

## Scituate Raises Questions

BY MATHIAS P. HARPIN

**Is First Town in Rhode Island to Point Out That With the Declaration of Independence, the Royal Charter was Void and Therefore The Power to Form a Government Rested Again In the People.**

Providence, Portsmouth and Newport had existed as separate settlements. Suddenly Roger Williams came up with a suggestion. Why not unite the three towns into one government? His idea gained favor. A meeting was called and it was voted to send Williams to England to obtain a charter. This piece of parchment conferred upon the settlers "full power and authority to govern and rule themselves." It was now 1664 and all was well.

The old charter had been granted under Cromwell's Parliament while Charles 11 was in exile. Suddenly there was fear in this part of the world. Suppose the king came back to the throne. Would he recognize the old charter? No chances could be taken. Someone must go back to England and obtain a new charter. Dr. John Clarke of Newport was chosen.

It might be expected that the charter that he brought back—the Royal Charter—would be perfect in every detail, but it wasn't. To begin with, the charter was not adopted by a vote of the people duly notified for the purpose. On the contrary the charter was adopted by acclamation. So it remained.

In that charter it was stipulated that only persons possessed of real estate having a value of a certain fixed sum could vote. Also the eldest son of a qualified freeholder could vote. Hence the legislators controlled the franchise, and nothing was done to change matters, though protests were heard. Came the memorable day in May, 1776 when Rhode Island proclaimed her independence followed by legislative endorsement in July of the Declaration of Independence as adopted in Congress.

Assembling in town meeting in April of 1777 the taxpayers of Scituate became first to enter a protest against the vagaries or inequalities of the old charter. Thus Scituate, a town in the hinterlands, led the way in a movement which ultimately would divide the State of Rhode Island and Providence Plantations and plunge us into civil war—the Dorr Rebellion. Scituate raised three questions and instructed her representatives in then called deputies — in the legislature to work to the end that a redress was obtained. The deputies then were Job Randall and Timothy Hopkins, Esquires.

First the taxpayers claimed that for the past ten months there had been no government in the State—not since the Declaration of Independence.

"... that at the time our ancestors petitioned the King of Great Britain to take them under protection the power of government to be vested in the king by which he was clothed with authority to grant said charter; and upon the Declaration aforesaid the power again rested in the people where we are convinced it still remains as we do not find the people have since either by any person legally authorized by them or themselves fixed any settled form of government."

Furthermore since the granting of the charter many towns had been incorporated. These towns were not only obliged to send a larger number of men into the field in times of peril but also had to pay a larger share of the public debt. Scituate was among these. Yet the town was not permitted to send more than two members to the General Assembly "which we con-

ceive altogether injurious and unequal to yourselves and constituents." Taxpayers urged that her deputies introduce an act settling the form of government and granting equal representation.

"We would still further recommend a diminution of the number of the deputies of the towns that shall be found to have more than their proportion before an augmentation in those that have not their proportion."

It appears also that even in these days the legislators liked to vote themselves wages. To this the Scituate taxpayers objected.

"That whereas at the very time when we are risking our lives and fortunes to extricate ourselves out of the power of those that would fleece us of our money without our consent to their own emolument we are surprised to find that our General Assembly have lately stepped into the same path by passing an act granting themselves large daily wages."

If this was allowed to go on without a protest then, if they could vote themselves a penny by the same principle they could vote themselves a pound, it was pointed out. It was suggested that each town pay its own legislators and recommended that the act granting increase in salaries be replaced as altogether unconstitutional and arbitrary.

At the same time Scituate called attention to the inequalities of the military laws in regard to wages of officers and the repeated call for troops to take the field in combat.

"In regard to the officers' wages and the disproportion there is between them and the soldiers and when we have considered them in every point of view and find but very little difference in their circumstances or duty—in short in nothing but their wages, we earnestly wish the same may be remedied."

Concern was expressed also for the morale of troops so often called into service.

"The farmer, the mechanic and the laborer obliged by the power of government to take the field against their inclination therefore go through all the duties of a camp with grumbling and reluctance thereby disaffecting many to the service that otherwise would be good soldiers."

Many that were called were unfit for duty in camp too either by age or bodily infirmities and could by no means "act with the sprightliness necessary in a soldier."

Our history books refer to the early colonial soldier of the revolution as "a minute man". Scituate suggested the use of the name even at this town meeting. Instructions to the deputies called for a revision of the military laws.

"... and that one quarter part of the militia in this state be immediately ordered to be enlisted and formed into companies and regiments with proper officers of every rank necessary to command the same in service and out to be called and known by the name of Minute Man ... to hold themselves in readiness to march at a moment's warning either in the state or out."

The committee which drew up these instructions included Ezekiel Cornell, William West and Rufus Hopkins.