Chang, *Commissioner Lin and the Opium War* (Cambridge, Mass.: Harvard University Press, 1964).

the foreigners surrounded and isolated in their factories, holding them as hostages for the opium aboard the numerous foreign vessels engaged in the forbidden drug trade off the coast. Ultimately the narcotic was surrendered and the foreign community released, but Lin's destruction of the 20,291 chests of opium worth several millions of dollars and the terms he set for the resumption of normal commerce made it impossible for the British to continue trading. Therefore, British merchants and vessels left the Canton estuary and anchored outside the river.

Although trade had officially stopped between the British and Chinese, merchants of both nations desperately wanted to do business. Indeed, many were threatened with enormous losses if the boycott were continued.

The Americans, whose government was uninvolved, complied with Lin's conditions and thereafter acted as intermediaries. They loaded British goods outside the river and ferried them some seventy miles upriver to Whampoa Reach, where the Chinese helped them discharge their cargoes. Then they loaded China goods for the return trip to the waiting British ships outside. The trade proceeded feverishly from the time of the release of the foreign community until the arrival of the British military forces in the early summer of 1840. During this period the cost of freighting goods upriver often exceeded the cost of shipping the same cargo from Europe to China. Consequently, many Yankee merchants reaped fortunes.

A number of Americans purchased ships from the British, who were understandably eager to sell after trade was cut off. These ships, with new names and a new flag, then needed American papers in order to trade. By recognizing the dubious legality of the purchases, Snow encouraged this traffic and was roundly criticized for so doing by several nonparticipating American traders. However illegal this commerce may have been, it saved the 1839-40 tea crop for the world market, prevented many bankruptcies and made a number of American fortunes at a time when the United States was in the trough of the depression of 1837-43. Moreover, through Snow's opposition to the more Draconian of Lin's terms, the Americans won concessions.

Snow's critics also attacked him for suppressing petitions to the



Chinese government protesting the river trade.<sup>26</sup> It should be noted, however, that the hong merchants refused to accept such petitions, and since they were the sole channel for communicating with the Chinese authorities, there was little Snow could do. Thus, the criticism loses much of its force.

The truth is probably less damaging to Snow. He was getting old, and if he was guilty of such improprieties as those with which he was charged, it was surely less the result of turpitude than of overwork, infirmity and misunderstanding. Certainly, for the time that he was in China, he did the best job of keeping Washington informed of important developments of any consul in the history of that sadly neglected post. He did not fail to report the existence of the lucrative, if illicit, river trade nor of his own action in granting "passes" to ships newly purchased by American citizens. Had he been knowingly guilty of some illegality, why should he have reported his crime?<sup>27</sup>

Probably a kinder judgment of Snow is in order. He was a most unfortunate man, wracked with illness, failure and death. The office of United States consul must have been a great burden to him, but he apparently did his best by it, and his best was considerably better than most of his predecessors'.

<sup>26</sup> Joseph Coolidge, a colorful and most controversial merchant, reported that Snow himself purchased at least one British vessel which he promptly "nationalized" for use in the river trade. However, one may doubt that Snow's financial condition would have permitted him to buy anything so expensive at that time (Heard Papers, Baker Library).

<sup>27</sup> Both the charges and Snow's defense are to be found in the *Chinese Repository*; see especially January and February 1840, pp. 446-478 and 529-543.

### THE PARENTAGE OF WILLIAM BILLINGS, EARLY PEWTERER OF PROVIDENCE, R. I.

by CHARLES W. FARNHAM, F.A.S.G.

IN REVIEWING the October 1939 issue of *The New England Historical and Genealogical Register*, the writer's attention was caught by notes (p. 348-9) concerning the family of an untraced William Billings, cooper, of Providence, Rhode Island, among whose children was a William Billings, Jr., famous as an early American pewter maker of Providence.

That this cooper William Billings did have a son William is evident from guardianship proceedings for the father on 31 July 1826 in which the son was named guardian, and on 28 April 1828, when the son was named administrator after the father's death.

Under the notes devoted to William Billings, Jr., in which he is identified as the Providence pewter maker, his death is listed in Pawtucket, Rhode Island, 19 June 1813, in his 46th year (James N. Arnold *Vital Record of Rhode Island* v. 20, p. 578) or in June 1812 (Providence, Swan Point Cemetery record). Obviously the William Billings who died in 1812 or 1813 could not have been the William Jr. who was administrator for his father in 1828.

A study of Providence records supports the conclusion that it was the pewterer William Billings who is buried in Swan Point Cemetery under the date June 1812, the same William identified as the pewterer in an article on antiques in the *Boston Transcript* of 8 August 1939 with the notation "active 1768-1813."

A clue to William's parentage was found in volume five of Providence Town Council Notes of the date 1 December 1783, which stated: "William Billings, now in his 16th year, the son of Ichabod Billings who has been absent from this town upwards of 10 years, most of the time unheard of, appeared before the Town Council and chose his mother, Mrs. Mercy Billings, to be his guardian."

