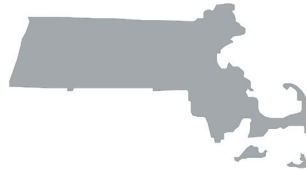


Attorney Thomas W. Dorr (1805-54)

“Let the People Remember!”: Rhode Island’s Dorr Rebellion and Bay State Politics, 1842-1843

ERIK J. CHAPUT



Editor’s Introduction: *In 1842 a group of Rhode Island reformers took up arms in order to remove the state’s archaic form of government. The origins of the brief, but tumultuous, insurrection lay deep in Rhode Island history. The results, however, deeply impacted politics in Massachusetts. Beginning in 1776, all of the original thirteen colonies, except Connecticut and Rhode Island, wrote new constitutions and set up representative governments. The spark that led Providence attorney Thomas Wilson Dorr (1805-54) to move from a war of words to the field of battle involved the continued reliance on the 1663 colonial charter as the state’s governing document. As John Quincy Adams noted in his diary on May 10, 1842, Dorr had taken steps to “achieve a revolution in government” because Rhode Island still “adhered” to the charter.¹*

Rhode Island’s colonial charter, which was still used as the state’s governing document as late as 1842, contained no amendment procedure and restricted suffrage to landowners possessing \$134 of real estate. Because of the property qualification for voting, most of the populations of the growing commercial and manufacturing districts were disenfranchised. Indeed, only 40% of the state’s white male population was eligible to vote by 1840.

Thomas Dorr was the scion of an old Yankee family. He received the finest education money could buy in the nineteenth century, studying at Phillips Exeter Academy in New Hampshire and then at Harvard College. After graduating from Harvard in 1823, Dorr studied law under the famed Chancellor James Kent in New York City, the most prominent state level jurist in the antebellum period. He was eventually admitted to both the New York and Rhode Island bar. Dorr entered politics in 1834 when he was elected to the Rhode Island General Assembly from Providence's Fourth Ward. The young Dorr championed numerous reform causes. During this period, Dorr also became connected with Massachusetts abolitionists, including Wendell Phillips, Edmund Quincy, and the poet John Greenleaf Whittier. By 1840, however, Dorr had abandoned his once devout penchant for antislavery and devoted himself completely to reforming Rhode Island's governing structure. Dorr wished to see Rhode Island recover its once prominent commitment to democratic fervor.

After several earlier attempts at change were rebuffed, the working people of Rhode Island organized the Rhode Island Suffrage Association. Adapting the philosophy of the Declaration of Independence to their situation, Dorr and his followers called an extralegal convention and wrote a new constitution that greatly expanded the suffrage for white males, though the vote was not extended to African Americans. An overwhelming majority of Rhode Islanders—almost 14,000 in favor with just 52 opposed—cast ballots for the “People’s Constitution.” Dorr was elected governor under this constitution in April 1842.

Samuel Ward King, Governor of Rhode Island under the charter, refused to recognize the People’s Constitution. The state Supreme Court declared the People’s Constitution illegal; the General Assembly declared that any attempt to enforce it would be considered an act of treason. On the night of May 17, 1842, the Dorrites trained several cannons on the state arsenal in Providence, where a large contingent of Rhode Island militia were stationed, including several of Dorr’s relatives.

Dorr’s attempt to take over the state government by force alarmed many. For some, serious constitutional issues were raised, while others feared that it might spark an uprising reminiscent of

Shay's Rebellion in 1786. As this article dramatically details, the stakes were also high in neighboring Massachusetts: its geographic proximity made the "Rhode Island Question" (as it was then called) anything but abstract. Violence, in the form of incursions of armed men into Massachusetts in pursuit of the rebels, along with questions about the role of the Massachusetts state government's material aid in the suppression of a "democratic" movement in a neighboring state, shaped the Massachusetts gubernatorial race in the fall of 1842. When the returns were counted that November, the incumbent Whig, Governor John Davis, was defeated by his Democratic opponent, Marcus Morton, whose campaign had focused heavily on the politics surrounding the Rhode Island uprising. Using rich archival sources, scholar Erik J. Chaput details the history of this forgotten chapter in Massachusetts history.²

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FREE SUFFRAGE is a subject of absorbing interest. The right of voting is the basis of liberty. It distinguishes the SLAVE from the FREEMAN. In Rhode Island THREE-FIFTHS of the men are deprived of this right because they do not own REAL ESTATE. The people there are struggling to obtain it by a fair and equal Constitution. The land holders have put it down by military force, lawless violence and bloodshed. Our Executive [Massachusetts Governor] John Davis has encouraged and aided them by allowing them the use of our STATE ARMS, by granting warrants to arrest those who have fled from the oppression of MARTIAL LAW and by winking at the invasion of our soil, the midnight burglary of a dwelling, the KID-NAPPING of men and the SHOOTING DOWN of our citizens in our streets. Can any friend of FREE SUFFRAGE support Gov. Davis?³

Massachusetts Broadside, 1842

Buried deep in the Old Colony Historical Society in Taunton is a diary kept by Nathaniel Morton. A popular speaker in southeastern Massachusetts, Morton, a graduate of Brown University, compiled a list of over fifty possible lecture topics in the back of his diary. While many dealt with perennial antebellum political questions, such as banks, tariffs,

internal improvements, and the distribution of public lands, the first entry dealt with the Revolutionary era question of whether “the doctrine of perpetual allegiance was consistent with republicanism.” The second entry dealt with what was known at the time as the “Rhode Island Question.” Morton asked: “Have the majority of the people a right to alter their form of government at any time and under any circumstance?”⁴

The arguments brought to the surface during the 1842 Dorr Rebellion in Rhode Island, just a few miles from his family home in Taunton, highlighted that republicanism remained a non-unified doctrine in antebellum Rhode Island.⁵ Morton undoubtedly was aware of the national ramifications of the conflict as well as the role the event was playing in his native state.

At issue were two conflicting strands of eighteenth-century republican ideology. The conservative strand of republicanism feared the transient beliefs of popular majorities, which, if left unrestrained, could lead to mobocracy. The opposing strand was much more in tune with an egalitarian conception of popular sovereignty and the majoritarianism ushered in by Andrew Jackson’s presidential victory in 1828. By 1836, two mass parties, the Whigs and the Jacksonian Democrats, had formed. Each provided voters with distinctive constitutional visions.

Most Democrats considered the people’s sovereignty to be a sacred part of the American political order. “So stupid are the Whig editors in their hatred of all popular movements, calculated to enlarge and strengthen the basis of Democracy, that they seldom stop to investigate the nature . . . of any dispute between the people and corporate money or arbitrary power,” said the *Cincinnati Daily Enquirer*.⁶

The Whigs espoused a far more conservative and less populist view predicated on the belief that republican government required obedience to the law. In Whig ideology, appeals to mob action in defense of the people’s sovereignty were akin to rebellion. To Whig observers, it was “a dangerous thing to force the people to resort to first principles, when any real or imaginary evil besets them.”⁷

Nathaniel Morton clearly grasped that the perfect way to fill the Taunton Library with a throng of devoted listeners was to lecture on an event that had sent shockwaves throughout New England. Most importantly, it helped his father, Marcus Morton, former Chief Justice of the Massachusetts Supreme Judicial Court, to win the governorship in 1842. Marcus Morton had successfully exploited the “Rhode Island Question” against his opponent John Davis. As the *Boston Post* declared, the Rhode Island “difficulties have presented the best test question for the democracy.” The

nationwide debate over the “Rhode Island Question,” which was shorthand for a debate over the right to alter a form of government without prior authorization, led to the formation of stark dividing lines in American political thought. The Whig Party, declared the *Post*, carried out the will of the Rhode Island authorities. They were simply “haters of people” and “despisers of free suffrage.”⁸

The attempt of the Rhode Island Suffrage Association at extralegal reform in the spring of 1842 brought to the surface once again the fundamental differences over the nature of the people’s sovereignty. The question of where sovereignty was located and how it was to be exercised by white males created opinions that were virtually irreconcilable, and it was this issue that drove a divide between the nation’s two major parties.⁹

For Democrats in the neighboring state of Massachusetts, as the broadside at the beginning of this essay illustrates, the politics surrounding the events in Rhode Island question were the overriding issue in the 1842 campaign. In the midst of the gubernatorial campaign, the *Boston Post* declared that “the majority of the community hath an indubitable, unalienable, and indefensible right to reform, alter or abolish their form of government.”¹⁰ Massachusetts Whigs, in contrast, compared the situation in Rhode Island to that of the “South Carolina Nullifiers,” who had sought to abrogate a federal law a decade before.¹¹

In his reminiscences on his long career in public life, George Boutwell, former Massachusetts Governor and U.S. Senator, made the connection between the success of the Massachusetts Democrats and the politics surrounding the “Rhode Island Question.”¹² Dorr’s views on the people’s sovereignty and his aborted attempt at suffrage reform became a rallying cry for Bay State Democrats. At the Massachusetts Democratic Convention in September 1842, the ranks of the Democrats rallied behind Marcus Morton’s candidacy for governor, making his connection to the principles embodied in the “Rhode Island Question” the central issue in the campaign.

The People’s Constitution provoked a reaction across the country. Numerous Americans—including Massachusetts Senator Daniel Webster—denounced the Dorrites as acting outside of proscribed constitutional procedure. Others, such as former President Andrew Jackson, declared that the document was constitutionally legitimate. Jackson wrote to a correspondent in his usual tortured prose: “the people are the sovereign power and agreeable to our system, have the right to

alter and amend their system of Government when a majority wills it, as a majority have a right to rule.”¹³

By the spring of 1842, Rhode Island was torn between competing legal systems, rival governors, and separate legislative assemblies. Both governments claimed to be the legitimate authority of the state. The supporters of each side, which included armed militias, were sworn to defend their respective governments.

