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PROVIDENCE COUNTY

COURT-HOUSE.

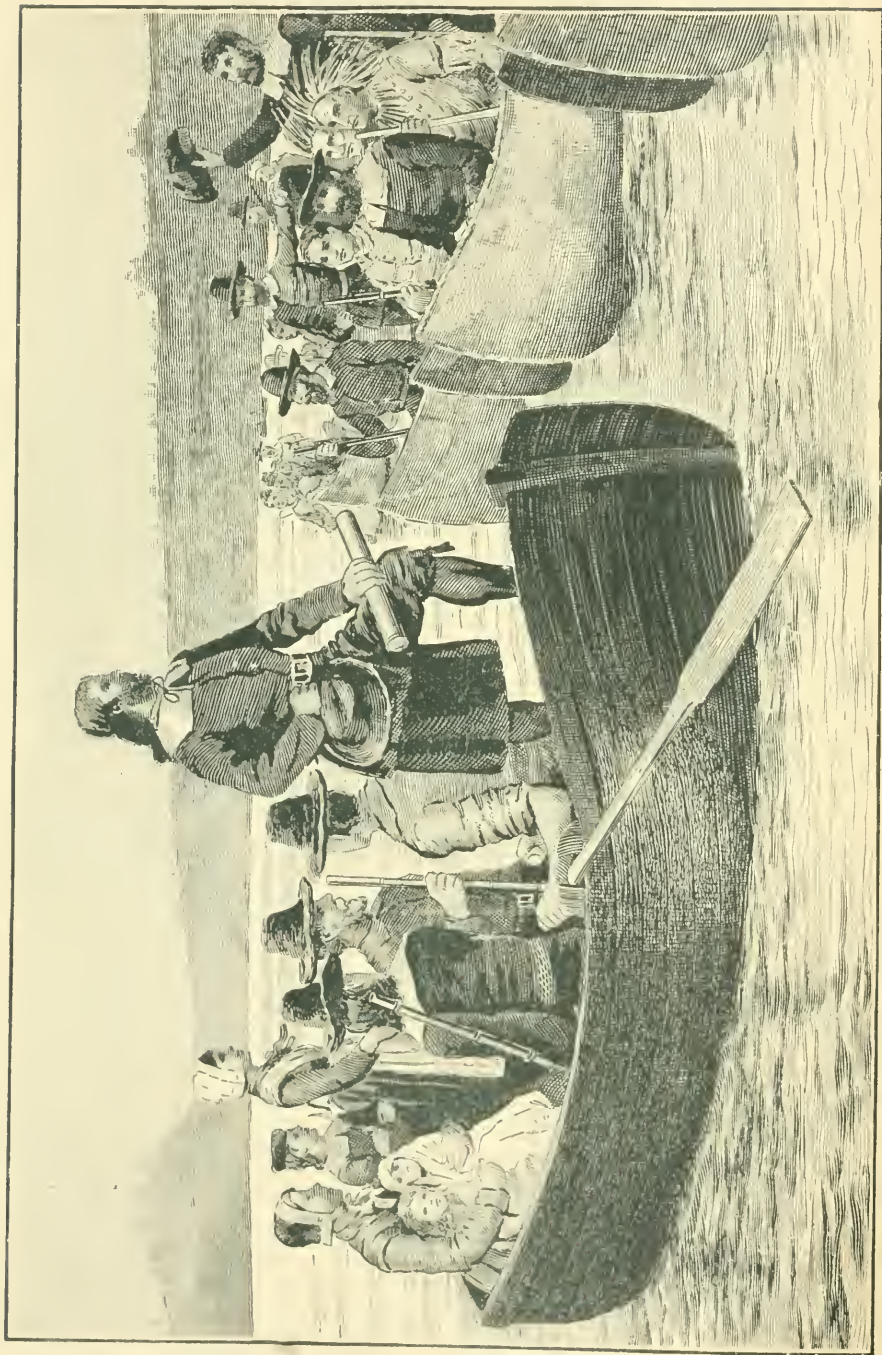
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1885.

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PROVIDENCE COUNTY COURT HOUSE.

REPORT OF THE COMMISSIONERS

ON

DECORATIONS AND IMPROVEMENTS

AND

PROCEEDINGS ON THE LEGISLATIVE VISIT,

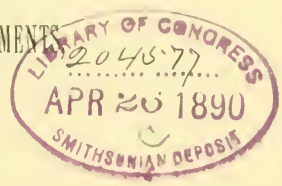
FEBRUARY 4, 1885.

PUBLISHED BY ORDER OF GENERAL ASSEMBLY OF RHODE ISLAND.

PROVIDENCE.

E. L. FREEMAN & CO., PRINTERS TO THE STATE.

1885.





# STATE OF RHODE ISLAND.

IN GENERAL ASSEMBLY.

JANUARY SESSION, A. D., 1885.

RESOLUTION to print two thousand copies of the report of the Commissioners to decorate the Providence County Court House, and of the addresses and poem delivered before the General Assembly relating thereto.

(Passed February 26, 1885.)

RESOLVED, That the report of the Commissioners to decorate the Providence County Court House, together with the addresses and poem delivered before the General Assembly relating thereto, be printed, and two thousand copies thereof be published for the use of the General Assembly.

A true copy. Attest:

JOSHUA M. ADDEMAN,

*Secretary of State.*





## INTRODUCTORY NOTE.

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THE Providence County Court House, erected under the supervision of a commission elected by the General Assembly, was dedicated December 18, 1877. The Commissioners deemed it judicious to postpone for a time the painting and decorating of the interior walls and ceilings, and they were accordingly left plain and rough. The General Assembly, at its January Session, 1884, authorized the Governor to appoint a commission for the purpose of contracting for and superintending the painting and improving the interior of the Providence County Court House, erecting a second tier of alcoves in the State Law Library, and making such other incidental improvements as they might deem necessary and proper, and appropriated the sum of \$10,000 for the expense thereof. His Excellency Governor Bourn, on the 8th of April, 1884, appointed as Commissioners for the forego-

ing purpose the Hon. John H. Stiness, Associate Justice of the Supreme Court, and one of the Commissioners for the erection of the building, Mr. Alfred Stone, the architect of the structure, and the Hon. Edward L. Freeman, of the House of Representatives.

The Commissioners proceeded at once to discharge the duty assigned them, and on the 25th of February, 1885, submitted the following report :

## REPORT OF THE COMMISSIONERS.

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*To the Honorable the General Assembly, at its January Session, A. D. 1885:*

The undersigned, Commissioners to paint and improve the Providence County Court House, under resolution of the General Assembly passed at the January Session, A. D. 1884, respectfully report:

Immediately after their appointment they endeavored to ascertain the cost of work necessary to be done at a fixed price, and estimated it at three thousand dollars, viz.: for new alcoves in Law Library, \$1,500; for finishing wood-work, \$1,000; for miscellaneous expenses, \$500. Upon this estimate they appropriated the remaining seven thousand dollars for the painting of the walls and advertised for designs whose cost should not exceed that sum. Several designs were submitted, from which the Commissioners selected those of Mr. H. Edgar Hart-

well, of the city of New York. The work began in July last, after the adjournment of the sessions of the courts, and was completed in November.

It gives the Commissioners pleasure to state that throughout the building the work was done thoroughly and satisfactorily. They sought to obtain a result that should be simple, effective, appropriate and durable, and believe that the work done has all of these characteristics. A feature of decoration, hitherto untried in this State, if not in New England, was introduced in the main hall, by an historical painting upon the wall of the stairway. The event selected as the subject of the picture was the return of Roger Williams with the first charter of the colony in 1644. That charter was the first step in the organization of the settlements into a colony. It is, therefore, the foundation of our government as a State. It was the first charter under which a purely "civil government" was ever instituted, and it organized the first colony in which every inhabitant was free to worship God according to the dictates of his own conscience, so long as he did not disturb the public peace and order. It covered the smallest territory of any charter in the land, because our fathers were unwilling to quarrel with the other New England colonies about

the land they claimed by conquest from the Indians, under a confederation from which our settlements were excluded, although only through their services to the confederation had such a conquest been rendered possible. In a magnanimous spirit of conciliation and peace this charter was sought only for lands "judged vacant on all hands." It was obtained from the Commissioners of Parliament, notwithstanding the fact that Massachusetts had previously secured a somewhat questionable grant of the very same territory. Its procurement was noteworthy; its modesty, conspicuous; its character unique. Not only was it thought to be worthy of commemoration upon these grounds, but, singularly and fortunately, it happens to be almost the only prominent event in our early history of which a contemporaneous description remains, sufficient to warrant an attempt at representation.

