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MATTER ILLUSTRATING THE HISTORY
OF THE

State of Rhode Island and Providence Plantations

A HISTORICAL MAGAZINE FOR THE PEOPLE

*A record of measures and of men,
For twelve full score years and ten.*

JAMES N. ARNOLD, EDITOR

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Nathan F. Dixon. — In Ferley's "Reminiscences," we find the following in relation to Hon. Nathan F. Dixon, United States Senator from Rhode Island, and the grand-father of the present State Senator from Westerly.

"Prominent among the Whig Senators was Nathan F. Dixon, of Westerly Rhode Island. He was one of the old school of political gentleman. His snow white hair was tied in a large queue, he had a high forehead, aquiline nose, wide mouth and dark eyes, which gleamed through his glasses. Respecting the body, of which he was a member, he used to appear in a black coat and knee breeches with a ruffled shirt, white waistcoat and white silk stockings. He was chairman of the Whig Senatorial Caucus (1841), and on the last night of the extra session, Mr. Clay had complimented him, in rather equivocal language, on the ability with which he had presided. When the laughter had subsided, Senator Dixon rose and with inimitable humor thanked the Senator from Kentucky; "I am aware," said he, "that I never had but one equal as a presiding officer, and that was the Senator from Kentucky. Some of you may have thought that he was not in earnest, but did you know him as well as I do, you would credit any remark he may make before ten o'clock at night — after that, owing to the strength of his night-caps, there may be doubts."

S. H. Allen.

From the Narragansett Times, September 7, 1888.

The Narragansett Historical Register, for April has just made its appearance. It is rather late in being issued but is perhaps the most interesting number ever printed of this publication. Mr. Arnold's efforts to produce a historical magazine devoted to the history of the State are worthy of support.

ASSIZE OF BREAD.

By F. C. C.

THE present article has been given its heading for a particular reason; not because the subject is of so much importance in the body politic, but because the measure relative to the assize of bread is the sole relict of a series of legislative acts passed for the regulation of the price of commodities of all sorts, sold in the Colony of Rhode Island, and in force down to a somewhat late day. It is, at the present time, but a dead letter and burdens the Statute Book with its stiff and formal provisions. Like the conventional "dress coat," it has come down to us somewhat shorn of its past greatness and the respect it once inspired in the breast of every law-abiding citizen. However it is not important to us whether the baker regulates the size of his loaf in accordance with the provisions of the law, or again, whether each of the several town councils appoints an inspector to enforce the statute. All this is now immaterial to us, though it was not so once. Now each baker uses a standard which obtains to his best interests; while the purchaser goes where he can buy to his advantage. It is then, not a matter to be recognized by the law; it is one of mutual benefit to both buyer and seller. Whether the act be enforced or not, all the objects are gained for which the law was enacted. In short, policy now accomplishes what was once thought to need the whole machinery of legislation to be set in motion before it could be done. All such questions in political economy were in

those days not understood. Hence by tracing the evolution, or rather the *devolution*, of the law relative to the assize of bread, we shall learn the methods of our ancestors in fixing prices, establishing precedents, and complicating the whole subject by unnecessary and burdensome legislation.

In good old colonial days when Charles II. occupied the British throne, when the navigation laws were in full force throughout the English colony of America, and the East India Company held their patent with the consideration that a certain annual sum of hard money should be brought into England in addition to all its valuable importations and money was reckoned only in pounds, shillings and pence, and Adam Smith had not as yet corrected that error, it was not to be expected that the chiefs of the Colony of Rhode Island, or of any other, would be more enlightened or have more advanced ideas on the subject of prices than the Home Rulers. They took their cue from the Mother Country, as every loyal son of England was expected to do, and did down to the Revolution, and, in the case of Rhode Island, long afterward. In fact we may trace some British influence in our own State affairs even at the present day.

The Colony of Rhode Island, like all patriarchal governments, seemed very early disposed to set the prices of various articles bought and sold, in a manner with which we moderns have little sympathy and against which we would have rebelled. This tendency was begun by the town of Portsmouth in 1638, by the regulation of the assize of bread and the price at which it was to be sold. Curiously enough, both municipal and general legislation in this regard began and ended with the assize of bread. It is our purpose, therefore, to trace as clearly as possible the intervening steps.

During 1638 the buying and selling price of venison was fixed by law. It was to be bought of the Indians for three half pence a pound, and sold at two pence. Further-more a tariff of one farthing was imposed on every pound sold. Four "Truck-masters," a sort of governmental game-keepers, were appointed to take charge of the venison trade of the town of Portsmouth. There is some curious legislation connected with this traffic which does not come within the province of this paper. But suffice it to say, that every effort was made by the municipal authorities of Portsmouth to protect the deer which yearly brought a considerable revenue into the town. There was a heavy fine levied against every person who killed a deer between the months of May and November.