After he was elected governor under the People’s Constitution in April 1842, Dorr attempted to use force to have it implemented. On the night of May 17, Dorr’s plan to attack the state’s arsenal in Providence backfired when a damp, heavy fog prevented his cannons from firing. In late June, Dorr and his loyal followers reconvened at the northern village of Chepachet. Their primary purpose was not to raise an army to fight the charter forces (as has sometimes been argued) but rather to reconvene the People’s Legislature.¹⁴ Dorr and his men fled when they saw the superior numbers of Rhode Island Governor Samuel Ward King’s charter forces approaching.

Complicating the situation, many fled across state lines into Massachusetts and Connecticut to avoid capture. Two days after Dorr ordered his followers to disperse from Chepachet on June 27, 1842, Major-General William Gibbs McNeill, a West Point graduate who the charter authorities hired to lead their forces, issued an order to arrest fugitives within fifty miles of the village. Dorr’s men quickly fled into neighboring Connecticut and Massachusetts.

In pursuance of McNeill’s orders, William Blodgett, a charter government militiaman, gathered together a small force to pursue Dorrites who had fled the mile-and-a-half from Woonsocket, Rhode Island, to Bellingham, Massachusetts.¹⁵ Around one o’clock in the morning on June 30, a group of armed men led by Blodgett broke into a boarding house, seized the four Dorrites after a small struggle, and then bound their hands and feet for the twenty-mile carriage ride to Providence.¹⁶ When Blodgett was asked by what authority he acted, he replied “by authority of this,” presenting his gun and bayonet to the tavern owner’s breast. Blodgett claimed he had a warrant from Governor Davis of Massachusetts and a requisition order from Governor King of Rhode Island. It was later proven in court that he had neither.¹⁷

In July, a clever Rhode Island Suffrage Party broadside warned Massachusetts Governor “honest John” Davis to “prepare his forces” for a “third attack” by Dorr on Rhode Island.¹⁸ After two failed attempts, however, and with President John Tyler backing Governor King, Dorr

remained in exile in fear of arrest. Massachusetts Adjutant General Henry Dearborn (the state's senior military officer and *de facto* commander of its military forces) actually prepared a written order for the release of 2,000 of the state's force to go to Rhode Island to aid Governor King if necessary.¹⁹ A Rhode Island official wrote to Massachusetts Adjutant General Dearborn to express his thanks for the "readiness in giving us means to put down a body of lawless men—who threaten the overthrow of our laws—the destruction of all that is dear to us."²⁰

The *Bay State Democrat* assailed Massachusetts Whigs for supporting the Rhode Island charter government's disenfranchisement of "a large number of laborers, mechanics, and traders" through a provision that linked the right to vote to native-born males with at least one-year's residence in a town.²¹ Almost immediately after Dorr's abortive attempt at reform failed in late June 1842, support for his cause became a litmus test for northern Democrats. Many prominent Massachusetts Democrats supported and took part in the Dorr Rebellion from the beginning. These included Benjamin F. Hallett, who merged his radical *Boston Advocate* with the *Boston Post* in 1838 to create a powerful organ for the Massachusetts Democrats; Lewis Josselyn, the editor of the *Bay State Democrat*; and Robert Rantoul the famous orator and lawyer.²² When Dorr went into exile in New Hampshire after his defeat at Chepachet in June 1842, it was Josselyn's *Bay State Democrat* that became Dorr's primary conduit for news from Rhode Island.²³ Since he did not trust the postmaster in Providence, Dorr instructed his lieutenants to send all correspondence through Josselyn's hands.²⁴ After he assumed office in January 1843, Governor Marcus Morton of Massachusetts quickly appointed the controversial Hallett to his Executive Counsel. Hallett would also handle the famous *Luther v. Borden* case that stemmed from the Dorr Rebellion when it was appealed to the United States Supreme Court.²⁵

Dorr's attempt at extralegal reform in Rhode Island was not only a matter of personal involvement in Massachusetts but of regular front-page news in the *Post* and the *Bay State Democrat* from May 1842 through January 1843. Almost daily through the summer and fall, Lewis Josselyn ran a column designed to remind readers of the "outrages" in Rhode Island and to associate Massachusetts Whigs with the charter authorities. Headlines blared: "Keep it Before the People!" and "Let the People Remember."

According to Josselyn, the Massachusetts Whig Party demonstrated its "contempt of the true principles of American democracy, and the faithlessness and hypocrisy of all its late professions of friendship for the mechanics and laborers of the country."²⁶ Also active on the lecture circuit

in Boston were Welcome B. Sayles and David Parmenter, ardent Rhode Island Dorrites.²⁷ Nathaniel Morton, Marcus Morton's oldest son, traveled with Sayles to Boston numerous times in 1842 and 1843.²⁸ With this level of participation in the rebellion itself and the interest of the state's newspapers as it unfolded, it would be surprising if the matter had not become a critical issue in the 1842 campaigns in the neighboring state.

As historian Arthur Darling noted in his dated, but still indispensable study of antebellum Bay State politics, the Dorr Rebellion made the question of "free suffrage" a major issue in the 1842 campaign.²⁹ The illegal seizure of Dorrites in the south central Massachusetts town of Bellingham, the accidental shooting death of Alexander Kilby in Pawtucket (then part of Massachusetts) by a member of a Rhode Island militia unit, along with the investigation into the loaning of arms to the charter authorities in June 1842, comprised the political triumvirate that Massachusetts Democrats used against their Whig opponents. The *Post* declared that Rhode Island charter authorities "have boldly invaded the state of Massachusetts, shot down one of her citizens in cold blood, and wounded severely two others, arrested and carried off, as prisoners, four more." What was worse, Governor John Davis "furnished these murderers with arms to commit these outrages upon the lives and property of her citizens."³⁰

In a similar fashion, the *Bay State Democrat* asked, "What has Gov. Davis done?" Has Davis "sent 500 stands of arms for the use by his Bellingham friends to enable them to defend their lives and property, against these charter invaders, robbers, and kidnappers?"³¹ The citizens of Massachusetts may be "ROBBED" and "KIDNAPPED . . . and it is all very well" but now the "blood of Massachusetts citizens calls from the ground for vengeance," exclaimed the *Bay State Democrat*.³² Morton was particularly adept at connecting the Dorrite opponents, even though it was not always the case, to the national and local Whig party. He repeatedly asserted that, "The Whig party justifies the proceedings and defends the principles of the Charter party of Rhode Island."³³ The Democratic press made this task fairly easy.

CLAMBAKES, SUFFRAGE WOMEN, AND DEMOCRATIC POLITICS

When the Rhode Island charter government succeeded in routing Dorr's rag-tag group of followers at Chepachet in late June 1842, many Dorrites, including their erstwhile leader, fled the state for fear of arrest and imprisonment. Dorr's closest followers vowed to keep up the struggle

The doctrine of Sovereignty. There is One
 over all, God blessed forever; and under him
 the People are sovereign. His Revealed
 Word is the highest law, to whose principles
 and rules of action recourse is had by the
 framers of Constitutions & by legislators, to
 impart justice and equity to political insti-
 tutions. The application of these principles & rules
 to ^{the} Constitutions and legislative acts of States,
 and ~~to~~ to men in their political relations, is
 what has been called the democracy of Christ-
 -ianity. Rights are the gift of God. The
 definition and protection of them are the objects
 of just government.

Providence, R. I.
 Aug. 10th 1853.

Thos W. Dorr.

Doctrine of Sovereignty

In this handwritten note, Dorr described the rights conferred by the doctrine of the people's sovereignty as "the gift from God." He writes: "There is one over all, God blessed forever, and under him the people are sovereign. This Revealed Good is the highest law, to whose principles . . . is had by the framers of Constitutions and by legislators, to impart justice and equality to political institutions. The application of these principles . . . to men in their political relations, is what has been called the democracy of Christianity. Rights are the gift of God. The definition and protection of them are the objects of just government." (Private Collection Russell DeSimone)

to have the People's Constitution and Dorr's claim to the governor's chair vindicated. With the opportunity for change still within reach, the Dorrites took action to keep the topic of suffrage reform in the spotlight. The main instrument of political agitation was an old Native American custom—the Rhode Island clambake. As the *Bay State Democrat* noted,

This peculiar Rhode Island festival has of late attracted much of public attention, from the fact that the suffrage party in that state have adopted it as an appropriate occasion for the meeting together and interchange of sentiments and views of the friends of the suffrage cause.³⁴

Independent scholar Russell DeSimone has discovered that all suffrage clambakes seem to have followed a standard format. They began with a gathering of the organizers and invited guests on the fairgrounds followed by a procession with accompanying band music. The procession would wind its way to a speaker's platform where white male suffrage leaders and invited guests gave speeches enumerating past efforts to extend suffrage in Rhode Island, charter government outrages, letters of regret from invited guests unable to attend, words of encouragement, songs, and occasional interspersed cheers for the many persons still in exile, but especially cheers for Thomas Dorr. Following the speeches, all attendees sat down to a feast of clams and chowder. After the repast, more speeches were given. A suffrage ball was usually held on the clambake grounds in the early evening.³⁵

Leading many of these efforts were Rhode Island females loyal to the white male suffrage cause. At an August clambake, Lewis Josselyn proclaimed at the close of an address to a crowd of over 5,000 that the suffrage cause was in good hands because of the activism of Rhode Island women. The "ladies were now in the field," said Josselyn. They constituted an "effective force in the consummation of" the work that Dorr had begun. "They have held up the hands of those who have been struggling for liberty by their active assistance and warm sympathy—have visited those in prison and supplied the necessities of life."³⁶ From August to late November, suffrage women organized numerous clambakes on the Rhode Island-Massachusetts border in the towns of Seekonk (August 4 and August 30), Somerset (August 18), Dartmouth (September 22), Millville (September 13), and Southbridge (October 5).³⁷ Out-of-state clambakes were necessary in order to ensure the safety of prominent Dorrites who were on the charter government's "most-wanted list."