The scene has been faithfully portrayed by the artist, Mr. C. R. Grant, of Boston, who was selected by Mr. Hartwell for that purpose. Thus, in part at least, has been carried out the recommendation of the Commissioners for the erection of the building, in their final report, reiterating that of the architects at its opening, "that the notable scenes and events, in which the history of

the State so richly abounds, should be emblazoned on its walls and thus handed down to future generations.”

The appropriation under the resolution was \$10,000.

The expenditures have been as follows :

Painting, . . . . .	\$7,000 00
New alcoves in Law Library, . . . . .	1,550 00
Re-finishing of wood-work, . . . . .	950 00
Linoleum for lower corridors, . . . . .	135 00
Curtains, . . . . .	90 00
Closets and shelves, . . . . .	86 00
Printing and advertising, . . . . .	46 69
Traveling expenses to inspect specimens of work, etc., . . . . .	41 30
Plans and specifications for work in Law Li- brary, . . . . .	40 00
Electric call-bells, . . . . .	40 00
Brass pendants, . . . . .	4 67
Stretching screens, . . . . .	4 82
Tablet for picture, . . . . .	4 75
Labor, . . . . .	2 99
	<hr/>
	\$9,996 22
Unexpended balance, . . . . .	3 78
	<hr/>
	\$10,000 00

The vouchers for the above expenditures are in the hands of the State Auditor.

The Commissioners appreciate the courtesy of the General Assembly in accepting an invitation to visit the Court House and inspect the improvements, and trust that they found the work which has been done worthy of their approval.

Respectfully submitted,

JOHN H. STINESS,

E. L. FREEMAN,

ALFRED STONE.

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The Commissioners extended to the General Assembly an invitation to visit and inspect the Court House on Wednesday, February 4, 1885, at 12.30 p. m. The invitation was accepted, and the General Assembly also passed the following resolutions:

RESOLUTIONS relative to visit of General Assembly to Providence County Court House.

(Passed January 30, 1885.)

*Resolved.* That His Honor Judge Stiness, the Honorable Horatio Rogers, and the Reverend Frederic Denison, be invited to deliver the addresses which they have re-

cently delivered before the Historical Society upon the historical painting in the Court House, before the General Assembly at the Providence County Court House, on Wednesday, February 4, 1885, at 12.30 p. m.

*Resolved*, That Messrs. James C. Collins, of North Providence, John Carter Brown Woods, of Providence, and Arnold L. Burdick, of Newport, on the part of the House of Representatives; and Messrs. Edward C. Dubois, of East Providence, and Charles H. Page, of Scituate, on the part of the Senate, be and they hereby are appointed a Committee to extend the above invitation and to superintend the arrangements for said occasion.

On the day appointed, His Excellency the Governor, the members of the General Assembly, State officers, and other invited guests, inspected the improvements made in the Court House, the decorations on the walls and the mural painting representing the Return of Roger Williams with the first Charter of the Colony, in 1644, and then assembled in the main Supreme Court room where His Excellency Governor Bourn presided over the literary exercises of the occasion. After brief appropriate remarks he introduced as the first speaker of the day His Honor Judge Stiness, who delivered the following address:



## ADDRESS OF HON. JOHN H. STINESS.

THE RETURN OF ROGER WILLIAMS WITH THE FIRST CHARTER  
OF THE COLONY, IN 1644.

THE decade of years that followed the founding of Providence presents a most critical and interesting phase in the history of the colony. Within that period the colony was established: but, more important far, it was established upon a principle, which, though untried at the time, is now universally recognized as the very corner-stone of social government. It is a period that may well excite the pride of every son of Rhode Island, and its brief history should be as widely known as is the fact that Roger Wil-

liams landed here. Its culmination was in the event portrayed upon the wall,—the return of Roger Williams with the first charter of the colony, in 1644. The settlement of Providence was quickly followed by gatherings at Portsmouth, Newport and Warwick.

The territory of Rhode Island was then under no grant from the crown of England, other than the trading franchise held by the Plymouth Company, and the settlers obtained their tenure of land by purchase from the Indians. Providence, Portsmouth and Newport,—the two latter soon uniting,—had each a form of voluntary self-constituted government, but there was nothing to unite the separate settlements, save a common interest and danger for the future, and a common suffering and history in the past. The settlers at Warwick denied the authority of these governments, which, at best, had but a feeble hold upon the people of the other towns. In ad-

dition to these elements of weakness was that of insecurity against ever-present danger from Indian wars and incursions, which the towns were by no means able to resist, but which, fortunately, through the influence of Williams, they were able almost wholly to avert.

In 1636,—the year after his banishment from Massachusetts,—the Pequods, foreseeing the irrepressible conflict of the races, resolved upon a war of extermination against the whites. To this end they made offers of friendship to their ancient enemies, the Narragansetts, and sought their alliance. Connecticut had already felt the power of their merciless fury, and Massachusetts, in her extremity, turned to the only man who could stand between her and the Narragansetts,—the exile from her shores, Roger Williams. In his own words: “Upon letters received from the Governor and Council at Boston, requesting me to use my utmost and speed-

iest endeavors to break and hinder the league labored for by the Pequods against the Mohegans, and Pequods against the English, (excusing the not sending of company and supplies, by the haste of the business) the Lord helped me immediately to put my life into my hand, and, scarce acquainting my wife, to ship myself, all alone, in a poor canoe, and to cut through a stormy wind, with great seas, every minute in hazard of life, to the sachem's house.

“Three days and nights my business forced me to lodge and mix with the bloody Pequot ambassadors, whose hands and arms, methought, wreaked with the blood of my countrymen, murdered and massacred by them on Connecticut river, and from whom I could not but nightly look for their bloody knives at my own throat also.

“When God wondrously preserved me, and helped me to break to pieces the Pequods’

negotiation and design, and to make, and promote and finish, by many travels and charges, the English league with the Narragansetts and Mohegans against the Pequods, and that the English forces marched up to the Narragansett country against the Pequods, I gladly entertained, at my house in Providence, the General Stoughton and his officers, and used my utmost care that all his officers and soldiers should be well accommodated with us.

"I marched up with them to the Narragansett sachems, and brought my countrymen and the barbarians, sachems and captains, to a mutual confidence and complacence, each in other."<sup>1</sup>

The war came. The Pequod race and power

<sup>1</sup> Letter to Maj. Mason, June 22, 1670.

Knowles's Memoir of Roger Williams, p. 393.

R. I. Col. Rec. I., 457.

Mass. Hist. Coll., 1st Series Vol. 1, p. 275

were utterly destroyed and Massachusetts was saved. Still, after this signal service, the sentence of banishment was left unrepealed,<sup>1</sup> Nay, more; on either hand, Massachusetts and Connecticut were looking with envious eyes on the fair fields that lay between them, and the former may have felt a touch of chagrin that, notwithstanding all her efforts, the "heretical colony" should lie upon her border. On various pretexts she sought to claim jurisdiction over the settlers and their lands at Shawomet,<sup>2</sup> even sending an armed force to take them to Boston, where they were tried for heresy.<sup>3</sup> At length the four colonies of Plymouth, Massachusetts, Connecticut and New Haven formed a league for mutual defence, under the name of the "United Colonies of New England."<sup>4</sup> The Rhode Island

<sup>1</sup> Letter to Maj. Mason.