Another step onward was the regulation of the price of corn for the payment of debts. This method was extended to payments of taxes also, later on, when money became scarce in the Colony. Thus in 1641 the town council of Newport ordered that "Indian corn shall go at four shillings per bushel between man and man in all payments of debts made from this time forward; provided it was merchantable."

Taxes, however, were not paid in this manner until 1678 when there was passed the first general law upon the subject. They could be paid in either money or in pork at two pence a pound, or fifty shillings a barrel; in beef at twelve shillings a hundred weight etc. Perhaps it might be interesting to note the prices of other commodities two hundred years ago. Peas were two shillings six pence per bushel, corn and barley two shillings, butter five pence per pound, rye two and six pence a bushel, wheat four shillings and oats fourteen pence. Flour bread was a scarce article and sold for twice as much as corn and barley, and in some instances for more.

In 1706 - 7 the weight, size and price of a loaf of white bread were fixed by general statute. Every baker in the

Colony was required to stamp every loaf he baked and sold, giving its weight; the price being regulated by the current price of wheat by the bushel. For every evasion of the law the bread was forfeited and given to the poor of the town when the seizure was made. Tables, showing the schedule of prices, including the "toll" or tariff per bushel for baking, were drawn up. Each town was required to set up a notice, giving the "middling" or average price of wheat, once a month. Bakers were to be governed in their charges by this. An inspector of bread was appointed to visit every bakery, and every place where bread was sold, to see that the requirements of the law were fulfilled. Whenever a "raid" was made the Inspector was allowed half of the forfeited bread; the town taking the other half. After 1763 each town was given the power to make its own regulations in this respect.

We find, on reading the Providence Gazette for October 1, 1775, that a two penny loaf of good white bread must weigh twelve ounces avoirdupois, a four penny loaf one pound three ounces, a two penny loaf of superfine flour ten ounces, a four penny loaf one pound five ounces, a copper biscuit four ounces. This was a slight drop in the weight from 1773.

These were but the premonitory symptoms of a general interference with the prices of all sorts of commodities sold in the Colony. It was thought that if a price was affixed to every article of merchandise the difficulties of any financial operation would easily disappear. The management of trade and commerce was now in the hands of the Legislature.

The General Assembly did not, however, interfere directly in this matter until 1713 when grain became very scarce throughout the Colony on account of the large quantities of it exported. To stem this current and to discourage the exportation of grain, the price of wheat, rye, corn and barley was fixed at a certain sum per bushel, and flour and biscuit

per hundred weight. None of these articles could be sold on any condition for a higher figure. Furthermore, none of them could be exported under any circumstances, under penalty of paying thirty shillings for every hundred weight of biscuit and flour, ten on wheat, five on rye, barley and Indian corn per bushel. Besides, if any grain, flour or biscuit was imported into the Colony, before it could be sold, the vender must have it first "cried by the public crier of the town three several times on three several days." If it could not be sold within ten days any to one, then the holder was allowed the privilege of exporting it.

But the regulation of the prices of commodities did not reach the extreme height of folly till the War of Independence. In 1776 a convention of the New England States was called for this purpose and a schedule of prices drawn up, setting forth the price of everything from the cost of a night's lodging in a tavern to a "quid" of tobacco. For the sake of gratifying our readers we will copy some of these regulations, to show what it cost to live in those good old days, or rather what according to law it ought to cost.

Every traveler, (an exception was made in the case of soldiers,) was to pay for a dinner of boiled or roast meat, with the usual accompaniments, except wine, one shilling and six pence; for his supper and breakfast, each one shilling; for his lodging four pence. In Connecticut wheat was fixed at six shillings a bushel, in other States at seven and six pence. Rice in Connecticut was three and six pence a bushel, in other States four and six pence. Corn from three shillings to three and six pence per bushel according to place; grass-fed beef three pence a pound if bought by the hundred weight; stall-fed twenty-four shillings by the hundred. West India rum was six and eight pence a gallon by the wholesale (that is by the hogshead), or seven and eight pence a single gallon.

Sugar eight pence a single pound, sixty shillings a hoghead etc. Molasses four shillings a single gallon with the addition of one penny for carriage, with a slight reduction when bought by the hoghead. Domestic cheese was six pence a pound; butter ten pence; potatoes one and six pence a bushel in the Fall, and two shillings at other times. Turkeys and "dung-hill" fowls cost four and a half pence a pound; geese three pence. The best mutton and veal were four pence a pound. "Good merchantable well cured tobacco," four pence for a single pound. A slave was three pence. Milk was sold by "beer measure" at two pence a quart from May 1st. to November 1st. and three pence at other times. This schedule of prices was to go into effect on and after January 1st. 1777. The act reads in the following strong terms:

"Whoever shall contract or receive for labor, or vend, sell, or receive for any of the above enumerated articles, more than at the above rate or price therunto affixed, or for others not enumerated, in an unreasona'le disproportion thereto, shall be accounted oppressive, an enemy to his country, guilty of a breach of this act, and shall be liable to be prosecuted and fined."