Suffrage Ribbons

These ribbons were worn at the large gatherings of suffrage reform supporters in the months preceding the People's Convention in 1841. They read: "THE PEOPLE ARE THE SOVEREIGN POWER: WE WILL HAVE OUR RIGHTS," "I AM FOR A CONSTITUTION AND EQUAL RIGHTS," and "I AM AN AMERICAN CITIZEN." (Private Collection Russell DeSimone)

The first clambake organized by the suffrage women was at Medbury Grove in Seekonk, Massachusetts, (present-day East Providence, Rhode Island) on August 4. Josselyn used the occasion to assail then Massachusetts Governor John Davis for sending arms to the charter authorities in June. Henry Dearborn, the state adjutant general, had authorized the loan of 500 muskets, 50 pistols, and 120 sabers to the Rhode Island forces under Rhode Island Governor King.³⁸ One resolution passed by the clambakers accused Davis of helping to “put down the working men and mechanics of Rhode Island . . . struggling for their just and inalienable rights.”³⁹

Since many of the Rhode Island Dorrite newspapers were still suppressed, few accounts of this first clambake were printed by the pro-Dorr press; only the *Pawtucket Gazette and Chronicle* seems to have covered it. The *Boston Atlas*, a conservative Whig paper sympathetic to the charter government in Rhode Island, derided the affair as a gathering of “spunky women.” According to the *Atlas*, it “was a little petticoat Revolution, truly—and, if they had no body to contend with but those same fathers, husbands and brothers of theirs, we have little doubt that they would come off conquerors.” The article went on to deride female Dorrites as “Rhode Island Amazons,” “Immoral Ladies of the Clambake,” “Witches of the Enchanted Grove of Medbury,” and “Fairies of the Free Suffrage Grotto.”⁴⁰ The *Providence Morning Courier* reminded its readers that the “true object of these clambakes was not really to help Dorr, but to help Marcus Morton.”⁴¹

Massachusetts gubernatorial candidate Marcus Morton stated in a letter to the organizers of another clambake in Seekonk that though he had not directly interfered in Rhode Island affairs and was an “impartial observer of the passing events,” he was far from an “indifferent one.”⁴² Given the political climate, Morton certainly could not be “indifferent” to the critical political question of the day if he hoped to defeat the incumbent, Governor John Davis. Every “man alive to the welfare of our common country,” proclaimed Morton, “must feel a deep interest in the occurrences which have” transpired in Rhode Island “and in the principles which they have developed.” Dorr’s attempt at political reform had “given rise to questions of portentous importance to our democratic institutions, and brought to light doctrines which strike at the foundation of all free governments.”⁴³ The “doctrines” to which Morton referred related to the belief that the people could only alter their form of government through prescribed legal channels.

Morton asked in his letter to the Seekonk gathering, will “not the American people, or the friends of free government anywhere acknowledge

... the principle that the people can only make or amend their Constitutions by the permission of their rulers?"⁴⁴ For both the rebellious Dorr and Massachusetts gubernatorial candidate Morton, the right of the people to alter and amend their form of government was a "fundamental principle of free government" that was "for the first time" since the Revolution brought into question.⁴⁵

On August 18, 1842, over 1,000 Dorrite supporters braved a torrential downpour to attend a clambake in Somerset, Massachusetts, just a few miles from the Rhode Island border.⁴⁶ The inclement weather was not enough to drive attendees away before they could hear the keynote address. A correspondent of the Providence *Republican Herald* noted that the rain "sharpened the appetite" rather "than dampened the spirits."⁴⁷ The rain forced the organizers eventually to move the crowd to a nearby meeting house so that Morton could address his supporters. Dwelling at length on the "tragic" failure of Thomas Dorr to have the People's Constitution accepted as the fundamental law of Rhode Island, Morton proclaimed that if it were not for the interference of President John Tyler and John Davis, both members of the Whig Party, Dorr would have succeeded. In response, the conservative *Bristol Phenix* assailed Morton as an "advocate of mob law, of civil war, of murder and rape."⁴⁸

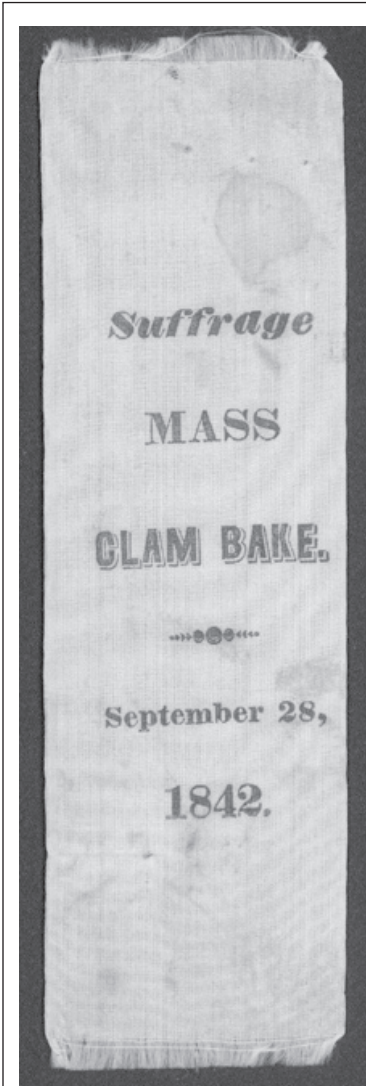
The Democratic clambake at Somerset passed twenty-five resolutions on a wide range of topics, including politics, economics, and immigration; but the most stirring language was to be found in the resolutions commending the efforts of the Rhode Island Suffrage Party. The eighth resolution maintained:

No question since the Revolution has so effectually applied the test to the two great parties as the one raised by the suffrage party in Rhode Island, for it's distinctly this—shall the people . . . acting by a majority, have the right to institute government and govern themselves? Or shall a minority have the right to rule, and exclude from a voice in the government, the majority? Which is only asking whether a democratic form of government based on humanity or an aristocratic one based on property, shall be maintained.⁴⁹

Morton, ever the consummate politician, read the popular sentiments and did his part to fan the flames of discontent. A Connecticut resident told New Hampshire Democrat Levi Woodbury at the end of August 1842 that the clambakes were "doing the work of Gov. Morton."⁵⁰

MURDER, KIDNAPPING, AND ARMS DEALING

Two months after Massachusetts citizen Alexander Kilby was shot in Pawtucket in late June 1842, the *Post* and the *Bay State Democrat* were still “investigating” the shooting.⁵¹ In a letter to the Massachusetts Senate, Governor John Davis described two notes he had received from Pawtucket residents reporting a scene of severe “agitation” on the Pawtucket Bridge.



Clambake Ribbon

This ribbon would have been worn by attendees at a clambake organized by suffrage women. The “Algerine’s Lament” poem (see p. 135) praises the role of women: “The ladies, too, have swelled his ranks, And threatened swords to draw; Such zeal was ne’er before displayed; As they express for Dorr.” (Private Collection Russell DeSimone)

Dozens of Rhode Island Dorrites had fled across state lines and were gathering on the bridge with their Massachusetts supporters. Glass bottles and rocks were reportedly hurled at the Rhode Island militia on the other end of the bridge in the village of Pawtucket (in the town of North Providence). An order to fire was given, and Kilby was shot through the chest. The pro-charter *Providence Journal* implied that Kilby was part of a mob that was throwing glass bottles at the Rhode Island militia unit.⁵² The *Norfolk Democrat*, following the lead of the Boston papers, insinuated that it was likely a bullet from one of the arms loaned by John Davis' administration to the Rhode Island charter authorities that killed Kilby.⁵³

In actuality, the arms were loaned without Davis' knowledge. Massachusetts Adjutant General Henry Dearborn initiated the loan on his own authority after Colonel Thomas Stead, an agent of Rhode Island Governor King, requested them. Davis did not find out about the deal until the next day.⁵⁴ Dearborn made clear to Governor Davis that his support for Governor King and his antipathy of the Dorrites was based on the precepts of American constitutionalism, mainly the "protections of persons and property."⁵⁵

In July, Dearborn was forced to write an article to the *Boston Courier*, a pro-Davis paper, defending his actions and denying the involvement of the governor, but the political damage had already been done.⁵⁶ Davis forwarded Dearborn's letter to the Massachusetts Senate along with letters received from citizens of Pawtucket and Bellingham. Governor Davis was much more guarded in his support of the charter authorities in Rhode Island than Dearborn. In his letter, he focused not on the loaning of arms but on the threat of violence posed to Massachusetts residents on the border. It was clear that he was attempting to duck the issue. The Democratic members of the Massachusetts House of Representatives, however, would not let the issue die.