<sup>2</sup> Arnold's History of Rhode Island, Vol. 1, pp. 177-189.

<sup>3</sup> Records of Mass., Vol. 2, p. 51.

<sup>4</sup> Hazard's Hist. Coll. II., p. 2.

settlements were not included in this confederation. When we read in the preamble to the Articles that one reason for the formation of the league was "that as in nation and religion, so in other respects we may be and continue one," we do not need to go further to see that the exclusion of Rhode Island was really upon the ground of difference in religious doctrine. It could not have been because the Rhode Island men were mere individual dwellers in a wilderness, without a charter, and therefore not entitled to be recognized as a government, for Connecticut was in the same plight and did not receive a charter until about twenty years later. It could not have been because they were within the territory of the Plymouth Company, though at one time such a pretext was made, for the Connecticut settlements were within the lines of the same grant.<sup>1</sup> Neither could

<sup>1</sup> Hazard's Hist. Coll. II., p. 99.

it have been on account of their weakness in arms, for all were weak and the alliance was upon this express reason: nor because of their isolation, like those in Maine for instance, for Rhode Island lay in the pathway between the colonies. The people of Connecticut were in accord with those of Massachusetts in religious matters, while the people of Rhode Island were not. Aside from the sentences of banishment which had been passed upon individuals at Providence and Aquidneck, the attitude of Massachusetts towards the organized settlements at these places was shown in 1640, when Mr. Coddington and Mr. Brenton had joined with others from Connecticut in a letter to the Governor of Massachusetts, about the policy to be pursued towards the Indians.<sup>1</sup> The General Court voted that the Governor reply to the letter, "onely excluding Mr. Coddington & Mr. Brenton, as men

<sup>1</sup> Winthrop's History of New England, II., p. 24.



not to be capitulated w<sup>th</sup> all by us, either for themselves or the people of the island where they inhabite as their case standeth."<sup>1</sup>

This alliance, and their exclusion from it, seem to have aroused the Rhode Island men to the necessity of energetic action. As early as 1639, Nicholas Easton and John Clarke had been appointed a committee by Portsmouth and Newport to write to Sir Henry Vane for a charter,<sup>2</sup> but they had not succeeded in obtaining one. Providence and the island towns now earnestly combined, and Roger Williams was selected to go to England on this important mission.<sup>3</sup> Ignoring his services in preventing the alliance of the Pequods and Narragansetts, and forgetful of obligation for his magnanimity in the time of her most pressing need, Massachusetts de-

<sup>1</sup> Records of Massachusetts, Vol. 1, p. 305.

<sup>2</sup> R. I. Col. Records, Vol. 1, p. 94.

<sup>3</sup> R. I. Col. Records, Vol. 1, p. 124.

nied him the scant courtesy of permission to enter her territory to take passage in a vessel from her ports. He was therefore obliged to make the long and wearisome journey to New York, where, in the summer of 1643, he embarked for England in one of the vessels of the Dutch.<sup>1</sup> On the voyage he "drew the materials" of his *Key to the Indian language*,<sup>2</sup> which before the end of the year was published in London.

The embarrassments of his mission were many. England was then distracted by the contest between King Charles and the Parliament; the people of this colony were few and feeble; their controversies with their neighbors seemed insignificant on the other side of the ocean, in the midst of more ab-

<sup>1</sup> Arnold's History of Rhode Island, Vol. 1, p. 113.

Letter to Mass., Oct. 5, 1654. Publications of Narragansett Club, Vol. 6, p. 272.

<sup>2</sup> *Key into the Language of America*, Coll. R. I. Hist. Society, Vol. 1, p. 17.

sorbing matters; and more than all this, Massachusetts, with her greater prestige, sought and actually obtained a patent covering the territory of Rhode Island.<sup>1</sup> The character and ability of a man are best seen in that which he accomplishes. Viewed in this light Roger Williams was a man of no small compass. During his stay in London he published three works, which were well received. One was the unique and laborious elucidation of the Indian language, already mentioned; one a letter in reply to Mr. Cotton's letter about his banishment, and the third a controversial treatise, after the style of the disputations of the time, in which he brought out his theory of liberty of conscience.<sup>2</sup> He became the friend and visitor of Milton and of Sir Harry Vane; he secured the charter that he sought, notwithstanding the previous

<sup>1</sup> Arnold's History of R. I., Vol. 1, p. 118.

<sup>2</sup> Elton's Life of Roger Williams, Chap. X.

grant to Massachusetts; but more than this, he obtained the charter of a *colony*. Massachusetts had only a charter for a trading company, with the incidental power to make such rules and organization as might be necessary for its purposes.<sup>1</sup> It did not contemplate an established territorial government. Williams's charter gave to the people, as a colony, the full grant of absolute authority within its bounds, only requiring conformity to English law, "so far as the nature and constitution of the place will admit." Here was a marked difference between this charter and that of Massachusetts or any that had preceded it. Conformable, also, as might be expected, to the original agreement of the settlers of Providence,<sup>2</sup> it was a charter simply for "*civil* government."

<sup>1</sup> Charters and Constitutions compiled by Ben: Perley Poore, Vol. 1, p. 932.

<sup>2</sup> R. I. Col. Rec., Vol. 1, p. 14.

No action was taken under the Massachusetts grant until August 27, 1645, when this remarkable letter was sent to Williams :

“ Sir, we received lately out of England a charter from the authority of the High Court of Parliament, bearing date 10 December, 1643, whereby the Narragansett Bay, and a certain tract of land wherein Providence and the Island of Aquetneck are included, which we thought fit to give you and other of our countrymen in those parts notice of, that you may forbear to exercise any jurisdiction therein, otherwise to appear at our next General Court, to be holden on the first fourth day of the eighth month, to show by what right you claim any such jurisdiction, for which purpose yourself and others, your neighbors, shall have free liberty to come, stay and sojourn, as the occasion of the said business may require.

Dated at Boston, in the Massachusetts 27<sup>th</sup> 6 mo., 1645.

To Mr. Roger Williams, of Providence. By order of the Council.

INCREASE NOWELL, Secretary.”<sup>1</sup>

<sup>1</sup> R. I. Col. Rec., Vol. 1, p. 133. Records of Massachusetts, Vol. 3, p. 49.

With reference to this matter, in his letter to Major Mason, in 1670, Williams wrote:<sup>1</sup>

“Some time after the Pequod war, and our charter from the Parliament, the government of Massachusetts wrote to myself (then chief officer in this colony) of their receiving of a patent from the Parliament for these vacant lands, as an addition to the Massachusetts, &c., and thereupon requiring me to exercise no more authority, &c., for they wrote, their charter was granted some weeks before ours. I returned what I believed righteous and weighty to the hands of my true friend, Mr. Winthrop, the first mover of my coming into these parts, and to that answer of mine I never received the least reply; only it is certain, that at Mr. Gorton’s complaint against the Massachusetts, the Lord High Admiral, President, said openly, in a full meeting of the Commissioners, that he knew no other charter for these parts than what Mr. Williams had obtained, and he was sure that charter, which the Massachusetts Englishmen pretended, had never passed the table.”

According to Arnold, however, whose researches in the British State Paper Office gave

<sup>1</sup> Knowles’s Memoir, p. 393.

opportunity for authentic information, the charter was not only actually obtained but described in precisely the same language the boundaries named in our charter, giving as reasons for the annexation to Massachusetts, "its rapid growth requiring an expansion of its territory and the desire to christianise the natives." No reference to this charter is made by the early writers of Massachusetts, and we are left to wonder why, after obtaining it, that colony made no attempt to enforce it, except by the letter just alluded to, written a year and a half afterwards. Governor Arnold thinks this is due to a reservation in the Massachusetts patent of all lands "in present possession held and enjoyed by any of His Majesty's Protestant subjects," while the charter of Williams had no such reservation.<sup>1</sup> But we have seen that this reserva-

<sup>1</sup> Arnold's Hist. R. I., Vol. 1, p. 118.

tion did not prevent Massachusetts from asserting a claim to this land in 1645. The authorities of Massachusetts did not then recognize the claim of our settlers to this territory nor hesitate to assert their own.