Ichabod Billings (William,<sup>3</sup> Ebenezer,<sup>2</sup> William<sup>1</sup>) was a sea captain of Newport and Providence, Rhode Island, who was born in Stonington, Connecticut, 15 June 1721 (Richard A. Wheeler, *History of The Town of Stonington*, p. 238). A brother of Ichabod, Benajah Billings, was also born in Stonington 12 April 1711, and he is probably the Benajah Billings, Providence shopkeeper, who joined with Ichabod in witnessing the will of William Donnison, Providence blockmaker, dated 1 September 1764.

Captain Ichabod married Mercy or Marcy (spelled both ways) Rhodes, daughter of Capt. Anthony Rhodes (John,<sup>3</sup> John,<sup>2</sup> Zachariah<sup>1</sup>) and his wife, Elizabeth (Cranston) Rhodes, who was the daughter of Capt. Samuel Cranston, granddaughter of Governor Samuel Cranston and great-granddaughter of Governor John Cranston of Newport. She married Capt. Anthony Rhodes as the widow of Thomas Arnold of Newport. The *Providence Gazette*, issue of 21 November 1816, recorded the death of Marcy Billings, widow of



Capt. Ichabod, in her 75th year. She is buried in Swan Point Cemetery in a mausoleum in which another son, Alpheus Billings, his wife, and family are interred.

William Billings, his two wives and two young children are buried in Swan Point Cemetery in the First Congregational Church section. The first wife, Alice, was born 1 August 1770 and died 5 June 1799 and William married her sister Amey, both daughters of Ezekiel and Alice (Whipple) Burr of Providence 28 November 1799 (First Congregational Church records). Amey died in Providence 16 March 1856, aged 79 years. In the same plot are Amey Billings, who died in June 1812 and William Billings, one year old, both children of William and Alice.

Amey Billings left a will (Providence Will Book 17, p. 512) in which she left \$25 to Mary C. Billings, daughter of her husband's brother Alpheus, and \$100 to Mary Ann Billings, daughter of Amey's nephew, John R. Billings. Since a son of William and Alice (Burr) Billings would be Amey's nephew as well as her stepson it can be assumed that John R. Billings was another child of William. The Seamen's Protectives (The Rhode Island Historical Society) for 1809 list a John R. Billings, age 17, born in Providence.

Amey's will named her nephew, James Wheaton of Providence as her executor. Probably James's mother, Mary or Polly, who died in Providence in 1813 in her 47th year, the wife of Capt. Benjamin Wheaton, was a daughter of Capt. Ichabod and Mercy (Rhodes) Billings. The 1774 Providence census listed Ichabod with two females under 16, which could leave one daughter untraced. When James Wheaton died in 1869 in Providence, his will bequeathed a house and lot at 18 Arnold Street, Providence, to Mary Ann Billings "who resides with me and is my second cousin."

There are numerous deeds in Providence for William Billings. One on 24 April 1801 points up the Billings relationships. In it William Billings of Providence, pewterer and coppersmith, for \$50 conveyed to his brother, Alpheus Billings, a lot on the west side of the river near the road leading to Plainfield, Connecticut, and near Hopkins Street. His wife, Amey Billings, yielded her dower rights.

An article on Providence pewterers by Charles A. Calder (*Rhode Island Historical Society Collections*, v. 17, p. 79 1924) sheds some light on the activities of William Billings. It quoted the following

advertisement which appeared in the *Providence Gazette* of 5 November 1791: "William Billings, pewterer, coppersmith and brazier, on the Main Street, Providence, near the Joseph and William Russell store and directly opposite Col. Knight Dexter, makes and sells all kinds of pewter ware, warranted as good as made in the town or country."

The *Gazette* of 18 March 1797 printed: "William Billings, pewterer, coppersmith and brazier, on Main Street directly opposite Mr. Nathan Angell and two doors south of the hotel inn formerly kept by Col. Knight Dexter and now by Mr. Joseph Holmes, makes all kinds of pewter ware, warranted genuine and good, at wholesale or retail."

And on 10 November 1798: "William Billings and Job Danforth, Jr., pewterers, coppersmiths and braziers, inform the public that they have entered a partnership under the name of Billings and Danforth for the purpose of carrying out the above branches of business at their shop a few doors north of the Baptist meeting house, as well as other kinds of pewter, brass and copper ware."

The article stated that on the death of Mr. Danforth 5 September 1801 Mr. Billings continued to carry on the business until 12 April 1806 when he offered his shop for sale.

Examples of the pewter work of Mr. Billings are in the possession of The Rhode Island Historical Society and in private collections.

The career of Alpheus Billings, brother of William, is traced in the *Rhode Island Biographical Cyclopedia* (p. 91). Born 31 March 1772 in Providence, he learned the trade of hatter at an early age. In 1808 he was appointed high sheriff and served until 1811 when he engaged in the grocery business, first in partnership with Luther Ainsworth and later with George Weeden. The firm was dissolved in 1815 and for two years the business was carried on with his son, Ethelbert Rhodes Billings, as A. Billings and Son. He afterward was renamed high sheriff, also serving as coroner and justice of peace.