In the Massachusetts House of Representatives, Seth Thomas of Charlestown submitted several orders to the floor calling for an investigation into Dearborn's conduct.⁵⁷ In the end, however, the Whig-dominated legislature voted to simply request a written statement of the actions of the executive department rather than initiate a full-scale investigation. Recognizing the failure in the House, Senate Democrats tried a different tactic. One senator ordered that a committee be appointed to consider and report on multiple resolutions dealing with the "Rhode Island Question," particularly that "all governments derive their just powers from the consent of the governed and that whenever any form of

government becomes destructive of the ends for which it was instituted, it is the right of the people to alter or to abolish it.”⁵⁸

As was the case with the House request, the Senate Democratic order was tabled. But the failed Senate resolution became political fodder in the hands of the master Democratic orator, Benjamin F. Hallett. The former editor of several newspapers and devoted Dorrite accused the Whig Party of trampling on the tenets of democratic self-government by denying the principles of “popular sovereignty” at a Democratic rally in Worcester. “Only a fortnight before,” proclaimed Hallett, a “Massachusetts Whig Senate, sitting in their chamber, within sight of the Bunker Hill Monument, had voted down the Declaration of Independence, and trampled in the dust the doctrine of the sovereignty of the people.”⁵⁹

While the Democrats lacked the legislative power to hamstring Davis’ administration, the fact that they were able to have the assembly’s time taken up by the “Rhode Island Question” played into their hands. The indictment of William Blodgett and Darius Briggs of Providence and Stephen Hendricks of Cumberland, Rhode Island in September in the Dedham Court of Common Pleas also served to help the cause of the Bay State Democrats.

The above mentioned three men—Blodgett, Briggs, and Hendricks—were accused of crossing into Massachusetts and forcibly removing four Dorrites—from a boarding house in Bellingham and taking them to a jail in Bristol, Rhode Island. The September 18, 1842, indictment of Blodgett, Hendricks, and Briggs, known as the “Bellingham Marauders” in Dorrite circles, charged them with violating a personal liberty law, which prevented any person from forcibly seizing another person within state lines and transporting them out. Violators faced a possible \$1,000 fine and imprisonment for up to ten years in the state prison. The Democratic press in Boston accused Governor Davis of stalling in pressing Governor King to turn over the “Bellingham Marauders.”⁶⁰

The decision to indict Blodgett, Hendricks, and Briggs under Chapter 125, Section 20 of the Massachusetts General Laws heightened the controversy. This statute was designed to punish those involved in the capture and sale of fugitive slaves in the Bay State.⁶¹ The anti-Dorrite *Providence Journal* charged that the statute was meant to deal only with “negroes” and not white men.⁶² Massachusetts State Senator William Hooper disagreed. Hooper pushed the race card further when he read a letter from William Olney, one of the four kidnapped Dorrites, penned from Olney’s jail cell in Bristol, Rhode Island. Recognizing the political utility of the letter, Hooper read it on the floor of the Senate and demanded

a full-scale legislative investigation into the executive department. Hooper referenced the abduction of a “black boy” from Worcester a few years previous. According to Hooper, Massachusetts went to great lengths to send an agent to Virginia to secure the boy.

Senator Hooper insinuated that if the state could act on behalf of a black boy, they had a seemingly greater moral obligation to act on behalf of the four white victims of the “Bellingham Outrage.”⁶³ One month after Blodgett and Hendricks were indicted in Dedham, a fugitive slave named George Latimer was arrested in Boston.⁶⁴ In December, Dorr’s old legal mentor John Whipple, a noted Rhode Island constitutional lawyer, helped Blodgett, Hendricks, and Briggs secure a settlement for the first indictment against them.⁶⁵

THE DEFEAT OF MASSACHUSETTS GOVERNOR JOHN DAVIS

In his discussion of the 1842 election in his award-winning book, *Jacksonian Anti-Slavery and the Politics of Free Soil, 1824-1854*, historian Jonathan Earle focuses on the impact of the burgeoning Massachusetts branch of the Liberty Party in 1842 and the growing popularity of its gubernatorial candidate, Samuel Sewall.⁶⁶ The politics surrounding the fugitive slave George Latimer in the fall of 1842 certainly played a large role in Sewall’s success at the polls in November. On October 18, 1842, Latimer was arrested without legal process on a trumped-up larceny charge. He was placed in the Leverett Street jail while his captor began procedures to return Latimer to Virginia. Sewall was the attorney who negotiated Latimer’s release using funds raised by the Liberty party’s Latimer Committee.⁶⁷ Many abolitionists and anti-slavery advocates became effective lobbyists for laws to protect free blacks in the North and help curtail the reach of the “Slave Power.” Their efforts in Massachusetts led to the passage of the 1843 Latimer Law, which prohibited all state employees from participating in the return of a slave. The Liberty Party polled enough votes (6,382) to throw the race into the hands of the legislature. Morton won a 2,500-vote plurality over Davis, but it was not enough to secure victory.

Earle highlights the course advised by the Boston Whig *Daily Advertiser*, which maintained that the party preferred Morton to an abolitionist candidate who won barely seven-percent of the vote. When it comes to the question, by which of these two “creeds,” by which the editors of the *Daily Advertiser* meant abolitionism or the people’s sovereignty, “it may be a difficult choice to make, but we believe that in any event, the

people of this Commonwealth have no disposition to trust their salvation to the abolitionists.”⁶⁸

While the effect of the switch of the single House Whig to the Democratic side is beyond dispute, Morton polled a higher percentage in the 1842 election in Bristol, Essex, Middlesex, Norfolk, Suffolk, and Plymouth counties than in 1841. Moreover, the politics surrounding the “Rhode Island Question” helped to nullify for a time the emerging split in the ranks of the Massachusetts Democrats between supporters of Martin Van Buren and the so-called Tyler-Calhoun faction. As a case in point, Benjamin Hallett, David Henshaw, and Robert Rantoul were all devoted Tyler-Calhoun men, while George Bancroft and Morton aligned themselves with Martin Van Buren for president; yet all were ardent Dorrites.

When John Davis defeated Marcus Morton for governor in 1841, Davis’ victory derived from his 2,600-vote margin in the manufacturing center of Worcester County and his 1,600-vote margin in the Whig stronghold of Boston. With the help of the Boston *Post* and the *Bay State Democrat*, Morton cut into Davis’ lead in Boston by 400 votes from the previous year. Samuel Sewall, the anti-slavery candidate, ran strong in Worcester in 1842, collecting over 1,200 votes; but Morton also had a good showing. The Democrat collected 1,000 more votes than the previous year. Morton also increased his margin of victory in Middlesex County by 1000 votes. The argument cannot be made that Sewall’s 750 votes hurt Davis in the contest because the Whig candidate was only slightly below his 1841 total in Middlesex.

Also of significance for Morton was his ability to turn a 100-vote deficit in Norfolk County in 1841, the site of the “Bellingham Outrage,” into a 500-vote margin of victory. In Bristol County, which included Pawtucket and Swansea, Morton enjoyed his second largest margin next to his victory in Middlesex. Once again, Sewall’s showing in Bristol County did not matter because Davis actually earned 500 more votes than the previous year. Because of the county’s proximity to the Rhode Island border, the politics of the Dorr Rebellion most likely drove people to the polls in greater numbers.⁶⁹

Acknowledging that the election would be ultimately decided by the state legislature, the *Post* still reveled in Morton’s 2,500 vote margin over Davis, which served to highlight the “stain John Davis had put upon” the “sacred” soil of Massachusetts by his “aid of the Rhode Island royalists against a struggling people.”⁷⁰ After the state legislature declared Morton the victor, Lewis Josselyn wrote to Dorr, who was hiding out in New Hampshire, to express his belief that most New England Democrats

probably doubted the Bay State democracy. Surely no one expected Bay State Democrats “to meet the power of federalism in the old federal Massachusetts and come out of the contest victorious.”⁷¹

In his inaugural address in January 1843, Morton made no mention of slavery, anti-slavery, or abolitionism, but he did speak of the recent events in Rhode Island that had:

Stained with blood the soil of our own Commonwealth have brought in review and quickened in recollection those great and living principles of freedom which causes and justified, our glorious revolution and which are the foundation of the blessed government under which we live.

Morton was proud to declare that, unlike in Rhode Island, the “portion” of the Massachusetts electorate that denied the “right of the people without the authority of their rulers to change their form of government” was “very inconsiderable.”⁷² This “inconsiderable” portion of the electorate was guilty, of course, of having a close connection to the Rhode Island charter authorities.