I venture to suggest that at least an additional reason may be found in the different character of the two charters. That of Massachusetts was a grant to a trading company; that of Rhode Island to a colony establishing a local civil government. The former was originally for limited purposes, which gradually and perhaps insensibly, expanded into something more permanent and important; the latter was for the full and free exercise of civil authority, which, in view of the friendships Williams had formed in England, it was not deemed prudent to attack. Whatever the reason may have been, the fact remains that, notwithstanding its charter, ante-dating ours, the colony of Massachu-



setts never ventured under it a single act of dominion or interference within our territory. For many years Massachusetts disputed our title to the towns on the east shore of the bay, but that claim was made under the original grant, not under the charter of December, 1643, and it was afterwards decided adversely by commissioners of the King.<sup>1</sup>

The smallness of the territory of Rhode Island has often been the subject of surprise and comment. With the apparent influence which Williams had acquired in England with those who were then in power and his success in obtaining so free a charter, there can be little doubt that he could have compassed a larger grant of land, had he desired to do so. European ideas of the geography of this country were not very exact in those days and charter boundaries were by no

<sup>1</sup> Arnold, Vol. 2, pp. 111-132, 133.

means grudgingly drawn. The charter to the Plymouth Company, for instance, ran from 40° to 48° north latitude, and from sea to sea.<sup>1</sup> Within these lines, the grant to the Massachusetts Bay Company extended from three miles northward of any and every part of the Merrimack River to three miles southward of any and every part of the Charles River, and of the southernmost part of Massachusetts Bay, "from the Atlantick and Westerne Sea and Ocean on the East Parte to the South Sea on the West Parte." Notwithstanding this somewhat ample grant for a population of a few hundred people, we have seen that the Massachusetts authorities sought to add the little tract of Rhode Island on account of her "rapid growth requiring expansion." Not only could Williams, easily, no doubt, had he chosen to do so, have taken

<sup>1</sup> Charters and Constitutions, Vol. 1, p. 921.

advantage of the ignorance about the topography of this region: yet even had he endeavored to encroach upon some previous grant, we may believe that Parliament would not have felt much hampered by the patents of a king then a fugitive from their power. But with no desire to encroach upon his neighbors, he was content to take our boundary from those which had already been established for Massachusetts and Plymouth, on the north and east. To the westward he had a wider scope. The towns in the Connecticut Valley had been settled under a commission from the General Court of Massachusetts, "that commission taking rise from the desire of the people that removed, who judged it inconvenient to go away without any frame of government—not from any claim of the Massachusetts of jurisdiction over them by virtue of Patent."<sup>1</sup> The towns of Windsor,

<sup>1</sup> Charters and Constitutions, Vol. 1, p. 249.

Hartford and Weathersfield, thus united under a voluntary constitution, without charter or grant from King or Parliament. Surely, up to those towns, if not including them, Williams might easily have carried his line. But the United Colonies, after the war against the Pequods, claimed the Pequods' country by the right of conquest. They had vanquished and exterminated the tribe. None were left to dispute the appropriation of their fields and streams by the Connecticut settlers, and unmolested and unobstructed these were gradually spreading over the lands of their fallen foe.

Williams was as unwilling to encroach upon his neighbors on the west as on the east. He knew how far the charter boundaries extended and how far the Colonies could claim to hold by conquest. He therefore drew what he terms "our poor and inconsiderable line" between them. This is

graphically set forth in his letter to Major Mason, in which he says :

“ Considering (upon frequent exceptions against Providence men) that we had no authority for civil government, I went purposely to England, and upon my report and petition, the Parliament granted us a charter of government for these parts, so judged vacant on all hands. And upon this, the country about us was more friendly, and wrote to us, and treated us as an authorized colony ; only the difference of our consciences much obstructed. The bounds of this, our first charter, I (having ocular knowledge of persons, places and transactions), did honestly and conscientiously, as in the holy presence of God, draw up from Pawcatuck river, which I then believed, and still do, is free from all English claims and conquests ; for although there were some Pequods on this side the river, who, by reason of some sachems’ marriages with some on this side, lived in a kind of neutrality with both sides, yet, upon the breaking out of the war, they relinquished their land to the possession of their enemies, the Narragansetts and Nianticks, and their land never came into the condition of the lands on the other side, which the English, by conquest, challenged ;

so that I must still affirm, as in God's holy presence I tenderly waived to touch a foot of land in which I knew the Pequod wars were maintained and were properly Pequod, being a gallant country; and from Pawcatuck river hitherward, being but a patch of ground, full of troublesome inhabitants, I did, as I judged, inoffensively, draw our poor and inconsiderable line."

Having accomplished his mission, Williams returned by the way of Boston, where he arrived September 17, 1644, venturing to land under shield of a letter which he brought from members of Parliament to the authorities of Massachusetts, announcing that he was the bearer of a charter and bespeaking their "utmost endeavors of nearer closing and of ready expressing those good affections (which we perceive you bear to each other) in effectual performance of all friendly offices."<sup>1</sup> He was permitted to pass through their territory unmolested; but the only knowledge we have

<sup>1</sup> Winthrop's History of New England, Vol. 2, p. 236.

of any other effect of the letter is the statement of Hubbard, who says:<sup>1</sup>

“Upon the receipt of the said letter, the Governor and magistrates of the Massachusetts found, upon examination of their hearts, they saw no reason to condemn themselves for any former proceedings against Mr. Williams; but for any offices of Christian love, and duties of humanity, they were very willing to maintain a mutual correspondency with him. But as to his dangerous principles of separation, unless he can be brought to lay them down, they see no reason why to concede to him, or any so persuaded, free liberty of ingress and egress, lest any of their people should be drawn away with his erroneous opinions.”

The determination to have none among them who did not assent to their religious doctrines is further shown by an act of the Massachusetts General Court, passed in November, 1644.

The preamble recited that “experience had

<sup>1</sup> Coll. Mass. Hist. Soc’y, 2d Series, Vol. 6, p. 349.

plentifully proved" that Anabaptists had been "the incendiaries of commonwealths" and "troublers of churches;" "that they who have held the baptizing of infants unlawful have usually held other errors" and that some had denied "the lawfulness of magistrates and their inspection into breaches of the first table, which opinions, if they should be connived at by us, are like to be increased amongst us and so must necessarily bring guilt upon us, infection and trouble to the churches and hazard to the whole commonwealth," therefore it was voted that every person who should put forth such opinions should be "sentenced to banishment."<sup>1</sup>

Probably by the same path he had followed eight years before, though doubtless with quite different emotions, Williams wended his way

<sup>1</sup> Records of Massachusetts, Vol. II, p. 85.



to the banks of the Seekonk. By some means the news of his coming preceded him and the inhabitants of Providence, to testify their joy at his return and their sense of obligation for his service, turned out to meet him at the Seekonk shore, and to escort him home. It was a plain and simple pageant, but it was the first one by the people of the town. It marked as an epoch in their history the first step in the organization of the colony as an independent government. The greatness of an event is not to be measured by its pomp. What this one lacked in splendor was more than compensated by its genuine and homely sincerity. The only description we have of the scene is that contained in a letter which was afterwards written by Richard Scott, in detraction of Williams, to whom he had become hostile.<sup>1</sup> Scott says:

<sup>1</sup> Appendix to "A New England Fire-Brand Quenched, by George Fox and John Bornyeat, London, 1678."

“He went to England and there he got a charter, and coming from Boston to Providence, at Sea-conck the neighbours of Providence met him in fourteen cannoes and carried him to Providence. And the man being hemmed in in the middle of the cannoes was so elevated and transported out of himself that I was condemned in myself that amongst the rest I had been an instrument to set him up in his pride and folly.”

