

THE NARRAGANSETT

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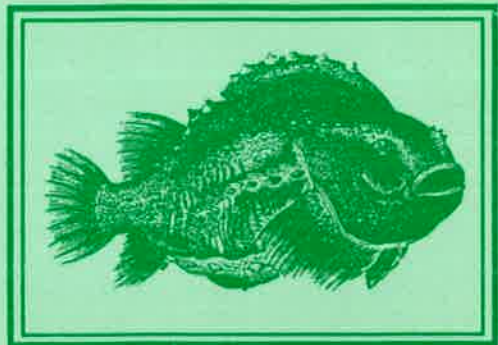
Devoted to the Antiquities, Genealogy and Historical Matter
Illustrating the History of the

State of Rhode Island and Providence Plantations

A Record of Measures and of Men
for Twelve Full Score Years and Ten

Volume 7

James N. Arnold, Editor



A Heritage Classic

From Book Notes, Mar. 2, 1889. — Dr. Franklin C. Clark, of this city, has written a clever essay entitled *The Dubertus Caught*. It appears in the Narragansett Historical Register for October, 1888; just ready. After having written a description of the *Dubertus*, he fell upon the very learned letter written some ten years since by J. Hammond Trumbull. This letter was printed in the *Journal*. Dr. Clark reproduces the principal part of it as the closing portion of his essay. Aside from this, Dr. Clark's essay evinces a thoroughness of original research which is really commendable. It is not singular that he should speak of S. C. Newman as the *Rev.*, since all the writers whom he was obliged to quote, including Mr. Albert G. Greene, spoke of him as the *Rev.* He not only was not a clergyman, but he *detested* the very calling itself.

The word *Dubertus* occurs in the Charter of Charles the Second. It was a clerical error, the word being *Jubertus*, which has been spelled in many ways, but which meant a species of fin-back whale.

From the Lewis Letter, March, 1889. — The Narragansett Historical Register completed its sixth volume during 1888. It is edited by James N. Arnold, of Providence, R. I., and is worthy of a place in every carefully selected library.

Indian Legends. — We would respectfully call attention to the short article on the 16th., page of this magazine, to say here that our articles in the last volume of the Register are in harmony with the above extract, and also to say that those who have read our articles to find fault over the conclusions we arrived at, that we thank them for so doing, and also for other little courtesies of like nature extended towards us. To those who have given us new points and suggestions as well as reference to new matter, we hereby extend our most hearty thanks and without any mental reservations.

RHODE ISLAND JUDICIARY.

By Samuel H. Allen.

FROM the organization under the Charter Nov. 25, 1663, until June, 1729; the Governor, Deputy Governor and Assistants, had executive, legislative and judicial functions. In June, 1729, the twelve Magistrates took the title of "The Superior Court of Judicature, Court of Assize and General Gaol Delivery."

By an act of the General Assembly, passed at the May Session, 1741; an Equity Court was established to consist of five Judges, to be chosen annually by the General Assembly. The act establishing this Court was repealed at the February Session, 1744, to take effect the May following.

February, 1747, an act was passed providing for the election of a Chief Judge and four Assistant Judges.

In 1798, the designation of the Court was changed to the "Supreme Judicial Court," consisting of one Chief Justice and four Associate Justices.

Under the Constitution, the designation was changed to "Supreme Court."

Note. When the year only is given, it is to be understood that it refers from the time of the annual election in May, to the election in the May following.

Judges of the Court of Equity.

Samuel Clarke, of Jamestown, Chief; 1741 to 1743.

John Potter, of Providence, 1743 to 1744.

William Robinson, of South Kingstown, 1741 to 1742, 1742, declined.

John Chipman, of Newport, 1741 to 1743.

Thomas Spencer, of East Greenwich, 1741 to 1743. Chief, 1743 to 1744.

Robert Hazard, of South Kingstown, 1742 to 1744.

William Anthony, of Portsmouth, 1743 to 1744.

Josiah Arnold, of Warwick, 1743 to 1744.

Chief Judge or Justice.

Gideon Cornell, of Newport, 1747 to 1749.

Joshua Babcock, of Westerly, 1749 to 1751. Aug. 1763, declined.

Stephen Hopkins, of Providence, 1751 to May 1755; Aug. 1755 to May 1756; June 1770 to Aug. 1776.

Francis Willett, of North Kingstown, May to August 1755.

John Gardner, of Newport, 1756 to 1761,

Samuel Ward, of Westerly, 1761 to 1762.

Jeremiah Niles, of South Kingstown, 1762, declined.

Joseph Russell, of Bristol, June 1762 to 1763; 1765 to June 1767; 1768 to 1769.

Edward Scott, of Newport, 1763, declined.

John Banister, of Newport, Oct. 1763 to May 1764.

John Cole, of Providence, 1764.

James Helme, of South Kingstown, 1767 to 1768; June 1769 to June 1770.

Metcalf Bowler, of Portsmouth, Aug. 1776 to Feb. 1777.