At a Democratic jubilee in early February 1843 held at the state house, Benjamin Hallett declared that Massachusetts “was no longer the hunting ground for the Algerines myrmidon of Rhode Island.”⁷³ A large crowd gathered on Weybossett Bridge in Providence and gave “three loud and deafening cheers for Governor Morton and for Governor Dorr.”⁷⁴

A politically astute Pawtucket resident wrote to Dorr in New Hampshire to make the connection between Morton’s election and the struggles of the People’s Governor. “The election of Gov. Morton is a matter of triumph and congratulation to the democrats of this country and more especially to yourself and the proscribed Suffrage men of Rhode Island,” claimed Charles Newell. Morton’s “election cannot but be regarded as an expression of the people of Massachusetts in favor of the Suffrage cause in Rhode Island and constitution adopted by the people.”⁷⁵

Even former Governor Davis agreed. A few days after losing to Morton, Davis gave an address to the state House of Representatives in which he made clear the political effect of the Dorr Rebellion on Morton’s victory. He also tried to defend his friend, Adjutant General Henry Dearborn.⁷⁶

DEARBORN ATTACKED

Immediately after they elected him to office, the Democratic members of the Massachusetts Senate sent a request to Governor Morton on January 24 to look into whether the arms loaned to Rhode Island in the spring of 1842 were ever returned.⁷⁷ Representative Seth Thomas, who lost a close fight for the speakership post, initiated the same request in the House.⁷⁸ Thomas had called for an investigation into Dearborn's conduct in September 1842 and now, thanks to the Democratic Party's success at the polls, he headed a House committee whose sole task was to investigate the commonwealth's involvement in the Dorr Rebellion.⁷⁹

Two days later, Morton complied and sent over additional information on Dearborn's arms shipment.⁸⁰ On January 27, Morton's executive council voted to pay William Cowell, Deputy Sheriff of Norfolk County, for his services in securing the rendition of William Blodgett, Stephen Hendricks, and Darius Briggs in October 1842.⁸¹ In contrast, Davis' executive council had refused to issue any payment.⁸²

In a letter to Morton, Dearborn insisted that the arms loaned to the charter authorities in Rhode Island were "returned in as good a condition as when delivered."⁸³ Dearborn was dismayed that the legislature would resurrect an issue that he considered settled by the previous legislature and Governor Davis. He argued that he was now subject to the "prejudices and passions" of a new legislature that was caught up in the "political excitement" of Morton's election.⁸⁴ Dearborn, as noted above, had seemingly been exonerated by the Whig legislature in September 1842 when it tabled every resolution against his conduct that was brought to the floor. As Dearborn concluded, "it was naturally to be inferred, that the subject had been duly considered and was deemed to have been satisfactorily explained and therefore finally settled."⁸⁵

The Democratic takeover in 1843, however, left Dearborn vulnerable. Nevertheless, he would not go down without a fight or, at the very least, without giving a tongue-lashing to the Democrats. At no point did he express regret at aiding the forces loyal to Governor King in Rhode Island during Dorr's Rebellion. In fact, the file he sent to Morton included copies of his correspondence with Brigadier General William Sutton from May 1842 in which Dearborn had inquired into the conduct of a captain under Sutton's command. Dearborn had received reports that Captain Caleb Jones was planning to help arm the Dorrists, which was completely unacceptable to Dearborn.⁸⁶

In a thirty-five-page written statement to the House committee, Dearborn made clear once again his sentiments in regard to Dorr's attempt at extralegal reform. He declared at the outset that his current situation defending his actions and vying to keep his job was "unprecedented in the annals of legislation and of the civil, military, and naval tribunals of justice in every civilized nation."⁸⁷ In Dearborn's view, the legislature had no right to recommend his removal unless he was formally charged with a crime and court martial proceedings were instigated.

As he did in September 1842, Dearborn went to great lengths to defend himself and to denounce the Dorrites. "There is no other basis or security for the enjoyment of the blessings of liberty," said Dearborn, "than by a faithful allegiance and ready submission to the constituted authorities and declared institutions of government." Paraphrasing George Washington's 1796 Farewell Address, Dearborn insisted that the "right of the people to establish government, presupposes the duty of every individual to obey the established government."⁸⁸ It was "evident" that the Dorrites had acted "imprudently and wickedly undertaken to effect a revolution by a resort to rebellion and civil war."⁸⁹ It was sufficient that the "legitimate, recognized governor called for assistance, to suppress an insurrection."⁹⁰ Moreover, what did the legislature expect him to do "while the storm of civil war was furiously raging within a few miles" of the state border?⁹¹

In comparing the Dorr Rebellion to Daniel Shays' 1786 rebellion in western Massachusetts, Dearborn argued that both uprisings were "produced by a few unprincipled demagogues who by false and exasperating appeals to the passions of the poor and ignorant had roused them into open hostility to the government."⁹² Dearborn even argued, somewhat inaccurately, that Massachusetts officials were permitted to go into Vermont and New Hampshire to track down the "rebels." In actuality, this was only an order from a local magistrate, not the position of Massachusetts Governor James Bowdoin.

Moreover, George Minot, one of the early chroniclers of Shays' Rebellion, maintained that the order was only briefly carried into effect and that it led to no captures.⁹³ Without referencing the Bellingham incident in June 1842, Dearborn was hinting at his support for Blodgett and Hendricks who were about to stand trial. In the end, however, Dearborn's written statement had little effect on the House committee, but it did impress prominent conservative jurists. United States Supreme Court Justice Joseph Story, a Massachusetts native and lecturer at Harvard, wrote to Dearborn after having read his defense. Story said Dearborn's argument gave him "great pleasure" and it was "a manly, first and honorable vindication."

Story maintained that if he were in the legislature he would be “bounded to maintain your course from a sense of public duty.”⁹⁴

The committee’s report began with a stern rebuke.⁹⁵ “Instead of excusing himself for an error in judgment in surrendering the public property placed in his custody . . . the adjutant general assumes to justify the act,” began the report.⁹⁶ While the language in the report was, on the whole, guarded in its support for the Dorrites, the sympathy for Dorr’s attempt at suffrage reform was also very clear. The charter government was referred to as a government by “force,” while the People’s Government was formed “by virtue of a constitution adopted by the people.”⁹⁷ In its conclusion, the House committee condemned Dearborn for taking the liberty to decide:

The great question of the right of the people to form a government of their own and determine upon his individual views of the government and popular rights that the charter party in Rhode Island is the government of the state and the Suffrage party mere rebels, whom it is his duty to put down by giving to their opponents the use of the public arms that are exclusively held for the use of this Commonwealth.⁹⁸

On March 3, the House recommended that Morton remove Dearborn. The Senate concurred on March 4, and Morton signed the order on March 6, 1843.

MORTON VERSUS DORR: A WARY FRIENDSHIP

Ironically, despite the ardent and seemingly sincere support from the Massachusetts Democrats, Thomas Dorr did not deem the Bay State safe enough to travel to until the spring of 1843. Indeed, it was his deep distrust of Marcus Morton that kept him away. After June 1842, Dorr trusted few but his closest advisors, which included Lewis Josselyn and Providence attorney Walter Burges. Despite repeated urgings from Morton’s executive council that the warrant issued for his arrest by Governor Davis was now void, Dorr refused to make the journey south from New Hampshire to join in the celebrations of Morton’s triumph. Friends in Groton, Massachusetts, including future Bay State Governor George Boutwell, frequently implored Dorr to use their town as a base of operations before going east to Boston.⁹⁹

Dorr refused, having mentioned in a letter to Lewis Josselyn that he was annoyed at the “brief allusion” in Morton’s inaugural address to

the “affairs in a neighboring state.”¹⁰⁰ Apparently, Dorr wanted Morton to recapitulate the lengthy support he had provided in his letter to the Suffrage Party men gathered at the Seekonk clambake. Burges, Dorr’s close friend in Providence, who had worked hard to secure Dorr’s personal papers after he fled the state in June 1842, also warned Dorr about going to Boston.¹⁰¹ New Hampshire Governor Henry Hubbard echoed this warning ten days later.¹⁰² Davis’ requisition order remained in the hands of the deputy sheriff of Uxbridge for weeks after Morton’s election.

Dorr refused to attend a major Democratic Party rally in Faneuil Hall on February 9 and another on March 10, 1843.¹⁰³ While he was generally guarded in his formal responses to Massachusetts Democrats, Dorr poured out his true feelings in his private correspondence to Providence editor Walter Simons. Dorr made it clear that Morton’s election was due to the political potency of the “Rhode Island Question.” Morton, a “Democratic Governor elected by the R.I. Question” was now “quietly crawl[ing] behind the skirt of John Davis.”¹⁰⁴

Dorr later had this to say about Morton’s handling of the three issues stemming from the situation in Rhode Island:

He has done nothing to vindicate the state of Massachusetts from the inroad, which resulted in the kidnapping and incarceration of R.I. men; he has alluded to the murder of Kilby at Pawtucket in a toast only and incidentally the other day in a communication upon another subject, to the conduct of the Algerine General in loaning the arms to the Algerine authorities. He has put out the fire which lighted him to the capital; and has shown himself so little a man . . . vacillating and undecided, that it is not at all surprising that the question should be frequently asked by democrats in Boston, as I am told it is, what has been gained by substituting Marcus Morton for John Davis.¹⁰⁵

Unaware of the issue with the warrant, Catherine Williams, a childhood friend of Dorr’s, wrote to him in March 1843 and admonished Dorr for “shutting” himself “up in NH” and not going to Boston to seek the counsel of Morton.¹⁰⁶ Williams and other Rhode Island Suffrage leaders thought that cordial relations with Bay State Democrats would help them in the upcoming elections in Rhode Island. Even Josseyln’s efforts had no effect. Dorr did not travel to Massachusetts until March 30, only a few weeks before the elections for the Rhode Island General Assembly.¹⁰⁷