Mr. Rider remarks concerning this letter:<sup>1</sup>

“It is suggestive of reflection that this Scott letter, so severely condemnatory of the very act which has been here perpetuated, is our only means of learning the details by which the preservation of the event was possible.”

It is highly probable that, from some of the Dutch or English vessels which had been here before that time, or from the handiwork of some of the people, the community had a boat; although no mention is made of such

<sup>1</sup> Book Notes, Oct. 25, 1884, Vol. 2, p. 14.

a fact. The frequent trips to Newport and Narragansett, with the necessary transportation of men and merchandise, together with the fact that Englishmen were little accustomed to the use of Indian canoes, at least suggest that they would not be long in providing something more substantial than these.— In a letter written in 1682, referring to the grant of lands by Canonicus, Williams says: “I never denied him, or Miantonomoh, whatever they desired of me, as to goods or gifts, or use of my boats or pinnace.”<sup>1</sup> If the people had a boat, certainly Williams would be received in it; and in it too, the first to greet him after his long absence, would, naturally, be his wife and children, including the babe, born after his departure, whom, longing to behold, he would now see for the first time. This babe, born in December, 1643,<sup>2</sup> was the

<sup>1</sup> R. I. Col. Rec., Vol. 1, p. 25.

<sup>2</sup> Records of Births, Providence, Book 5, p. 129.

Joseph Williams whose remains were buried in the family burial-ground at Roger Williams park, where his grave-stone now stands.

Such is the scene which is portrayed in the picture in this building. Of course, the "hemming in" by fourteen canoes could not be actually represented without throwing Williams, the central object, into the background. The canoes on one side therefore appear, with a suggestion of others surrounding by the prows which are shown in the lower corner of the picture. The charter is supposed to have been enclosed in a round tin box, because sea-captains were accustomed to carry their papers in that way and also because it is said the second charter, about twenty years later, came in such a box.

A word about the cost of the charter. The first Assembly, in 1647, voted one hundred pounds to Roger Williams "in regard of his so great travaile, charges and good endeav-

ors."<sup>1</sup> Mr. Coddington in a letter appended to "Fire-Brand Quenched," said: "He is Hired for money and gets a Patent from Long Parliament." Williams himself says, in a letter written in 1681,<sup>2</sup> "No charters are obtained without great suit, favor or charges. Our first cost one hundred pounds (though I never received it all.) Our second about a thousand, Connecticut about six thousand." It is evident from this that Williams's motives were not mercenary. The pittance of one hundred pounds was not voted until three years after his return, and it was three years more before any of it was paid. Then the Assembly voted<sup>3</sup> to pay Mr. Williams the one hundred pounds, "now due" and another hundred pounds if he would go

<sup>1</sup> R. I. Col. Rec. Vol. 1, p. 151.

<sup>2</sup> Letter to Daniel Abbott, Publications of Narragansett Club, Vol. 6, p. 402.

<sup>3</sup> R. I. Col. Rec., Vol. 1, p. 231.

again to England to obtain a confirmation of the charter from Cromwell, who had then come into power.

No proceedings were had under the charter until June, 1647, nearly three years after its reception. Prof. Gammell, in his "Life of Roger Williams," gives these reasons for the delay: "Many local questions were to be decided and jarring interests harmonized. Besides this, the distracted state of affairs in England created party divisions among the colonists of America. In this way the hopes and plans of Mr. Williams were deferred."<sup>1</sup> Among the questions to be decided was, doubtless, that of the policy of liberty of conscience. Had the colony been larger, it is by no means certain that such a policy could have been first exemplified here.

It is beyond the present purpose to con-

<sup>1</sup> Gammell's Life of Roger Williams, p. 124.

sider the organization of the colony under the charter. The delay of the people to make use of it, until they were ready to do so, does not at all detract from the importance of the fact that it had been obtained.

Neither does the fact that, twenty years later,—when a Stuart was again upon the throne, when the acts of the Long Parliament were ignored and the time of its power treated as an interregnum,—our people came to the conclusion that Charles II. would look with little favor upon a colony that held its tenure from such a source, and therefore sought and obtained another charter from the royal hand. It was still the instrument by which the colony had been united and protected, recognized and respected, and under which its policy had been shaped. It should be remembered and venerated, as the corner-stone of the State.

To this hasty review of the procurement of

the charter, permit me to add a suggestion or two; first, as to Williams himself, and second as to the result which he accomplished.

The facts referred to show the magnanimity of the man. An attempt has lately been made to justify the authorities of Massachusetts in the sentence of banishment, upon the ground that Williams was a contentious person, "a subverter of the very foundations of government,"<sup>1</sup> and "a nuisance which it seemed to them they had no alternative but to abate, in some way safe to them and kindest to him."

That he entered with much zest into the theological discussions common to his time, and upheld his opinions, on any subject, with vigorous enthusiasm and in good set terms, we all know. His writings are so largely polemic that we have fallen into the no-

<sup>1</sup> As to Roger Williams, by Henry Martin Dexter, D. D., pp. 79, 80.



tion that he was a whimsical, crotchety man. But this, I think, is wrong. However small and insignificant many of the matters about which he argued now look, through the vista of two centuries, we must remember that they were real differences and were the same that stirred the people of old as well as of New England. It was a period of ecclesiastical controversy, and Williams simply dealt with the living issues of his day. His acts showed the man. Banished from Massachusetts, in the next year, still smarting from a sense of injustice, he risked his life to save that and the other colonies from an Indian alliance to exterminate them; going into the camp of the conspiracy, and, by personal persuasion, thwarting the fearful scheme. When, in return for this, Gov. Winthrop proposed that the sentence of banishment be recalled, not only was this refused, but exasperating efforts were made to bring the place

of his refuge within the power of his persecutors. Ignored as an outlaw, when the colonists united for mutual defence, and forestalled in his attempt to secure a charter, he, nevertheless, "tenderly waived to touch a foot of land" claimed from the conquest which his influence had made possible; but, on the contrary, as he "judged inoffensively," he drew "our poor and inconsiderable line" for "a patch of ground." Could greater regard for the claims of others have been shown; or greater care taken to avoid a controversy with his neighbors? Could there have been less of vindictiveness or of self-assertion? Beside magnanimous acts like these no charge of petty quarrelsomeness can stand. Indeed, at no time did Williams seek a quarrel with those around him, and the worst that can be said is that, firm in the right, as God gave him to see the right, he was ever ready sturdily to maintain

his cause. We almost wonder at the man who would risk his life for a colony that had banished him; and who, annoyed in his possessions, waived the chance to extend them with safety. In view of these facts the charges before quoted are as unwarrantable as they are unjust, and partake more of the spirit of the scold than of the historian. Massachusetts needs no such vindication. Her magistrates were honest, sincere and conscientious men. Their course was consistent with their theory of government. They treated others, who would not be called brawlers, just as they did Williams. If their course was ill-judged and narrow, as we now look upon it, the fault was not so much in the magistrates as in the times. Williams was simply in advance of the ideas of his age and, like most social reformers, met with opposition and persecution. People have been much misled by the lines of Mrs. Hemans :

“They left unstained what there they found,  
Freedom to worship God.”

The Puritans did not come to this country to establish freedom of worship for every man, according to his own idea; but only to find for themselves that freedom to worship, after their own form and notion which they did not find in England. Williams, though with them, was not of them, in this respect. He sought a larger liberty. In banishing him and others they followed out their system, and it is abundantly evident that what they did was in consequence of it. It is therefore neither necessary nor fair to resort to vituperative charges to justify their action. Happily for the reputation of Williams, his conduct exhibits a magnanimous rather than a contentious spirit.