When Providence was incorporated in 1832, he was a candidate for mayor and was defeated by Samuel W. Bridgham, the first incumbent, by 150 votes. During the administration of Gov. John Brown Francis he served several years in the Rhode Island Senate.

He married Lydia Mann Carpenter, daughter of Oliver and Mary (Randall) Carpenter, on 8 August 1793. Alpheus died 8 January



1851, and his wife died 12 July 1868 aged 93. They had four children: Ethelbert Rhodes Billings, b. 22 May 1794, d. 12 June 1881; Alpheus Carpenter Billings, b. 31 May 1797, d. 8 September 1862 (buried in London); Mary Carpenter Billings, b. 6 July 1808, d. unmarried 13 November 1877; and Henry Leonard Billings, b. 22 August 1812, d. 11 April 1814.

Alpheus's son, Ethelbert Rhodes Billings, engaged in the general commission business in New York City for a time. In 1836 Joseph Danne, a German merchant, married Ethelbert's daughter, Catherine, and in 1840 Ethelbert and his son-in-law became importers of German goods, with a store in New York. In 1842, with William U. Arnold, his uncle, Ethelbert entered the wool business, continuing until 1856 when he carried on a brokerage and commission business. He was one of the founders of the *Providence Daily Herald*. When Ethelbert died in 1881 he left his estate to his grandson, Dr. Frederick Danne, a well-known New York physician. Dr. Danne, the last of his line, died 27 March 1905 in New York.

### OLNEY WINSOR'S "MEMORANDUM" OF THE GREAT HURRICANE OF SEPTEMBER 23, 1815

by WILLIAM G. McLOUGHLIN  
Professor of History, Brown University

THE FOLLOWING ACCOUNT of the Great Gale which devastated large areas in Providence on September 23, 1815, was found written on the fly leaves of a volume in the John Carter Brown Library at Brown University. The volume was owned by Olney Winsor, Esq. (1753-1837) of North Providence and the "Memorandum," as he titled it, is undoubtedly in his hand. The book, which has "O. Winsor's" written in the same hand on its title page, is the third volume of Isaac Backus's *A Church History of New-England Extending from 1783 to 1796. Containing An Account of the Religious Affairs of the Country, and of Oppressions Therein on Religious Accounts; with a Particular History of the Baptist Churches in the Five States of New-England* (Boston, 1796). So far as is known, this firsthand account by an eyewitness of that famous hurricane has never before been printed.

#### Memorandum

On Friday night September 22d 1815 Wind N.E. rained considerably. Saturday Morning 23d Wind E. rained moderately, between 7 & 8 o'clock Wind shifted to S.E., and blew in Hurricane, rain moderated; but Wind increased until between 11 & 12 o'clock, which drove a Tide into Providence River, of a height never known since its first settlement. The Wind then shifted into the S.W. & its violence abated, and the Tide receded with about the same rapidity that it had risen for two hours before. This was at least half an hour before high Water, by calculation. The tide was said to be 8 or ten feet higher than ever known by the oldest person living. The lowest parts of the Town were intirely inundated, indeed the Tempest drove the Waters through the Streets like a Sea.

Every Vessel in the harbour except two were driven from their moorings, on the wharves, into the Streets, & into the Cove above the Bridge which they demolished in their passage. 35 Sail on the Shore of the Cove with Wrecks of Houses, Stores and property of every description, to a vast amount. Mill Bridge was forced partly off its buttments — passable only by foot. India Bridge destroyed, and much injury done there to Houses, Stores &c, and two persons were drowned there, viz David Butler and Rueben Winslow, who were the only persons who lost their lives in Providence, which was miraculous indeed considering the Wind, the Tide and that the air & Streets were filled with the wreck of buildings, chimnies &c. Few persons were materially injured. The destruction at Eddy's point was very great, many Houses and Stores demolished. The Meeting House of the 2d. Baptist Society intirely destroyed — the foundation of Mr. Williams' Meeting House much injured. These Houses were situated on the margin of the Cove North of Eddy's Point.

The Windows of the Meeting House of the first Baptist Society were much injured, but its lofty Spire, to the astonishment of all, *weathered* the Gale. The Stores at the heads of the Wha[r]ves on the East side of the River were generally destroyed or much injured. It is estimated that about 500 buildings were destroyed, or materially injured. The amount of property destroyed was at first by many estimated at from one Million to one Million and an half of Dollars, but after more time to form judgment, it is not supposed to exceed half a Million Dollars. Yet many lost their all.

The Wind extended far into the Country, laying prostrate Sheds,



Barns, some Houses, and vast numbers of Fruit and Forrest Trees. Every Town on, or near the Sea, from Massachusetts to New-York, experienced the Gale and more or less suffered by the Tide. To the Westward of Connecticut River, the Gale was not so violent, but the Rain was more abundant, for several hundred Miles carrying off Mills, Bridges, &c.

The Weather was very fine after the Gale for a long time — no Rain of any consequence for 50 days.