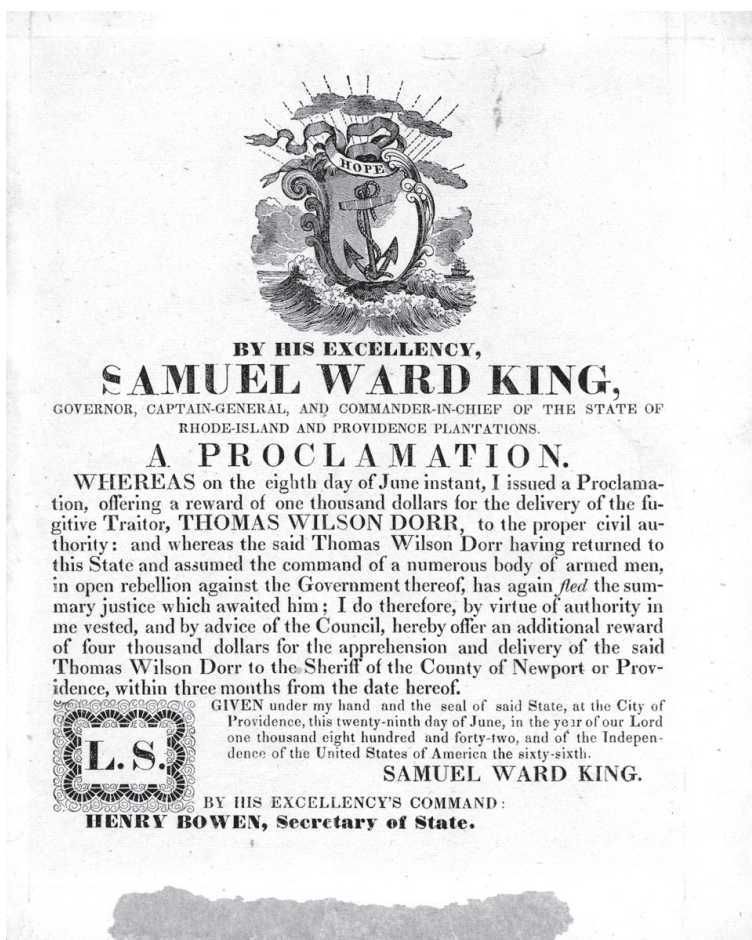
Dorr spent his time in Boston in the spring and summer of 1843 penning his famous “Address to the People of Rhode Island,” the fullest statement of his constitutional theories.¹⁰⁸ After recovering from severe rheumatic attacks, which were often brought on by his heavy cigar smoking, Dorr journeyed to Boston for a brief visit before offering himself up for arrest in Providence on October 31, 1843.¹⁰⁹ Dorr subjected himself to a farcical trial in Newport under the heavy partisanship of the Chief Justice Job Durfee to have his beliefs aired in a court of law.

When it finally came time for the treason trial of the embattled People’s Governor in late April 1844, Henry Bowen Anthony, editor of the conservative *Providence Journal*, devoted space not to the man who led a rebellion of the disenfranchised against the state in 1842, but rather to the second trial of the Rhode Island government agents for kidnapping four men in Massachusetts and transporting them to Rhode Island to stand trial. Ezra Wilkinson, Massachusetts District Attorney, served as lead counsel for the Commonwealth. Samuel Ames, Dorr’s brother-in-law, served as lead counsel for the defense. In 1846, the famed Chief Justice Lemuel Shaw upheld the guilty verdict from the lower court.¹¹⁰

Thomas Dorr insisted in his defense at his trial that the act of establishing a new government in Rhode Island in 1842 was not treasonable, but rather a legally justified action sanctioned under the People’s Constitution.¹¹¹ Dorr compared his plight to the persecution of Galileo at the hand of the Inquisition.¹¹² He concluded his defense with the admonishment that if he had “erred in this ‘Rhode Island Question’ he was left with “the satisfaction of having erred with the greatest statesmen and the highest authorities, and with the great majority of the people of the United States.”¹¹³ The court was not persuaded. The charge from Chief Justice Job Durfee read that he would be “imprisoned in the State Prison at Providence . . . for the term of his life and that there kept at hard labor in permanent confinement.”¹¹⁴

Marcus Morton, the man who Dorr never trusted, came to Providence on September 4, 1844, to attend a rally for his release.¹¹⁵ In a series of brief remarks given over the course of the day, Morton condemned the charter government for Dorr’s trial. It was reported that over 5,000 people listened to Morton’s remarks, which served the dual purpose of advocating for Dorr’s freedom, along with helping to advance the candidacy of James K. Polk in the November presidential election. One prominent campaign slogan in the North was “Polk, Dallas, and the Liberation of Dorr.”

Indeed, Dorr’s plight became grist for the political mill. Dorr surely was able to hear the large gathering from his prison cell.¹¹⁶ Polk was supportive of the need for reform in Rhode Island while his opponent, Whig



\$5,000 Reward for Thomas Dorr's Capture

Proclamation by Rhode Island Governor Samuel King. Reads: "Whereas on the eight day of June [past], I issued a Proclamation offering a reward of one thousand dollars for the delivery of the fugitive Traitor, **THOMAS WILSON DORR** . . . and whereas the said Dorr having returned to this State and assumed the command of a numerous body of armed men, in open rebellion against the Government thereof, has again fled the summary justice which awaited him; I do therefore . . . offer an additional reward of four thousand dollars for the apprehension and delivery of the said Thomas Wilson Dorr to the Sheriff of Newport or Providence." (Private Collection Russell DeSimone)

candidate Henry Clay, condemned the Dorrists' for their "wanton defiance of established authority." The Democrats portrayed Whig presidential candidates Henry Clay, Theodore Frelinghuysen, and Massachusetts Senator Daniel Webster as the agents of wealth and corrupted power.¹¹⁷ Dorr was released from prison on June 27, 1845, devoting his energies to orchestrating, along with the help of Benjamin F. Hallett, the appeal of his treason conviction.

DORR'S FATE

In 1848, the venerable Massachusetts Whig Daniel Webster put the final nail in Dorr's coffin with his oral argument in front of the United States Supreme Court in a case titled *Luther v. Borden*. The *Luther* case stemmed from the rebellion and Chief Justice Roger Taney's majority opinion for the Court against the Dorrite conception of popular sovereignty drew largely from Webster's oral argument. For Webster, when the people opted for representative government during the American Revolution, they adopted a specific process for changing that form of government. The United States "Constitution does not proceed on the *ground* of revolution; it does not proceed on any *right of* revolution," declared Webster. It "goes on the idea that within and under the Constitution, no new Constitution can be established without the authority of the existing government."¹¹⁸ Indeed, it was Webster's argument about the nature of sovereignty, the original understanding of the 1787 Constitution, and the extent of federal power to suppress domestic violence that Abraham Lincoln found so persuasive a decade later. As Henry Dearborn stated in 1843, the Dorr Rebellion provided an "invaluable lesson for the present and all future generations, not only in Rhode Island, but throughout the Union, as it has conclusively demonstrated how utterly futile are all attempts to subvert or change the established institutions of government in any other than a legally authorized manner."¹¹⁹ Lincoln would have surely agreed.



**Algerine's Lament:
 An Appeal to John Davis, Governor of Massachusetts**

This song is rich in sarcasm. The first two stanzas read: "Prepare your forces, honest John, Each man his sabre draw, For oh! We fear a third attack of Thomas W. Dorr. Oh dear! That dreadful Dorr! The traitor, Thomas Dorr, We fear he'll take Rhode Island yet, In spite of "Martial Law. Another thing we greatly fear, From what we've heard and saw- That certain States would lend their aid to help T.W. Dorr." It concludes with a "suffrage pledge." Courtesy of the American Antiquarian Society, Worcester, MA

Notes

¹ John Quincy Adams' Diary 43 (Jan., 1 – July 8, 1843), 138. Massachusetts Historical Society.

² The author wishes to thank Scott Molloy, Russell DeSimone, and Patrick Conley for their careful reading of the essay. Mara Dodge and Gretchen Adams offered clever advice and precision editing during the final stages of the writing process. This article could not have been completed if it were not for the help of Autumn Haag and John Hannigan at the Massachusetts State Archives, Elizabeth Pope, Andrew Bourque and Ashley Catalado at the American Antiquarian Society, Elizabeth Bouvier at the Massachusetts Judicial Archives, Ken Carlson at the Rhode Island State Archives, and the staffs at the Old Colony and Dedham historical societies. Finally, Thomas Lannon at the New York Public Library helped the author uncover the long-lost writings of Henry A. S. Dearborn.

³ Massachusetts Democratic Broadside. Taunton, Massachusetts. Nov. 10, 1842. American Antiquarian Society. Russell J. DeSimone and Daniel C. Schofield compiled an invaluable collection of broadsides for the 150th anniversary of the rebellion. See *The Broadside of the Dorr Rebellion* (Providence: The Rhode Island Supreme Court Historical Society, 1992).

⁴ Nathaniel Morton's Diary (1842-1848). Old Colony Historical Society, Taunton, MA.

⁵ For an analysis of the literature on the rebellion see Erik J. Chaput, "The 'Rhode Island Question': The Career of a Debate," *Rhode Island History* (Summer/Fall 2010): 47-78. No formal biography of Dorr exists, but the most accurate information on Dorr's early life can be found in Raymond Lavertue's, "The People's Governor: Thomas Wilson Dorr and the Politics of Sacrifice, 1834-1843" (PhD diss., Oxford University, 2011) and Erik Chaput, "The Dorr Rebellion: The Politics of the People's Sovereignty in Jacksonian America" (PhD diss., Syracuse University, 2011).

⁶ *Cincinnati Daily Enquirer*, May 6, 1842. See also *Daily Enquirer* May 13, 1842.

⁷ Jacob Harvey to William Seward, May 18, 1842. William Seward Papers, University of Rochester.

⁸ *Boston Post*, Sept. 15, 1842.

⁹ See John Ashworth, *Slavery, Capitalism, and Politics in the Antebellum Republic: Commerce and Compromise, 1820-1850* (New York: Cambridge University Press, 1995), 296. See also John Ashworth, *'Agrarians' and 'Aristocrats': Party Political Ideology in the United States, 1837-1846* (New York: Cambridge University Press, 1987), 225-30.

¹⁰ *Boston Post*, Oct. 12, 1842.

¹¹ Chase Hudson to John Davis, May 14, 1842. Political Papers of John Davis (Box 2, Folder 3). American Antiquarian Society. Davis was a U.S. Congressman, 1825-43, Governor of Massachusetts, 1834-35 and 1841-42, a U.S. Senator, 1835-

41 and 1845-53, and president of the American Antiquarian Society, 1853-54. For additional biographical detail see *Proceedings of the American Antiquarian Society* (Apr. 1854), 11-27.