The next suggestion is in regard to the statesmanship of Williams. I have heard it said that the development of a government

in which there should be an absolute freedom of conscience, consistent with civil order, was accidental, rather than intentional, on his part. If his design was to form a government of this sort, he should rank with the most liberal and wisest of statesmen. What is the evidence? Upon his arrival at Boston he refused to unite with the church, declaring that the magistrate had no right to punish violations of the first four of the ten commandments, except as they disturbed the civil peace.<sup>1</sup> He taught the same doctrine at Plymouth and Salem. This was the first of the charges brought against him by the General Court, in October, 1635,<sup>2</sup> and his banishment for this cause is clearly implied by reference to his "dangerous opinions" in the vote,<sup>3</sup> as well as in the charges where this is

<sup>1</sup> Winthrop, Vol. 1, p. 53. Hubbard, Mass. Hist. Coll., 2d Series, Vol. 5, p. 203.

<sup>2</sup> Winthrop, Vol. 1, p. 162.

<sup>3</sup> Records of Mass. Vol. 1, p. 160.

the first one specified. Arrived at Providence, the first recorded agreement was for town-fellowship "only in civil things." The charter which he obtained was for a "form of civil government," and the code of laws enacted under it consistent with the policy thus foreshadowed by Williams, had the same limitation.<sup>1</sup> His settlement at Providence was, from the first, free in religious matters, offered as a "shelter for those distressed for conscience";<sup>2</sup> while the compacts of Portsmouth and Newport required the settlers to be Christians and to be governed by the word of God.<sup>3</sup> To all this may be added numerous passages in his letters and writings, insisting upon this principle from the earliest to the last. This chain of evidence is too continuous to be accidental. That Williams

<sup>1</sup> R. I. Col. Rec., Vol. 1, p. 156, *et seq.*

<sup>2</sup> R. I. Col. Rec., Vol. 1, p. 22.

<sup>3</sup> R. I. Col. Rec., Vol. 1, pp. 52 and 90.

did not, at first, contemplate founding a colony may be true. His own words indicate that he had thoughts of living as a missionary with the Indians. "My soul's desire was to do the natives good, and to that end to have their language, (which I afterwards printed,) and therefore desired not to be troubled with English company."<sup>1</sup> Out of pity he permitted some to join him.

Knowles says:<sup>2</sup> "It seems then that his original design was to come alone, probably to dwell among the Indians, and to do them good; but he altered his plan, and resolved to establish a refuge for those who might flee from persecution. The project was his own, and worthy his generous and liberal mind."

Evidently from the first he comprehended

<sup>1</sup> R. Williams to Court of Commissioners, Nov. 17, 1677.

R. I. Hist. Tracts, No. 14, p. 52.

<sup>2</sup> Memoir of Roger Williams, p. 108.

the idea which he subsequently put into active operation. Thus he displayed the wise forecast which proves the quality of a statesman. His policy is best set forth in his own strong words:

“ There goes many a ship to sea, with many a hundred souls in one ship, whose weal and wo is common, and is a true picture of a commonwealth, or an human combination or society. It hath fallen out sometimes, that both Papists and Protestants, Jews and Turks may be embarked into one ship. Upon which supposal, I do affirm, that all the liberty of conscience that I ever pleaded for, turns upon these two hinges, that none of the Papists, Protestants, Jews, or Turks, be forced to come to the ship’s prayers or worship; nor secondly, compelled from their own particular prayers or worship, if they practice any. I further add, that I never denied, that notwithstanding this liberty, the commander of this ship ought to command the ship’s course; yea, and also to command that justice, peace and sobriety be kept and practised, both among the seamen and all the passengers. If any seaman refuse to perform their service, or passen-



gers to pay their freight ; if any refuse to help in person or purse, towards the common charges, or defence ; if any refuse to obey the common laws and orders of the ship, concerning their common peace and preservation ; if any shall mutiny and rise up against their commanders and officers ; if any shall preach or write, that there ought to be no commanders nor officers, because all are equal in Christ, therefore no masters nor officers, no laws nor orders, no corrections nor punishment—I say I never denied but in such cases, whatever is pretended, the commander or commanders may judge, resist, compel and punish such transgressors according to their deserts and merits.”<sup>1</sup>

The importance of the result accomplished by Williams can hardly be over-stated. We need not stop to inquire whether he originated or first published the doctrine of liberty of conscience. Bancroft gives him the credit of it in strong and eloquent terms.<sup>2</sup> But it would not be strange if others had thought

<sup>1</sup> Pub. Narr. Club, 6, p. 278.

<sup>2</sup> Hist. of U. S., Vol. 1, p. 298, centenary ed.

of it before. It is enough to know that he was the first to put it into "lively experiment." The man who does that is accorded the credit and rights of discovery. To Watt is commonly ascribed the invention of the steam-engine. He made the experiments by which it was brought into general operation; but he neither discovered the properties of steam, nor made the first machine for its use. Physicians before Harvey may have conceived the idea of the circulation of the blood; but to him, who was the first to demonstrate its truth, is given the honor of discovery. The priority of Morse's invention of the telegraph was disputed; but as he, by "lively experiment," first gave to it practical utility, he has been honored, in both continents, as its inventor. The colony of Rhode Island agreed to organize upon the principle which Williams had all along maintained. His fellow-settlers had the good

sense to see that it was reasonable, practical and just. Like Watt, perhaps, they little thought they were building a model, which, in its essential principle, would long, if not always, afterwards be followed.

It is true that during the maintenance of the edict of Nantes, freedom of worship was allowed to Protestants in France, and they were eligible to civil office; but it was not a complete and absolute freedom. There were restrictions on worship and education; tithes were to be paid to the priesthood of the established church and its festivals observed. The situation of Protestants was that of a tolerated sect, rather than that of an equal and independent class of citizens. The edict was a bond that held together two discordant elements and not a union that mingled them in one. Wise and liberal as it was, it fell far short of the Rhode Island idea of a state in which there should be unrestricted religious

liberty. It reached towards it but did not grasp it.

As Williams said:<sup>1</sup> "Our charter excels all in New England or *in the world as to the souls of men.*" Here then, in Rhode Island, was first set up the novel system of a purely civil government, with no yoke of religious doctrine upon its subjects. It was not the adversary, but the handmaid of religion. It gave to civil authority and religious teaching, each its proper sphere. The colony was too feeble and too little known for its new departure to attract attention or to make any stir in the great world. But it was the little leaven that was to leaven the whole lump of civilization. It was the germ that was quietly to grow and spread its roots until it should spring up in every commonwealth of the land, and in time scatter its seed across the

<sup>1</sup> Letter to Daniel Abbott, Pub. Narr. Club, Vol. 6, p. 402.

ocean among the monarchies of the old world. The principle is now so universally recognized and adopted that men have lost sight of its origin. The absorbing interests of the present tend to shut out all but the most prominent facts of the past. Mankind to-day receive the benefit of the "lively experiment" made by Williams, little knowing and, perhaps, little caring whence it came. Let us of Rhode Island, however, ever remember and honor the service that he rendered to the State, the country and his fellow-men. Let us take just pride in the fact that Rhode Island first demonstrated that "a most flourishing civil state may stand and best be maintained with a full liberty in religious concernments."<sup>1</sup> Let us bear in mind that freedom and toleration in civilized governments of the present day have sprung from

<sup>1</sup> Charter of R. I., granted in 1663.

that which was organized in this "patch of ground" under the charter of 1643.

In admiration of the flower let us not forget the seed.

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Governor Bourn introduced as the next speaker General Horatio Rogers, who spoke as follows:

## ADDRESS OF GEN. HORATIO ROGERS.

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### THE IMPORTANCE OF THE CHARTER OF 1643-4.

THE value of historical paintings in prominent public places by awakening interest in the subject represented, finds fresh illustration in the picture recently unveiled in this building. That awakened interest has already caused, and, for years to come, will continue to cause many to inquire into the significance of the event referred to in that painting, who, but for some such object appealing to their eyes, would scarcely remember, if indeed, they would ever have known, how much Rhode Island owes to the charter of 1643-4,

and to Roger Williams, the father of the colony, for his services in obtaining it.