On examination of the Histories of the Country I find that two very High tides are mentioned — viz A.D. 1635 on Saturday 15th August, Mortons N.E. Memorial Page 103; Holmes' American Annals Page 283. Holmes gives an account of another A.D. 1724. These accounts more particularly relate to Massachusetts Bay and Plymouth, but say that the Indians on Narragansett Bay informed that they had to climb Trees to avoid destructions by the Water in 1635. If so, the Wind could not be so violent as the late Gale, for in such a case Trees could be no security. Indeed in the late Gale a Man could scarcely keep on his feet upon the Ground, much less form the idea to ascend a tree for safety, when many become prostrate around him. Therefore I conclude if the Tide was as high, or nearly so, as in the late Flood, the Wind must have been far less violent.

If the Tide was so uncommonly high in Providence River in 1724, it is very singular that it has not been, at least, handed down by tradition, for many are now on the state who have always resided in the Town, been conversant with their Parents, Grandparents and other Friends, who then were of mature age & resided there at the time. As high Tides have frequently happened, the former one would as naturally be handed down to Posterity as the great Snow that fell in this Country previous to that period, which have been very frequently mentioned to me by my ancestors and other aged intelligent friends, even from infancy.

Nov. 16th. 1815

OLNEY WINSOR

P.S. John Whipple of No. Providence was killed by the fall of his Barn the morning of the 23d September near his house, situated on the West side of Providence plain, about a Mile from Mill Bridge.

We had an uncommonly fine & pleasant Autumn after the Gale, little or no Frost or Rain to interrupt business for 40 or 50 days, of course Harvest was well secured. The following Winter was rather dry and moderate.

PETER EDES'S REPORT OF THE PROCEEDINGS  
OF THE  
RHODE ISLAND GENERAL ASSEMBLY, 1787-1790

by IRWIN H. POLISHOOK  
Department of History, Hunter College

[continued from April, 1966, p. 42]

THE MARCH 1787 SESSION OF THE LEGISLATURE<sup>26</sup>

The Assembly was formed on Wednesday morning [March 14], when the public letters were read, and a committee was appointed as usual to report on such as required the immediate attention of the Assembly. In their report were contained a letter from the Secretary of Congress with a resolution for revising the federal government [under the Articles of Confederation]; and letters from the Governors of Virginia and North-Carolina on the same subject. Upon the motion<sup>27</sup> whether members should be appointed to represent this State in the [Federal] Convention proposed to be held in Philadelphia on the second Monday of May, agreeably to the recommendation of Congress, the question was put, and it passed in the negative by a majority of 23.<sup>28</sup> As it was negatived from a professed regard to the Articles of Confederation, it was proposed that an act should be passed for assessing this State's proportion of the Continental tax . . . but this was not agreed to, and the requisition was again referred to a future session.

A letter for the Governor of the Commonwealth of Massachusetts

<sup>26</sup>*Newport Herald*, March 22, 1787. In editing Edes's reports, I have corrected typographical errors and made changes which were necessary for a better presentation of the material, especially changes in sentence structure. Otherwise, the documents are unaltered.

<sup>27</sup>In the text whenever Edes refers to votes and deliberations in the Assembly without specifying whether in the upper or lower house of the legislature, he is describing the proceedings of the lower house, the most important branch of government.

<sup>28</sup>There were seventy members in the lower house of the legislature, the House of Deputies, representing the thirty towns of Confederation Rhode Island. A majority of twenty-three, therefore, was substantial. During the entire period of the struggle over the paper money system and the Constitution of 1787 the voting strength of the Country Party generally approximated twenty. Moreover, this majority in the state government was indicative of the overwhelming support accorded the Country Party between 1786 and 1790. The mercantile party was so attenuated that it was given the pejorative label of "Minority."



was read, inclosing an act of the General Court for apprehending some of the principals in the late rebellion [Shays's Rebellion] against that government, and it was moved that an act should be passed requesting the Governor of this State [John Collins] to issue a proclamation for apprehending them if within this state;<sup>29</sup> but the question was lost by a majority of 22.<sup>30</sup>

A committee appointed at a former session to inquire into the consideration of the public securities due from this State now reported.<sup>31</sup> [It found] That the notes which had formerly [been] issued on an interest of six per cent. per annum,<sup>32</sup> were given for money loaned to [the] government during the late war for wages and depreciation of [payments to] officers and soldiers of this state [and] for debts due from the confiscated estates and government. That the notes issued on an interest of four per cent.,<sup>33</sup> were issued in payment

<sup>29</sup>The letter from Governor Bowdoin was the subject of a controversy in its own right. The Newport Postmaster, Jacob Richardson, refused to deliver the letter to Governor Collins because the Rhode Island governor, in accordance with state law, would only pay the postage in paper currency. Richardson, backed by federal authorities and Congress, insisted on specie. The conflict and its significance are discussed in Irwin H. Polishook, "The Collins-Richardson Fracas of 1787: A Problem in State and Federal Relations During the Confederation Era," *Rhode Island History*, v. 22, p. 117-121.