William Greene, of Warwick, Feb. 1777 to 1778.

Shearjashub Bourne, of Bristol, May 1778 to Feb. 1781.

Jabez Bowen, of Providence, Feb. 1781 to May 1781.

Paul Mumford, of Newport, 1781 to June 1785; 1786 to June 1788.

William Ellery, of Newport, June 1785 to 1786,

Othniel Gorton, of Warwick, June 1788 to 1791.

Daniel Owen, of Gloucester, 1791 to June 1795.

Peleg Arnold, of Smithfield, June 1795 to June 1809. 1810 to 1812.

Thomas Arnold, of Providence, June 1809 to 1810.

Daniel Lyman, of North Providence, 1812 to 1816.

James Burrell Jr., of Providence, 1816 to 1817.

Tristram Burges, of Providence, June 1817 to 1818.

James Fenner, of Providence, 1818, declined.

Asa Messer, of Providence, 1818 to 1819.

Isaac Wilbour, of Little Compton, 1819 to 1827.

Samuel Eddy, of Providence, 1827 to June 1835.

Job Durfee, of Tiverton, June 1835 to 1848.

Richard W. Greene, of Warwick, May 1848 to June 14, 1854, resigned.

William R. Staples, of Providence, Nov. 1854, resigned Mar. 7, 1856.

Samuel Ames, of Providence, June 26, 1856, died, Dec. 20, 1865.

George A. Brayton, of Warwick, Feb. 7, 1866, declined.

Charles S. Bradley, of North Providence, Feb. 9, 1866, Resigned Mar. 1, 1868.

George A. Brayton, of Warwick, Mar. 13, 1868, resigned May 28, 1874.

George H. Browne, of Gloucester, June 23, 1874, declined.

Thomas Durfee, of Providence, Jan. 28, 1875.

Assistant Judge or Associate Justice.

Stephen Hopkins, of Providence, 1747 to 1749.

Joshua Babcock, of Westerly, 1747 to 1749.

Josiah Arnold, of Warwick, 1747 to 1749.

John Howland, of Tiverton, 1747 to 1749.
 Jonathan Randall, of Cranston, 1749 to 1761.
 William Hopkins, of Providence, 1749 to 1750.
 William Hall, of Little Compton, 1749 to 1750; 1761 to Aug. 1763; 1765 to June 1767.
 John Walton, of Newport, 1749 to 1751.
 William Richmond, of Little Compton, 1750 to 1761.
 Benjamin Hazard, of Newport, 1750 to 1751, declined.
 Joseph Russell, of Bristol, 1751 to 1759; 1761 to June 1762; 1774 to Aug. 1776.
 Joseph Clarke, of Newport, 1751 to 1757 1758 to 1761.
 Joseph Lippitt, of Warwick, 1757 to 1758; 1759 to 1761.
 Jeremiah Niles, of South Kingstown, 1757, declined.
 Thomas Wickham, of Newport, 1761 to 1762.
 John Burton, of Cranston, 1761 to 1762.
 Nicholas Easton, of Newport, 1762 to Aug. 1763.
 Jeffrey Watson, of South Kingstown, June 1762, declined.
 Joshua Clarke, of Hopkinton, June 1762 to 1763.
 Samuel Nightingale, of Providence, 1762 to Aug. 1763; June 1767 to June 1769.
 Thomas Cranston, of Newport, Aug. 1763, declined.
 John Cole, of Providence, Aug 1763 to 1764.
 Thomas Greene, of Warwick, Aug. 1763 to 1765; June 1769 to June 1770.
 Silas Niles of South Kingstown, Aug. 1763 to 1764, declined.
 Job Bennet Jr., of Newport, Oct. 1763 to 1768. 1773 to Aug. 1776.
 Robert Hazard, of South Kingstown, July 1764 to 1765.
 Stephen Potter, of Coventry, 1764 to 1765; June 1767 to 1768; 1770 to 1774; 1778 to 1780; June 1787 to 1790.
 Benoni Hall of Exeter, 1765 to 1768; June 1769 to 1773.
 Henry Harris, of Providence, 1765 to 1766.