¹² George S. Boutwell, *Reminiscences of Sixty Years in Public Affairs* (New York, 1902), 182-83.

¹³ Andrew Jackson to Francis P. Blair, May 23, 1842. John S. Bassett (ed.) *Correspondence of Andrew Jackson*, 6 vols. (Washington D.C.: Carnegie Institute, 1926-1934), 6:153.

¹⁴ The most accurate account is Patrick T. Conley, *Democracy and Decline: Rhode Island's Constitutional Development, 1776-1841* (Providence, RI: Rhode Island Historical Society Publications, 1977), 342-44.

¹⁵ *Commonwealth v. Blodgett*, Massachusetts Supreme Judicial Court (October Term, 1846), 80.

¹⁶ *Boston Post*, July 1, 1842.

¹⁷ *Commonwealth v. Blodgett*, 53 Mass. 56 MA Supreme Judicial Court (Oct. Term, 1846), 68.

¹⁸ Broadside, "Algerine's Lament: Appeal to John Davis, Gov. of Massachusetts" (1842). American Antiquarian Society.

¹⁹ See Henry A.S. Dearborn, *Papers in Relations to the Loan of Arms to Rhode Island in 1842 in Writings on Many Subjects* (1846). Manuscripts and Archives Division. The New York Public Library. Astor, Lenox and Tilden Foundations. Hereafter cited as Dearborn Papers.

²⁰ Stead to Dearborn, Aug. 31, 1842. Dearborn Papers.

²¹ *Bay State Democrat*, July 2, 1842.

²² The conservative *Boston Atlas* described Hallett as a "mercenary and a soldier of fortune," a label that stuck with him for the rest of his political career. *Boston Atlas*, Jan. 21, 1843.

²³ See Erik Chaput, "Governor in Exile: The 1842 Dorr Rebellion and New Hampshire Politics," (forthcoming in *Historical New Hampshire* 2012).

²⁴ See, for example, Lewis Josselyn to Dorr dated Oct. 20, 1842 in Sidney S. Rider Collection, Dorr Correspondence (Box 5, folder 14). John Hay Library, Brown University. Hereafter cited as Rider Collection.

²⁵ See his published oral argument, *The Right of the People to Establish Forms of Government* (Boston, 1848). For a discussion of the *Luther* case see Patrick T. Conley, "The Dorr Rebellion and American Constitutional Theory: Popular Constituent Sovereignty, Political Questions and *Luther v. Borden*" in Conley (ed.), *Liberty and Justice, A History of Law and Lawyers in Rhode Island* (Providence: Rhode Island Publications Society, 1998), 242-73.

²⁶ *Bay State Democrat*, July 20, 1842.

²⁷ Sayles fled to Connecticut in May 1842 to avoid capture. Rhode Island Governor Samuel Ward King issued a requisition order to Connecticut Governor Chauncey Cleveland on May 23. See Connecticut Governor's Correspondence (Box 9, folder 1). Connecticut State Archives.

²⁸ Nathaniel Morton's Diary (1842-1848). Old Colony Historical Society, Taunton, MA.

²⁹ Arthur B. Darling. *Political Changes in Massachusetts, 1824-1848: A Study of Liberal Movements in Politics* (New Haven, Yale University Press, 1925), 286-87.

³⁰ *Boston Post*, July 11, 1842.

³¹ *Bay State Democrat*, July 2, 1842.

³² *Bay State Democrat*, July 9, 1842 and Aug. 8, 1842.

³³ *Letters of C. F. Cleveland, Henry Hubbard, and Marcus Morton* (Fall River, MA, 1842), 13.

³⁴ *Bay State Democrat*, Aug. 29, 1842.

³⁵ Russell J. DeSimone, *Rhode Island's Rebellion – A Look at Some Aspects of the Dorr War, Number 5 “Post Rebellion Agitation for Suffrage Reform”* (Middletown, RI: Bartlett Press, 2009), 6. Rhode Island Historical Society Library.

³⁶ *Bay State Democrat*, Aug. 6, 1842. For an informative discussion of Rhode Island suffrage women, see Ronald P. Formisano, “The Role of Women in the Dorr Rebellion,” *Rhode Island History* 51:3 (Aug., 1993): 89-103. See Susan Graham, “Call Me a Female Politician, I Glory in the Name!” Women Dorrites and Rhode Island's 1842 Suffrage Crisis” (University of Minnesota, May 2006).

³⁷ DeSimone, 5.

³⁸ See Davis' “Message Concerning the Loan of Arms to R. Island,” in *Acts and Resolves Passed by the Legislature of Massachusetts in the Years 1839, 1840, 1841, 1842* (Boston, 1842), 623-29. See also Davis' original letter with marginal notes in the unpassed legislative files of the Senate. Massachusetts State Archives. See also *Post*, July 8, 1842, *Bay State Democrat*, August 6, 1842, *Daily Advertiser*, Sept. 15, 1842, and *Post*, Oct. 27, 1842.

³⁹ *Bay State Democrat*, Aug. 6, 1842.

⁴⁰ *Pawtucket Gazette and Chronicle*, Sept. 2, 1842.

⁴¹ *Morning Courier*, Aug. 19, 1842.

⁴² *Letters of C. F. Cleveland, Henry Hubbard, and Marcus Morton*, 13.

⁴³ *Ibid.*, 12. The *Post* assailed the Whig presses in Rhode Island and Massachusetts for not publishing his letter. See *Boston Post*, Oct. 25, 1842.

⁴⁴ *Letters of C. F. Cleveland, Henry Hubbard, and Marcus Morton*, 14.

⁴⁵ *Ibid.*, 14-15.

⁴⁶ *Pawtucket Gazette and Chronicle*, Aug. 26, 1842; *The Daily Evening Chronicle* (Providence), Aug. 20, 1842; *Republican Herald*, Aug. 20, 1842; *Providence Journal*, Aug. 22, 1842; *Boston Post*, Aug. 29, 1842.

⁴⁷ *Republican Herald*, Aug. 20, 1842.

⁴⁸ *Bristol Phenix*, Aug. 27, 1842.

⁴⁹ *Bristol County Democrat*, Aug. 25, 1842.

⁵⁰ See Danforth to Woodbury, Aug. 30, 1842. Levi Woodbury Papers. Library of Congress.

⁵¹ There are several variations on the spelling in the cannon of works about the rebellion including McKilby, Kilby and Killy, but the most accepted is Kilby.

⁵² *Providence Journal*, June 30, 1842. Almon Danforth Hodges, Jr., whose father was appointed a lieutenant colonel by Governor King during the rebellion, relied on the *Journal* when he collected his father's writings in the 1890s. See *Almon Danforth Hodges and his Neighbors: An Autobiographical Sketch of a Typical Old New Englander* (Boston, MA, 1909), 204. Governor Davis's Sept. 18, 1842 letter to the Massachusetts Senate on the loaning of arms and the Kilby murder insists that there was a "disturbance" on the bridge in Pawtucket. See *Acts and Resolves Passed by the Legislature of Massachusetts in the Years 1839, 1840, 1841, 1842* (Boston, 1842), 624-25.

⁵³ *Norfolk Democrat*, July 15, 1842. See also *Norfolk Democrat*, July 1, 1842.

⁵⁴ See Dearborn's letter to John Davis, Sept. 9, 1842 in the unpassed Massachusetts Senate legislative files. Massachusetts State Archives.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.* Dearborn included a draft of his letter to the *Courier*. Davis requested Dearborn to write to him in order that he could fulfill the request from the Senate in providing a written statement of his administration's actions in June 1842.

⁵⁷ *Boston Post*, Sept. 8 and 9, 1842. See *Journal of the Massachusetts House of Representatives* (September 1842 session), 328 and 341.

⁵⁸ *Boston Post*, Sept. 10, 1842. See also *Journal of the Massachusetts Senate* (September 1842 session), 353-5.

⁵⁹ *Boston Post*, Oct. 4, 1842.

⁶⁰ *Boston Daily Advertiser*, Oct. 15, 17, and Nov. 4, 1842.

⁶¹ *Massachusetts General Laws* (1842). Massachusetts State Archives.

⁶² *Providence Journal*, Sept. 23, 1842. See also *New Age and Constitutional Advocate*, Oct. 7, 1842.

⁶³ *Boston Post*, Sept. 13, 1842. See also Olney's Feb. 18, 1843 petition in the *Journal of the Massachusetts House of Representatives* (January 1843 session), 246. Massachusetts State Archives.

⁶⁴ See E.G. Austin's *Fugitive Slave Case: A STATEMENT OF THE FACTS, connected with the Arrest and Emancipation of GEORGE LATIMER a Fugitive Slave* (Boston, 1842).

⁶⁵ *Boston Post*, Dec. 24, 1842.

⁶⁶ Jonathan H. Earle, *Jacksonian Anti-Slavery and the Politics of Free Soil, 1824-1854* (University of North Carolina Press, 2004), 114-116.

⁶⁷ See Bruce Laurie, *Beyond Garrison: Antislavery and Social Reform* (New York: Cambridge University Press, 2005), 80.

⁶⁸ *Boston Daily Advertiser*, Dec. 29, 1842. See also *Daily Advertiser*, Dec. 31, 1842. The conservative *Atlas* did not share the sentiments of the *Daily Advertiser*. See *Atlas*, Jan. 14, 17, 18 and 21, 1843.