The special point proposed to be dwelt on in these remarks, is the importance of that charter to this State: for it seems to have been the sheet-anchor of the feeble little colony—the bulwark that preserved it from being overwhelmed by what the General Assembly of 1659 called “our sister colony’s anger against us.” Dwelling upon a point seemingly so apparent, would hardly have suggested itself had not this court house picture called forth from some beholders, expressions derogatory to the importance of the event it commemorates, by magnifying the influence of the charter of 1663 to the disparagement of that of the charter of 1643–4.

An event to be adequately appreciated, must be viewed with its surroundings; hence we must summon to our minds what was transpiring in the primitive days of our



colonial existence. The earliest settlers of these plantations were wanderers, exiles, outcasts. "I was unkindly and unchristianly, as I believe," wrote Roger Williams, in 1670, "driven from my house and land and wife and children, (in the midst of a New England winter, now about 35 years past,) at Salem. \* \* I steered my course from Salem (though in winter snow, which I feel yet) unto these parts, wherein I may say Peniel, that is, I have seen the face of God." His hasty flight into the wilderness alone prevented his being transported to England, for his brother christians of New England, the godly men of Massachusetts Bay, were less tolerant than savage heathen, and less charitable than godless red-men, though they would have resented with scorn the insinuation that Canonicus, Miantonomi, Massasoit, and other unbaptized and unregenerate Indians were better exemplars of some of

Christ's precepts than they. Indeed our early settlers were doubly exiled; first, from the civilization of *Old* England, and then from the civilization of *New* England, for though Massachusetts Bay was the only colony that formally banished Roger Williams, yet, when fleeing from its wrath he settled at Seekonk, the Governor of Plymouth notified him, to use his own words, "since I was fallen into the edge of their bounds, and they were loath to displease the Bay, to remove to the other side of the water." Our earliest settlers describe their condition in this wise, when addressing Richard Cromwell, the Lord Protector, in 1659, for a confirmation of their charter:—"May it please your highness to know that this poore colony of Providence Plantations mostly consists of a birth and breeding of the providence of the most high; wee beinge an outcast people, formerly from our mother nations in

the Bishop's daies, and since from the rest of the new English over zealous collonys."

Portsmouth and Newport were likewise peopled by the children of oppression of Massachusetts Bay. These three settlements were merely voluntary associations of individuals, and Roger Williams said, "we had no authority for civil government." The government of Providence, especially, was a simple compact, and when the passions of party became too strongly excited to admit of any arbitration but force, it was utterly ineffectual to preserve the public peace. The tumults growing out of Samuel Gorton's conduct proved well nigh fatal to the settlement, for the inhabitants being divided in opinion and feeling, there was no superior power to control the disturbers of the public peace. In this exigency some of the weaker party, in November, 1642, had recourse to the strange and, as it proved, most disastrous

expedient of applying to Massachusetts for aid and counsel. For inhabitants of Providence to apply to Massachusetts for aid and counsel within six years of the banishment of Roger Williams from that colony, was very like lambs invoking the aid of the wolf to compose differences in their fold. To this preposterous request for aid and counsel Massachusetts declined to send aid, because, as they said, "they could not levy any war without a general court"; and, "for counsel, that except they did submit themselves to some jurisdiction, either Plymouth, or ours, we had no calling or warrant to interpose in their contentions, but if they were once subject to any, then they had a calling to protect them." A little later four of the principal inhabitants of Pawtuxet offered themselves and their lands to the government and protection of Massachusetts, and were received by the General Court and appointed justices

of the peace. The motives of the General Court were stated by the Governor to be "partly to secure these men from unjust violence, and partly to draw in the rest in those parts, either under ourselves or Plymouth, who now lived under no government, but grew very offensive, and the place was likely to be of use to us, especially if we should have occasion of sending out against any Indians of Narragansett, and likewise for an outlet into the Narragansett Bay, and seeing it came without our seeking, and would be no charge to us, we thought it not wisdom to let it slip."

The next step in Massachusetts aggression was to write a letter "to our neighbours of Providence," dated the 28th of the 8th mo., 1642, wherein, after stating that William Arnold and others have put themselves under their protection, they use this language, "and have since complained to us that you

have since (upon pretence of a late purchase from the Indians) gone about to deprive them of their lawful interest confirmed by four years' possession, and otherwise to molest them; we thought good, therefore, to write to you on their behalf to give you notice, that they and their lands, &c., being under our jurisdiction, we are to maintain them in their lawful rights. If, therefore, you have any just title to anything you possess, you may proceed against them in our court, where you shall have equal justice; but if you shall proceed to any violence, you must not blame us, if we shall take a like course to right them." An early result of this action by Massachusetts was that Samuel Gorton and ten others were arrested, carried to Boston, and imprisoned.

Verily, the wolf had intruded itself into the fold, and Massachusetts, without any decent pretext whatsoever—for the four ap-

plicants for aid and counsel could confer no jurisdiction—made aggression upon the defenceless settlement of the very men it had banished six years before, and proposed to have them submit to Massachusetts courts for law and justice. It can hardly be wondered at that this action caused Roger Williams and his associates great uneasiness.

But this was not the sole exhibition of dislike and ill will towards the Rhode Island settlements. When the four New England colonies associated themselves together as the United Colonies of New England, for their mutual protection against the Indians and others, the settlements around Narragansett Bay were not admitted, the excuse being that they had no charter. This was an excuse, however, and not a reason, for after a charter had been obtained, the exclusion still continued.

All these evidences of grasping aggression

and settled ill-will on the part of their neighbors, required some prompt and decided action by the Narragansett Bay settlements if they meant to preserve an independent existence; and yielding their independence involved the abandonment of that priceless freedom of conscience which had been so painfully sought in the wilderness in hardship, exile, and peril. Truly the great principle of soul liberty was trembling in the balance. Governor Arnold, in his *History of Rhode Island*, thus sums up the reasons for seeking the charter of 1643-4:—"To strengthen their position at home, to fortify themselves against encroachments from abroad, and above all to secure the enjoyment of that liberty of conscience for which they had suffered so much and were destined to endure still more, they sought from the British Parliament a charter which should recognize their acts of self-government as legal,



and invest with the sanction of authority the novel experiment they had commenced. The movement was made by the colony at Acquedneck. Providence united in it, and Roger Williams was selected as the agent."

The beneficent effect of the procurement of the charter was immediately apparent, for Roger Williams, who had been forced to embark at New York in a Dutch ship for England because Massachusetts would not permit him to pass through her limits or to take passage in one of her vessels, boldly landed at Boston on his return, bearing the government's recognition of his settlements, and a letter of recommendation of his own person. Roger Williams's previous admission "that we had no authority for civil government," henceforth had no foundation, and this is his testimony of the effect of the charter: "And upon this, the country about us was more friendly, and wrote to us, and treated us as

an authorized colony; only the differences of our consciences much obstructed." The evil wishers of Massachusetts Bay could no longer urge, as they had formerly done, that the Narragansett Bay settlements "now lived under no government"; and brighter times dawned for the newly chartered colony.

The charter of 1643-4 was a full and absolute charter of civil government, and all sufficient for the needs of the colony. Its grant of power was ample and adequate. Its procurement was to the feeble settlements contending with the grasping aggressions of powerful neighbors, like the recognition of a struggling people by a nation so mighty as to insure them safety and protection. Had not the charter of 1643-4 been obtained, it is hardly probable that the aggressions of Massachusetts could have been successfully resisted for twenty years longer, and so the

charter of 1663 would probably never have been granted. Far be it from me to detract from the instrument under which Rhode Island lived and prospered for a hundred and eighty years, but the charter of 1663 was practically only confirmatory of that of 1643-4, and so the commission to John Clarke, dated October 18, 1660, authorizing its procurement, clearly intended it to be; for it will be remembered that the Long Parliament, under which the charter of 1643-4 was granted, and the Commonwealth, had been swept away, and the Stuarts were again seated on the throne of England. The second charter construes, defines, and amplifies the first, and is as prolix and verbose as the other is brief and simple. Governmental affairs in the colony were crude and inchoate at the granting of the first charter; they had been crystalized into form at the granting of the second; and much was put into the second which, nevertheless, ex-

isted by law under authority of the first, conspicuously, *freedom of conscience*.