<sup>30</sup>Not only did the Rhode Island legislature refuse to cooperate with Massachusetts in apprehending the leaders of Shays' Rebellion, but one of them, Dr. Samuel Willard, attended a session of the Assembly and was assaulted in a tavern after the legislature adjourned. For this episode see Jacob Richardson to Ebenezer Hazard, Newport, March 20, 1787, Papers of the Continental Congress, 1774-1789, Letters from Bache and Hazard, Postmasters General, 1774-1788, Mss., The National Archives, Washington, D. C., 307; *Newport Mercury*, March 22, 1787; and George R. Minot, *The History of the Insurrections in Massachusetts . . .* (Worcester, Mass., 1788), 151-152.

<sup>31</sup>The Committee to report on the state debts was appointed at the last session of the General Assembly in 1786. It was made up of four key members of the Country Party coalition, Thomas Joslyn, Oliver Durfee, John Sayles and Jonathan J. Hazard of Charlestown, probably the most important spokesman for the paper money party in the state. The Committee's report was of considerable influence. For this reason it was printed in the newspapers and as a broadside, and distributed throughout the state. A broadside version of the report is contained in The Rhode Island Historical Society's collection of broadsides, #A-1084; it is also printed in Bartlett, *Records*, X, 236-237.

<sup>32</sup>The total sum of this indebtedness amounted to £48,487/15/11½. This figure is derived from tabulations in the eight account books of the General Treasurer documenting the last consolidation of the revolutionary debt of Rhode Island. These manuscripts are classified as Lists of Notes Issued for Consolidating the Securities Issued from the General Treasurer's Offices, Sept. 1782-June 1784, Rhode Island State Archives, labeled FC-4.

of debts due from [the] government in 1777 and passed as money, and in this situation suffered a depreciation. The committee observed that *some* of the six per cent. notes were given for Continental money which was paid out of the Treasury to individuals, in whose hands it had greatly depreciated, and they were therefore of opinion that *all* the notes given on an interest of six per cent. ought in equity to be subject to a deduction; but it was said in reply, and confessed, that [the] government had received the gold and silver of many of the holders of the securities, and that as the notes had been consolidated, the whole of them [in 1787] expressed the real value of what had been received by the public. No deduction was therefore made from the principal sum, but an act was passed ordering the payment of one fourth part of the principal and interest in the paper currency of this State, now passing at an acknowledged depreciation of six for one, and subjecting the holders of them to a forfeiture of that proportion who shall neglect to apply and receive it of the Treasurer within six weeks.<sup>34</sup> The interest on the same to cease from the rising of the Assembly. The committee having reported that the four per cent. notes should be discharged at the rate of one paper dollar for 40 expressed in the notes, an act was read for the purpose, but objections arising from some of the most influential characters in the present administration, and who are holders of these kinds of securities, this bill did not pass the Assembly, but was referred to their constituents together with a proportion [proposition?] made by the Upper House, "that a committee of three persons be appointed to ascertain

<sup>33</sup>The total amount of this indebtedness came to £44,154/18/½; *ibid.* The accounting of the six and four percent Rhode Island securities given here and in the previous note refer to the year ending 1784. Since the redemption of the Rhode Island state debt started in the winter of 1786-1787, the total sum in that year was higher. According to official calculations current in 1790, the state debt finally amounted to £150,000, or approximately \$720,000, because of additions of principal and interest after 1784.

<sup>34</sup>As should be apparent from the above text, Rhode Island faced the same problem as did the federal government in 1790 over whether to redeem its revolutionary debt at par value. The decision to liquidate Rhode Island securities in paper bills at par value was, in effect, a reduction in the principal of the revolutionary debt because the currency had depreciated in value. Most Rhode Islanders considered this just and reasonable. The majority opinion in the state believed the revolutionary securities should have been reduced in value as recommended. It was also alleged that since the merchants were the largest creditors of Rhode Island, and their opposition to the paper currency had produced the depreciation of the bills, they should bear the burden of financial loss.



and determine the value which was given for them by the present holders, and that an adjustment thereof be made accordingly. . . ." A Bill was also drafted for the payment of the impost of five per cent. in the articles imported; but as this would have been a severe attack on the emitting act which makes the paper money a tender in all cases and in many instances could not be executed from the impracticability of the division of the articles imported, it was, after a full discussion, referred to the wisdom of a future Assembly.

A Bill was attempted to be passed for altering the present mode of representation in Assembly, and allowing each of the towns to send only two members [to the lower house].<sup>35</sup> This was urged upon a principle of equal representation; but it seems difficult to reconcile this idea with the inequality which subsists among the different towns as to numbers of inhabitants and value of property—the only principles to be regarded in effecting an equal representation. This Bill was also referred to the people for a decision.<sup>36</sup>

A proposition was made in the Lower House by the minority, grounded upon the embarrassments occasioned by the present depreciation of the currency, and which had already prevented the due administration of justice by the Supreme Court of the State [the Superior Court of Judicature], "that the value of the present currency should be ascertained, and that the same should in future, be a tender in payment for debts, at the rate of four for one." The members who advocated this measure observed, that the money was now passing at a depreciation of six for one, and that the Bill which was then presented would, if passed into a law, in some measure

<sup>35</sup>After the revolution the constitution of Rhode Island remained the royal charter granted by Charles II in 1663. Under the terms of this charter the four shire towns of the colony, Newport, Portsmouth, Providence and Warwick, were given a weighted representation in the lower house of the General Assembly. Newport elected six members of the House of Deputies; Portsmouth, Providence and Warwick elected four each. All towns founded after 1663 were restricted to two deputies in the lower house, regardless of their population and wealth. The question of an equal representation was of critical importance because the weighted representation gave greater political power to the commercial centers of Newport and Providence.