In 1779 the interference of the General Assembly became oppressive. It was thought that the constant depreciation of the Continental currency could be stayed, (a depreciation which reached its lowest point at this time), by fixing the price still more arbitrarily of every thing sold in the Commonwealth. The Legislature requires every farmer who had grain to sell it at a fixed price to those who had none, under the penalty of having it taken away by force and distributed among such. The time seems to have come when the property of a citizen was no longer protected by the government, and revolution was ripe. But the citizens of Providence were the first to perceive the folly and futility of such measures.

They drafted a report to the General Assembly to this end. The Representatives of Providence in the Assembly moved a report of the Act which was final. The temper of the report is so just and reasonable, that I am sure our readers will not object to our quoting a portion of it. Its full text may be found in Judge Staples, "Annals of Providence." They moved the report of the Act for various reasons:

"Because we find by experience, that the object of said act, is so intricate, variable and complicated, that it cannot be and remain any term of time equitable, and hath a tendency to frustrate and defeat its own purposes. It was made to cheapen the articles of life, but it has in fact raised their prices, by producing an artificial, and in some articles a real scarcity. It was made to unite us in good agreement respecting prices, but hath produced animosity and ill will between town and country and between buyers and sellers in general. It was made to bring us to some equitable standard of honesty, and make fair dealers; but hath produced a sharpening set of mushroom peddlers, who adulterate their commodities, and take every advantage to evade the force of the act, by the most pitiful evasions, quibbles and lies. It was made to give credit to our currency; but hath done it much injury; it tends to introduce bartering, and makes a currency of almost everything, but money."

The whole tenor of the report tends to show that the object for which legislation has been invoked, had utterly failed, and everything was in a worse condition than ever before. It showed a clear comprehension of the whole subject, which could not be claimed for the legislators in general of that time.

But the depreciation of the currency could not be prevented by arbitrary laws. Congress finally took up the matter. By degrees the proper knowledge of the difficulty was acquired, though not until the paper currency had reached such a

state of depreciation that trade became stationary and the credit of the country threatened with ruin.

The first glimmer of light came from the town of Providence. The citizens of this place had never been so infatuated, for obvious reasons, with the methods of improving trade and establishing public credit as the rest of the Commonwealth. It was here that better counsels prevailed, and, as we have seen, from which emanated a memorial to the Assembly for a change of legislation measures. These views spread gradually throughout Rhode Island, though not until the General Assembly once more endeavored to interfere and force a false value upon a depreciated currency in a most arbitrary manner — an action which culminated in the famous case of Trevitt against Weedon in 1786, the last straw which broke the camel's back.

Should this folly of a past generation be in danger of being repeated on a larger scale, either through interested or mistaken motives let us turn to its history, and, by refreshing our memory put in practice the lessons so hardly gained by the struggles of our ancestors, groping in the errors and darkness by which they were everywhere surrounded, but at the same time show, by more enlightened legislation, that these lessons have not been thrown away. For if history is to teach us anything, we should learn from it how to avoid making the mistakes of a former age. And this lesson can be no better learned, than by tracing the history of legislation relative to the assize of bread, which, though still receiving some recognition in law, now regulates itself. The statutory provision is but a reminder of those days when it was thought that legislation could do anything and everything, even as it was seen with us a few years ago, when many honest men became believers in the doctrine of "fiat money;" forgetting that money must be earned in all cases, and that its circulation is governed by the same laws as all other commodities.

WHAT WAS THE DUBERTUS?

By Welcome A. Greene.

IN "King Charles' Charter," is to be found the following provision.

"And further, for the encouragement of the inhabitants of our said Colony of Providence Plantations to set upon the business of taking whales, it shall be lawful for them, or any of them, having struck whales, dubertus, or other great fish, it or them, to pursue into any part of that coast, and into any bay, river, cove, creek, or shore, belonging thereto, and it or them, upon the said coast, or in the said bay, river, cove, creek, or shore, belonging thereto, to kill and order for the best advantage, without molestation, they making no wilful waste or spoil."

My attention was drawn to this passage many years ago and it excited a curiosity to know what was the "fish" or animal meant by the "dubertus."

Inquiry among those versed in Natural history as well as in the history of our State only showed that the same curiosity had been excited in other minds. No one was found who could tell what the creature was. The word is not to be found in Webster's dictionaries, nor in Johnson's Dictionary (Edition of 1805).

It would seem from the context, in the above provision, that the dubertus was either a whale, or of the whale kind (as considered by the fishermen of that day), or some "other