Such, in our view, was the importance of the charter of 1643-4; and no more happy selection could have been made for the subject of a historical painting for the Courts of Law in the chief city of this commonwealth, than its reception on our shores. Fortunately Roger Williams is the central figure, for, in a double sense, he was the founder of the State. When, an outcast and a wanderer, he landed here in 1636, he planted the settlement; but when he procured the charter of 1643-4, he founded the colony. It is no wonder, therefore, that the people of Providence flocked across the river to welcome home the foremost man among them, triumphantly returning with a charter from which so much was hoped and so much was realized, for Rhode Island, in 1663, had become, in the words of the second charter, a "*lively experiment*"; but,

in 1643—4, it was only, in the language of the first charter, a “*hopeful beginning \* \* which may in time, by the blessing of God upon their endeavors, lay a surer foundation of happiness to all America.*”

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The Rev. Frederic Denison was then introduced to the audience and read the following poem :



POEM BY REV. FREDERIC DENISON.

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TRUTH'S TOIL AND TRIUMPH.

Truth's toil and triumph be our song,  
With meed to helpers due ;  
The extirpation of the wrong,  
The planting of the true.

Truth, angel-like, its life imparts  
To men by Heaven's decree ;  
Sincerely welcomed to our hearts,  
It sets our natures free.

A lily in a mummy's hand,  
Survives a thousand years ;  
Truth slumbered in our fatherland,  
But here in strength appears.

When exiled feet, for truth opposed,  
 The darkened forest trod,  
 The issue of the way disclosed  
 The guiding hand of God.

In thought and conscience men were bound  
 By code of monarchy:  
 And preachers, priest-like, blessed and crowned  
 The old theocracy.

Stern magistrates, in blinded zeal,  
 Assumed divine control,  
 And, under plea of public weal,  
 Forged fetters for the soul.

With jail and gibbet hedged they in  
 The ark and grace of God,  
 While hard, on what they counted sin,  
 They laid the legal rod.

The stroke they dealt had strong rebound  
 To higher raise the right,  
 To kindle on barbaric ground  
 A new and radiant light.



He whom they banished loving turned  
To men in pagan gloom,  
And, in his gracious mission, earned  
For outcast truth a home.

The new seed fell in virgin soil  
Where, welcomed with "what-cheer,"  
No thorny bigotry might foil  
The filling of the ear.

The pagan monarch showed him grace  
That brothers had denied,  
And gave him, in the wilderness,  
Plantations by his side.

How wonderful, a heathen king,  
By the Great Spirit moved,  
Should pay so rich an offering  
To truth of Heaven approved.

Wrought by a gifted painter's hands,  
The deed of that kind king  
To-day on speaking canvass stands,  
Art's choicest offering.

Here truth's apostle built his state,  
 Unlike what men had known,  
 That clothed with power the magistrate  
 "In civil things alone."

Assailed by foes, he crossed the sea  
 And from the Lion's paw  
 Obtained a patent, broad and free,  
 To guard his christian law.

Thus shielded by the English throne,  
 The Bay State wilds retrod,  
 He bade his baffled foes to own  
 The Providence of God.

Through all his perilled settlement  
 Exultant sped the news,  
 And swift on Seekonk's breast was sent  
 The squadron of canoes.

Triumphant welcome he received;  
 Joy filled each heart and home;  
 A crowning labor was achieved;  
 Back rolled the cloud of gloom.

That charter first the boundaries reared  
    Around the infant state ;  
Henceforth its jealous rivals feared  
    To breathe their bitter hate.

It gave the colony its name,  
    Its sword and shield of law,  
To common sovereignty its claim,  
    To courts their mace of awe.

As some bold cape defies the sea  
    And breaks its billowing rage,  
Truth's champion stood for liberty —  
    The leader of his age.

Men poured on him their obloquy,  
    And laughed his scheme to scorn ;  
Yet of that scorned fraternity  
    Our nation's hope was born.

So let it pass from lip to lip  
    And be our boast for aye,  
That Freedom's anchor first took grip  
    In Narragansett Bay.

Yet leaders win but little praise  
Who step o'er ancient bounds ;  
So hard it is for men to raise  
Their aims to loftier grounds.

The toiler had his doubts, betimes,  
To what his tith would grow,  
Such aliens came from other climes  
Their vexing tares to sow.

Behold him stand defiantly,  
Confronting power and pride,  
And deal such blows to bigotry  
It pined away and died.

His brow no conqueror's wreath obtained,  
He cared not for a name ;  
Yet serving others, justly gained  
The noblest niche of fame.

The spring from which he drank still flows  
Within the city's heart,  
And, honored now, his image glows  
Beneath the hand of art.

Devoted to humanity,  
Long let his life be told ;  
He left our land a legacy  
Unmeasured by our gold.

What faith he held, we hold allied  
With holiest beliefs,  
While high his statue stands beside  
Our nation's greatest chiefs.

Thus, proud, Rhode Island claims the hand  
Of Williams on her scroll,  
And holds her hills the cradle-land  
Of liberty of soul.

A little State, but well she fills  
Her tome of history,  
Her reigning city holds the hills,  
Her queen sits by the sea.

Here only, on the earth's wide face,  
Could such free thought take root.  
Uplifting heavenward boughs of grace  
With golden clustered fruit.

Alone, for more than seven score years,  
 Our State for freedom stood,  
 And held, unmoved by biting jeers,  
 Her code of brotherhood.

That law, at last, was set on high  
 By revolution's right —  
 The star of our republic's sky,  
 A continent to light.

When revolution's morning broke,  
 Here boomed the opening gun ;  
 When struck that shot the British oak,  
 Aloft our flag was run.

To rend the galling tyrant yoke  
 And win the rights of man,  
 Here first a legislature spoke  
 And led the battle-van.

For world-renowned achievements won  
 In that great battle-scene,  
 Close with our peerless Washington  
 Stood our illustrious Greene.

And when rebellion's armies rose,  
 Our State, with courage wont,  
 Full girt to deal to treason blows,  
 Pressed swiftly to the front.

That strife fierce raged o'er all our land,  
 The truth in fire was tried,  
 But Heaven upheld the loyal hand,  
 And slavery writhed and died.

The battle-storm and tempest past,  
 In Freedom's waters calm,  
 Our well tried anchor holding fast,  
 We lift to heaven our psalm.

Inspiring truth, again confest,  
 That right, at last, prevails;  
 God's mountains on their rock-beds rest,  
 Despite opposing gales.

The ancients dreamed of far-off isles  
 With golden-appled trees:  
 Our toiling fathers made these wilds  
 The true Hesperides.

But never breadth, or wealth, of ground,  
 Or soft and sunny skies,  
 Can make a commonwealth renowned :  
 In man the virtue lies :—

In man, who fells the tangled wild,  
 Who plows the stubborn soil,  
 Who, where the sun has never smiled,  
 Brings in the sun, by toil :

In man, of noble character,  
 Of kingliness of soul,  
 Who holds God's mandates to confer  
 A glad, supreme control.

The truth bestows victorious power,  
 And weaves a fadeless crown ;  
 Ordained with right the earth to dower,  
 It casts all evil down.

Throned on these mountains of the west,  
 The truth Heaven-crowned, shall reign ;  
 Her eagle spurns the despot-crest.  
 Her flag allows no stain.



Truth never to oppression yields,  
Predestined, in her day,  
To win, on all her battle fields,  
Triumphant, peaceful sway.

Truth, victor-clad with God's defense,  
Shall hail earth's freedom won  
Ere from her mountain battlements  
Shall sound the sun-set gun.

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At the conclusion of the services, which were listened to with profound attention and great interest, the audience retired to the grand jury room, where a collation was served under direction of the legislative committee, after which the assemblage dispersed.



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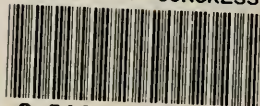
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