<sup>36</sup>The practice of referendum was one of the unique traditions of the structure of politics in Rhode Island. As will be evident in Edes's reports, important political problems were commonly sent to the freemen during the Confederation era in Rhode Island. Indeed, it was exceptional when the General Assembly acted on any significant issue without first consulting the people in the town meetings.

restore credit to the money and harmony in the government. They assured the House of their sincerity in the proposition, and if the Bill met with their concurrence, it should have their [the merchants'] support. It was however rejected by a majority of 17. It was then requested that the Bill might be referred with others, to the people for their instructions to a future Assembly; but it was denied by the House, and the Bill was immediately voted off the table.

At the close of the session the attention of the members was called to their future election; and as conducive to it an act was passed to prevent bribery and corruption in the election of public officers in this State, and presenting the form of an oath or affirmation to be taken by every freeman.

A petition had been presented at a former session of Assembly, signed by 104 persons, residing within this city [Newport] for annulling and vacating the Charter, heretofore granted for the incorporating the town of Newport into a city; it was opposed by a counter petition, signed by upwards of 400 of the citizens.<sup>37</sup> The Lower House upon a partial hearing of the parties, passed a resolution for vacating the Charter. The petition with this resolution was referred to the present session by a motion of the Upper House, when the parties were heard by them. No evidence was adduced to support a single fact in the petition; but it appeared, that the petitioners against the city, did not form a fourth part of the freemen, nor had property to be assessed for more than one seventeenth part of the city tax, and that even a considerable part of this small proportion could not be collected from them. It was also conceded, that, the corporation were

<sup>37</sup>Newport had been incorporated as a city in 1785. Dissatisfaction with this form of government was both political and personal. The city superseded the town meeting as an instrument of government, resulting in complaints that it was a "Mode of Government novel, arbitrary, & altogether unfit for free Republicans. . . ." Important also in generating opposition was the anti-paper money position held by most of Newport's city fathers. The Country Party sponsored an attack on the Newport charter in the legislature hoping thereby to blunt the power of its antagonists in Newport. Another key factor in the movement to vacate the charter was personal: Nicholas Easton, a prominent Newport merchant and Country Party leader, was an enemy of the city because of his claim to proprietary rights over parcels of land which the city administration asserted were owned by Newport. The evidence on this issue may be sampled in Petitions to the General Assembly, Mss., R. I. State Archives, vol. 23, p. 83; Rhode Island Records, Mss., R. I. State Archives, vol. 13, p. 351; Letter from "Fidelis," *Newport Herald*, April 12, 1787; and George C. Mason, "Nicholas Easton vs. the City of Newport," *Proceedings of the Newport Historical Society*, V, 1876-1877, 15-18.



formed of the most respectable characters, and were not chargeable with any misconduct, nor in any instance of violating the Charter. Notwithstanding, the resolution of the Lower House was concurred with, and the citizens thereby deprived of the many invaluable privileges guaranteed to them, in the most sacred manner by the Charter, and from which they had derived the greatest advantage.

At about two o'clock, Sunday morning [March 18], a Bill was ushered into the Lower House to prevent Attornies [*sic*] at law, being eligible as members of Assembly. The unusual manner in which this Bill was brought on the tapis, and the extraordinary proceedings which had already taken place, being observed, even the authors of this measure, disavowed any knowledge of the Bill, and expressed their disapprobation of it, so that the *honourable member* who moved it, was obliged to solicit permission to have it returned to him, without taking a vote of the House, was agreed to . . .

#### THE MAY 1787 SESSION OF THE LEGISLATURE<sup>38</sup>

Wednesday the 2d of May the two Houses of Assembly convened in this town [Newport], agreeably to the constitution,<sup>39</sup> for the election of officers for the year ensuing. From the return of proxies for general officers,<sup>40</sup> it appeared that a great change was effected in the Upper House and the Delegates of Congress. Those who had in any instance opposed or dissented from the proceedings of the late [paper money] administration, were superseded by the avowed par-

<sup>38</sup>*Newport Herald*, May 10, 1787.

<sup>39</sup>Under the Charter of 1663 Rhode Island did not have a single capital as did other colonies. Accordingly, the General Assembly developed the unique practice of conducting the state's business in each of Rhode Island's five county seats, Newport, Providence, Bristol, East Greenwich and South Kingstown. Each county, then, had a State House. The Charter of 1663 required that there be a May session of the legislature annually in Newport at which all the yearly political and administrative elections would take place.