Gideon Comstock, of Cranston, 1766 to June 1767; June 1769 to June 1770; Oct. 1778 to 1781.
 Nathaniel Searle, of Little Compton, 1768 to June 1770.
 Metcalf Bowler, of Portsmouth, May 1768 to June 1769.
 June 1770 to Aug. 1776.
 Phillip Greene, of Warwick, 1768, declined.
 James Helme, of South Kingstown, June 1770 to 1774.
 William Greene, of Warwick, June 1768 to 1769; 1774 to Feb. 1777.
 Shearjashub Bourne, of Bristol, Aug. 1776 to 1778.
 Jabez Bowen, of Providence, Aug. 1776 to June 1777.
 Thomas Wells, of Hopkinton, Aug. 1776 to 1780.
 Perry Richmond, of Little Compton, Feb. to June 1777.
 Paul Mumford, of Newport, June 1777 to 1781.
 Christopher Lippitt, of Cranston, May to Oct. 1778.
 William Ellery, of Newport, 1780, declined.
 Peter Phillips, of North Kingstown, 1780 to 1786.
 Rufus Hopkins, of Scituate, Sept. 1780 to 1781.
 Thomas Tillinghast, of East Greenwich, Sept. 1780 to 1787; 1791 to 1797.
 Ambrose Page, of Providence, 1781, declined.
 David Howell, of Providence, 1781 to 1782; 1786 to 1787.
 Pardon Gray, of Tiverton, 1781 to 1786.
 Jonathan Jenckes, of North Providence, 1782 to June 1785.
 Thomas Arnold, of Providence, June 1785 to 1786.
 Joseph Hazard, of South Kingstown, 1786 to 1787.
 Gilbert Devol, of Tiverton, 1786 to 1787.
 William West, of Scituate, 1787 to 1790.
 Walter Cooke, of Tiverton, 1787 to June 1809.
 John Waite, of South Kingstown, 1787, declined.
 Simeon Clarke Jr., of Richmond, Sept. 1787 to 1790.
 Daniel Owen, of Gloucester, 1790 to 1791.

- Sylvester Robinson, of South Kingstown, 1790 to 1792.
 Ezekiel Gardner, of North Kingstown, 1790 to 1794; June 1799 to June 1801.
 Carder Hazard, of South Kingstown, 1792 to 1793.
 William Taggart, of Middletown, May 1793 to June 1795.
 Joshua Bicknell, of Barrington, 1794 to June 1801; 1811 to 1818.
 Joseph Hoxsie, of Charlestown, June to Oct 1795.
 George Brown, of South Kingstown, Oct. 1795 to June 1799.
 Thomas Holden, of Warwick, Dec. 1797 to June 1801.
 John Allen, of North Kingstown, June 1801 to 1808.
 Joseph Reynolds, of Bristol, June 1801 to 1811.
 Henry Remington, of Warwick, June 1801 to 1808; 1818 to 1819; June 1822 to 1827.
 William Marchant, of Newport, 1808 to 1810.
 Benjamin Johnson, of West Greenwich, 1808 to 1810; 1811 to Oct. 1813.
 William Anthony, of Portsmouth, June 1809 to 1810; 1811 to 1818.
 Jeffrey Hazard, of Exeter, 1810 to 1818.
 Joseph Cundall, of Portsmouth, 1810 to 1811.
 Thomas Westcott, of Warwick, 1810 to 1811.
 Charles Brayton, of Warwick, Oct. 1813 to 1818; 1821 to June 1835.
 Isaac Wilbour, of Little Compton, 1818 to 1819.
 Daniel Champlain, of Exeter, 1818 to 1827.
 John DeWolf, of Bristol, 1818 to June 1822.
 Thomas Buffington, of Smithfield, 1819 to 1823.
 Dutee Arnold, of Warwick, June 1819 to June 1822
 Luke Drury, of Bristol, June 1822 to 1824.
 Wheeler Martin, of Providence, June 1823 to 1824.
 Samuel Randall, of Warren, 1824 to 1833.

- Isaac Fiske, of Johnston, 1824 to June 1825.
 Nathan Brown, of Johnston, June 1825 to 1826.
 Samuel Eddy, of Providence, May to June 1826.
 Stephen Branch, of Providence, June 1826 to 1827.
 Job Durfee, of Tiverton, 1833 to June 1835.
 Levi Haile, of Warren, June 1835 to July 14, 1854.
 William R. Staples, of Providence, June 1835 to Nov. 1854.
 George A. Brayton, of Warwick, June 1843 to Mar. 13, 1848.
 Sylvester G. Sherman, of North Kingstown, Nov. 2, 1854 to Jan. 8, 1868, died.
 Alfred Bosworth, of Warren, Nov. 2, 1854, to June 10, 1862, died.
 J. Russell Bullock, of Bristol, Sept. 4, 1862 to Mar. 1, 1864, resigned.
 Thomas Durfee, of Providence, Jan. 15, 1865 to Jan. 28, 1875.
 Elisha R. Potter, of South Kingstown, Mar. 16, 1868 to Apr. 10, 1882, died.
 Walter S. Burges, of Providence, Jan. 24, 1868 to June 1, 1881, resigned.
 Charles Matteson, of Providence, Feb. 11, 1875.
 John H. Stiness, of Providence, Apr. 13, 1875.
 Pardon E. Tillinghast, of Pawtucket, June 2, 1881.
 George M. Carpenter, of Providence, Apr. 20, 1882 to Jan. 1, 1885, resigned.
 George A. Wilbur, of Woonsocket, Jan. 29, 1885.

The first Rate Makers of The town of South Kingstown elected in 1722 were: Peleg Mumford, Samuel Helme, and James Perry. The Rate Makers were called "Assessors of Rates," 1787, and "Assessors of Taxes," 1794.