⁶⁹ Election returns for Governor and Lieutenant Governor at the Massachusetts State Archives (microfilm). When the Dorr War was no longer as potent an issue

the following year, Morton lost a significant number of votes in Bristol, Norfolk, and Middlesex Counties. He also lost the 400 votes he had gained in Boston along with his narrow victory in Essex County.

⁷⁰ *Boston Post*, Nov. 18, 1842.

⁷¹ Lewis Josseyln to Dorr, Jan. 18, 1843. Rider Collection (Box 6, folder 4).

⁷² Governor Marcus Morton's Inaugural Address (Jan. 20, 1843). See *Acts and Resolves Passed by the General Court of Massachusetts in the Years 1843, 1844, 1845* (Boston, 1845), 115-23. Quotes on p.118. See also *Address of the Whig Members of the Senate and House of Representatives of Massachusetts to their Constituents Occasioned by the Inaugural Address of Marcus Morton* (Boston, 1843). Massachusetts Historical Society. The Whigs charged Morton with "using the influence of his high office for the furtherance of party purposes."

⁷³ *Boston Post*, Feb. 11, 1843.

⁷⁴ *Providence Express*, Jan. 18, 1843.

⁷⁵ Charles Newell to Dorr, Jan. 30, 1842. Rider Collection (Box 6, folder 8).

⁷⁶ *Bay State Democrat* (semi-weekly), Jan. 25, 1843.

⁷⁷ *Journal of the Massachusetts Senate* (January 1843 session), 123. Massachusetts State Archives.

⁷⁸ *Journal of the Massachusetts House of Representatives* (January 1843 session), 104. Massachusetts State Archives. Thomas lost to the abolitionist Daniel King. See *Boston Post*, Jan. 9, 1843.

⁷⁹ The committee, which was composed entirely of Democrats, was chaired by Seth Thomas of Charlestown. Other members included James Foskit (Wales), Benjamin Hyde (Sturbridge), and Charles Andrew (Salem).

⁸⁰ See *Acts and Resolves Passed by the General Court of Massachusetts in the Years 1843, 1844, 1845* (Boston, 1845), 130. Massachusetts State Archives.

⁸¹ See *Boston Post*, Oct. 14, 1842.

⁸² *Massachusetts executive council Records* for Jan. 27, 1843. See also the mention of Cowell's bill on the same date in the *Massachusetts Governor Council Records* (July 1842-Apr. 1843). Massachusetts State Archives.

⁸³ Henry Dearborn to Marcus Morton, Jan. 26, 1843. *Massachusetts Governor Council Records* (July 1842-April 1843). Massachusetts State Archives.

⁸⁴ "The Address of Henry S. Dearborn to the Committee of the House of Representatives in Relation to a Loan of Arms to the State of Rhode Island," 4. *Massachusetts Governor Council Records* (July 1842-April 1843). Massachusetts State Archives.

⁸⁵ *Ibid.*, 5.

⁸⁶ See copies of letter from Henry Dearborn to William Sutton dated May 10 and 12, 1842. *Massachusetts Governor Council Records* (July 1842-Apr. 1843). Massachusetts State Archives.

⁸⁷ "The Address of Henry S. Dearborn," 3. *Massachusetts Governor Council Records* (July 1842-Apr. 1843). Massachusetts State Archives.

⁸⁸ *Ibid.*, 20.

⁸⁹ Ibid., 24.

⁹⁰ Ibid., 24.

⁹¹ Ibid., 24-5.

⁹² Ibid., 26-8.

⁹³ See George Richards Minot, *History of the Insurrections in Massachusetts in 1786* (Boston, 1788), 147-48. See also Leonard Richards, *Shays's Rebellion: The American Revolution's Final Battle* (University of Pennsylvania Press, 2003), 120.

⁹⁴ Story to Dearborn, Feb. 18, 1843. Dearborn Papers.

⁹⁵ See also *Boston Post*, Feb. 24, 1843.

⁹⁶ Massachusetts House Report, Feb. 8, 1843. *Massachusetts Governor Council Records*, July 1842-April 1843). Massachusetts State Archives.

⁹⁷ Ibid., 17.

⁹⁸ Ibid., 11.

⁹⁹ Charles Green to Dorr, Jan. 3, 1843. Rider Collection (Box 6, folder 2).

¹⁰⁰ Quotes taken from Josselyn's reply to Dorr, Jan. 29, 1843. Rider Collection (Box 6, folder 7).

¹⁰¹ Walter Burges to Dorr, Jan. 20, 1843. Rider Collection (Box 6, folder 5).

¹⁰² Henry Hubbard to Dorr, Feb. 1 and 13, 1843. Rider Collection (Box 6, folders 8 and 11).

¹⁰³ See the draft of Dorr's letter to the Democratic Citizens of Boston, Feb. 7, 1843. Rider Collection (Box 6, folder 6). Dorr originally intended to write a strong rebuke of Morton's conduct, but he finally settled on more conciliatory language. Lewis Josselyn blamed Benjamin Hallett for the confusion about the warrant. Josselyn maintained that he did not believe Hallett "to be of sound political principles; he is by nature extremely selfish and domineering." See Josselyn to Dorr, Feb. 5, 1843. Rider Collection (Box, folder 9).

¹⁰⁴ Dorr to Walter Simons, Feb. 26, 1843. Rider Collection (Box 6, folder 12).

¹⁰⁵ Dorr to Walter Simons, Mar. 7, 1843. Rider Collection (Box 7, folder 4).

¹⁰⁶ Catherine Williams to Dorr, Mar. 11 1843. Rider Collection (Box 7, folder 5).

¹⁰⁷ *New Hampshire Patriot*, Apr. 6, 1843. According to the *Patriot*, Dorr left New Hampshire on Mar. 30. He stayed at the home of Lewis Josselyn.

¹⁰⁸ U.S. Congress, House of Representatives, *Interference of the Executive in the Affairs of Rhode Island*, 28th Congress, 1st sess., ser. 447, doc., 546 (1844, 730-771).

¹⁰⁹ Dorr did journey as far south as Pawtucket for a few days in early April 1843 in order to drum up support for the Democrats in Rhode Island. See *New Hampshire Patriot*, Apr. 6, 1843.

¹¹⁰ See *Massachusetts Supreme Court Judicial Record Book* – vol. 13 (1846), 15.

¹¹¹ For reports of Dorr's trial see Joseph H. Pitman, *Report of the Trial of Thomas*

W. Dorr for Treason (Boston: Tappan and Dennett, 1844) and Walter Burges and George Turner, *Report of the Trial of Thomas W. Dorr for Treason* (Providence: B.F. Moore, 1844).

¹¹² Dan King, *The Life of Thomas Wilson Dorr* (Providence, 1854), 205.

¹¹³ *Ibid.*, 206.

¹¹⁴ March 1844 Term – Records contained at Rhode Island Supreme Court Judicial Records Center in Pawtucket, Rhode Island.

¹¹⁵ George T. Curtis, *The Merits of Thomas Wilson Dorr and George Bancroft as They are Politically Connected*– 2nd edition (Boston, 1844), 29-30.

¹¹⁶ *New York Sun*, Sept. 6, 1842. See also *Boston Post*, Sept. 5 and 6, 1842 and *Workingman's Advocate*, Sept. 7, 1844.

¹¹⁷ See the depiction of the 1844 presidential campaign in the broadside, “Tyrants Prostrate Liberty Triumphant.” Library of Congress.

¹¹⁸ *Ibid.*, 11.

¹¹⁹ Dearborn to James Fenner, May 23, 1843. Dearborn Papers.

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FRIENDS OF THE **Constitution!** **TO THE POLLS!**

TWO DAYS YET REMAIN FOR ACTION. IMPROVE THEM WITH A GOOD WILL, AND THE DAY IS OUR OWN. Yesterday, the enemy mustered in force, from all their strong holds, and poured in like a flood. Yet, after all, the result of voting, gave our enemies about ELEVEN HUNDRED MAJORITY; and their calculation last evening, was, to count up at least THIRTY-FIVE HUNDRED! Thus, we have cut them down TWENTY-FOUR HUNDRED at least, below their calculation; and which is ONE THOUSAND better than we had anticipated. ONE MORE RALLY TO-DAY, AND ONE MORE TO-MORROW, AND SUCCESS WILL CROWN OUR EFFORTS. GO IT MY HEARTIES; and let not a LEGAL VOTER on OUR SIDE, be missing from the polls. Turn a deaf ear to all idle rumors, and stop not to calculate the result; but SWELL OUR NUMBERS TO THE UTMOST.

FRIENDS OF SUFFRAGE!

BE NOT DECEIVED! Take from the number of votes already cast *against our Constitution*, those cast by men in *favor* of the CHARTER, and consequently AGAINST the "PEOPLE'S CONSTITUTION," and it will be found that there is already a MAJORITY OF MORE THAN ONE THOUSAND at the polls, AGAINST THAT CONSTITUTION. That MAJORITY WILL BE INCREASED; and *that Constitution cannot be carried into effect*, even if nothing but a majority of the votes were necessary. YOUR ONLY CHANCE TO SECURE AN EXTENSION OF SUFFRAGE, is to vote NOW FOR THE CONSTITUTION. If you have voted against it, embrace the opportunity while you may, and CHANGE YOUR VOTES. *Place no reliance on the People's Constitution.* It is but an airy castle. If the legal Constitution should be rejected, the OLD CHARTER WILL STAND, AND BE SUSTAINED. Remember that, and complain not if by YOUR OWN VOTES, YOU PREVENT AN EXTENSION OF SUFFRAGE.

Friends of the Constitution