<sup>40</sup>The Charter of 1663, as noted above, called for the election of all colonial officers by the people in a general assembly to be held each year in May in Newport. It was intended, therefore, that this meeting of the General Assembly would actually consist of all citizens of the colony. Over the years this democratic practice proved incapable of fulfillment as many Rhode Islanders found it impossible to travel to Newport in May. As a result, the custom of proxy voting was instituted. Every freeman who wished to vote for General Officers cast his ballot at the annual April town meeting. The votes of the townsmen were then entrusted to the first deputy elected to represent the town in the Assembly, and carried to Newport where the proxy votes were counted and the formal election of the governor took place.

tizans of their favorite system. In the Lower House the division [favoring the Country Party] was nearly as the last year.

The Assembly being thus organized adjourned to Thursday [May 3] to give opportunity to arrange the business of the session.

This arrangement was made in a Convention held on Wednesday evening, consisting of such members of the Assembly and private characters as, to use the expression of an honourable member, "*were as good friends to the cause as ever broke bread*"; and it was soon announced to the public, that only such of the former officers would be re-elected as were well-effected to the present measures. In pursuance of this plan new candidates, unacquainted with the routines of their proposed offices, were opposed to the most reputable and faithful officers; whose only crime was their not deeming it justice to pay a real debt with nominal value. The decision of the Legislature upon these oppositions, fully evinced the influence of [extra-parliamentary] Conventions and the baneful consequences attendant upon party divisions in a Republican Government . . .

A great division took place in the Convention in the nomination of the Supreme Judiciary. The judgment given by the late Court, relating to the operation of a penal law,<sup>41</sup> gave great offence to the leading characters, and as they declined making confession to the Convention, a new Court was warmly contended for, but disagreeing in sentiment on this arrangement, they obtained a vote of both houses of assembly on Friday for postponing the appointment till the next sessions. But on Saturday morning, the election of this Court was re-affirmed (it having been previously agreed in Convention to continue the Chief Judge<sup>42</sup> and appoint four new Judges) and they

<sup>41</sup>This is a reference to the significant and controversial decision of the Superior Court on July 26, 1786 in the famous case of *Trevett versus Weeden*. The Superior Court invited the condemnation of the Country Party by its refusal to enforce and uphold the constitutionality of a paper money statute.

<sup>42</sup>The chief justice of the previous court who was re-elected was Paul Mumford. The question of his selection may have been the reason for the Country Party's inability to agree on the choice of the entire Court by the Assembly. It was during Mumford's term as chief justice that the controversial decision in the *Trevett* case was handed down. All the other judges who rendered this judgment were not reappointed. Mumford's position in the case was obscure because he absented himself on the day the decision was rendered though he participated in the trial. According to newspaper reports, he favored the decision, but this cannot be confirmed. In any event, he did not vote and this probably provided reasons enough for deliberation by the Country Party caucuses. Unfortunately, besides the hostile account offered by Peter Edes above, we have no other evidence of what occurred in these so-called "Conventions."



were accordingly elected. After the election of officers, the attention of the Lower-House was called to the report of the committee on public letters, and the motion made at the last session for the appointment of Delegates to the [Federal] Convention at Philadelphia was reassumed and urged with such force of reason and eloquence, as obtained a majority in the Lower House of two; but it was rejected in the Upper House by a majority of four, and no appointment took place. The Committee also reported for consideration the Circular Letter of Congress recommending a general act to be passed by each State for repealing all acts that may be repugnant to the treaty of peace with his Britannic majesty. A general and desultory conversation took place on this question without entering on any particular violation of the treaty alluded to. The leading members, however, manifested their disapprobation of the measure by alleging that they knew of no act existing in this State repugnant to the treaty. By this it seems they did not acknowledge the force of the observation made by Congress "*that the judges in general were men of character and learning, and feel as well as know the obligations of office and the value of reputation, and there was no reason to doubt that their conduct and judgment relative to these as well as other judicial matters would be wise and upright.*" It was agreed to refer the further discussion of this subject to the next sessions.

A request from the [congressional] delegates for a supply of money engrossed much of the time of the house. The committee who had a grant of £150 paper at the last session to realize for the delegates, informed the house that they had exchanged it at 6 for 1. It was observed in justification of their conduct, that the person who exchanged this money was obliged the next day to exchange it at his loss at 7 for 1. This report displeased some leading members as it was virtually acknowledging a depreciation which is incompatible with the money being a tender at par. A grant was finally made for £100 currency to each delegate. It was the sense of the house, not to continue the delegates in congress during the sitting of the [Federal] convention, as it was not probable there would be a congress, and of this the delegates were to be immediately informed . . .

Saturday evening [May 5] 8 o'clock a mutilated soldier, after waiting the session, had a hearing of his petition, wherein he related to the house, that confiding in the engagements of the government to

pay him five dollars per month as an invalid, he had married, and had now a wife and two young children to support, that his wages being now paid him in paper, were very inadequate for providing a subsistence, that agreeable to their late directions, he had applied to the town council of Portsmouth where he belonged, for necessaries, and they afforded him none. . . . But alas! this resource had now failed them, and he had the remaining alternative of the assistance from that hon. assembly, or the wretched state of beggary. This pitiable object was hobbling with his crutches on one leg, with tattered garments, and lantern jaws, a melancholy proof of the truth of his narration. The feelings of the spectators were sensibly affected. A leading paper money member arose and said, Mr. Speaker [Othniel Gorton], if you have business of no greater importance, we can soon adjourn, as provision is made already, and nothing further can be done. But to the honor of the minority, they stood forth the advocates for justice, for gratitude, and for humanity; they conceived the application to be of the utmost moment. It was whether a soldier who had fought and bled for us should perish in the street, or be justly paid his stipend, that the provision referred to was ostensibly made under the suggestion, that the invalids were a dissolute and drunken set of men, while the real reason was, that an additional grant would acknowledge the money had depreciated. This boasted provision is only a recommendation to the town councils to supply them with necessaries and the amount should be allowed out of the first specie continental tax. The towns therefore are not, nor cannot be obliged to supply them, & by the present instance, we are convinced they will not do it; they observed that we were unjust in charging the United States 5 specie dollars per month paid to invalids, while in fact we paid them only 5 paper ones equal to 5 eights of a dollar. The house was called and rejected the petition by a large majority . . .

#### THE JUNE 1787 SESSION OF THE LEGISLATURE<sup>43</sup>

The first of the session was employed in private business, in which a uniform disposition of administration to pursue their late measures was fully manifested . . . While this business was transacting, the attention of the Upper House was called to the more important concerns in government. Convinced that their dissenting from the vote

<sup>43</sup>*Newport Herald*, June 21, 1787.



of the Lower House at May session, for the appointment of deputies to represent this state in the federal convention at Philadelphia, was ruinous to the government, they now passed a vote for the appointment of delegates and sent it down for concurrence. The vote was received on Wednesday [June 13], however, the consideration of it was referred to Saturday [June 16], when after a long debate it was non-concurred with by a majority of 17, although but the last session a similar vote originated and passed that house.

The Upper House also passed a bill, essentially complying with the recommendation of Congress, "for repealing all such acts or parts of acts of this state as are repugnant to the treaty of peace between the United States and his Britannic Majesty"; but the Lower House non-concurred with it by a majority of 10. A bill was proffered for repealing the tender law so far as it respected private contracts.<sup>44</sup> This gave rise to a very interesting debate, in which the iniquity and injustice of tenders with our depreciated money were strongly pointed out. An honourable member of the minority in support of this bill, led the attention of the House to the last drama of life, and their solemn appearance before the Judge of all to answer for the deeds done in the body. "How do you know, sir! (in his address to the speaker [Othniel Gorton]) but your soul may this night be required of you, and how can you answer, for establishing injustice, by the solemnities of law?" The House was at first clamorous, but it gave greater energy to the worthy member. He exhibited in the striking traits of truth the extraordinary proceedings of the present administration; he traced the impure source from whence they derived such knowledge in perfecting their present measures, to the laws for emitting *old tenor*,<sup>45</sup> a system which he said was fraught with every species of injustice & wickedness, & yet it was the code applied to for information and adduced as precedents. He arraigned the conduct of the trustees for loaning out the money, charged some of them who were members and of the majority in that House with converting it to their own uses and loaning it without securities, that

<sup>44</sup>This is a reference to the provisions of the original emitting act of May 1786 which made the new currency a legal tender in all contracts, past, present and future, whether public or private.

<sup>45</sup>The phrase "old tenor" was commonly used in the colonial period in order to distinguish new issues of paper currency from already existing paper bills. The above reference to "old tenor" is a general attribution to all colonial emissions of paper money.

their accounts were unsettled and large balances in their hands, etc. Truth and justice seemed for a moment to triumph, as no answer was made to the speech; but on calling the House, the bill was rejected by the usual majority.

By information from the Treasurer [Joseph Clarke] it appeared that the first quarter part of the debt, amounting to about twenty-seven thousand pounds, was discharged with twelve or thirteen thousand in paper money;<sup>46</sup> had all the creditors called for this dividend, they could not have received it as there was not a sufficiency in the Treasury to pay the nominal amount; yet, in pursuance of a former resolution, those who have not received their proportion have forfeited their right to it. On these principles, government is provided with a fund to discharge the whole debt; they have therefore in pursuance of the original plan, authorised the Treasurer to pay the second dividend, but the time of the forfeiture is referred to the next sessions, when it is expected there will be a sufficient sum in the Treasury to pay all who may apply.

At the close of the session a member in the majority who had given his voice for non-concurring with the vote of the Upper House relative to the bill for repealing all laws repugnant to the treaty [of peace with Great Britain], moved, agreeably to the rules of the House, to recede from their non-concurrence; but to prevent this the leading and influential characters withdrew some of their brethren, and left not a sufficient number of men to constitute a house, and the assembly were reduced to the necessity of breaking up without a regular adjournment.

<sup>46</sup>The merchants of Rhode Island, who were the principal owners of the state debt, consistently refused to accept the paper bills in exchange for their securities. As a result, according to state law, their holdings were forfeited. The mercantile stand against paper money payments was almost without exception.

[to be continued]





# THE RHODE ISLAND HISTORICAL SOCIETY



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