

Chapter 9

Adult Guardianship and Local Politics in Rhode Island, 1750–1800



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Abstract This essay asks two main questions. (1) How did Rhode Island town leaders use adult guardianship during the turmoil of the Revolutionary Era? (2) What factors explain each town's use of adult guardianships? Every town elected six councilmen each year to take care of local problems; these leaders had authority to enact discretionary guardianships to restrain and protect propertied adults whose behavior had caused complaint. Our analysis of data from 14 Rhode Island towns shows that town councilmen overall increased their use of adult guardianships significantly between 1750 and 1800. Guardianships declined during the height of warfare (1775–1781) but increased significantly after the war. Hopkinton showed the greatest use of this legal process and Providence the lowest. We found no significant correlation between a town's use of adult guardianship and that same town's population, wealth, or geographic region. The common factor appears to be the stress and disorder of the era. We investigated Hopkinton more closely and found that the town councilmen in this newest Rhode Island town put adults under guardianship in heavy-handed ways, especially in the 1780s and 1790s, often bypassing less intrusive and punitive solutions. The Hopkinton councilmen, we conclude, went to an extreme in using adult guardianship, but their actions were part of a widespread effort by Rhode Island town leaders to restore order in their communities after the Revolutionary War.

Keywords Adult guardianship · Probate · Town councils · Freeholders · Rhode Island

9.1 Introduction

This essay examines adult guardianship during the Revolutionary Era in Rhode Island. A guardianship is a legally appointed responsibility to manage the assets and decisions of another person. Minors who own financial or real estate assets, for instance, are often the subject of a guardianship. So are adults who are deemed to be

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incapable of making decisions on their own. The norms of guardianship are ingrained in the value system of a society and, expectedly, evolve and adapt according to the social context. Today, adult guardianship has become a widely discussed topic. As societies have aged demographically, social welfare professionals, legal scholars, and political activists have paid greater attention to the vulnerability of aged people and adults with disabilities (Quinn 2005; Wood 2016; Wood et al. 2017; Hardy 2008; Doron 2002). After almost a century of experience with centrally administered welfare institutions, proponents of reform believe that customary ways of protecting vulnerable adults are no longer effective (Wood 2019). Around the world, societies are shifting from “traditional” to “modern” systems of adult guardianship, often implying a bigger role for the state.¹ In the USA, this means legal reforms at the state level (Wood 2005, pp. 19–20, 31–32).² In the 1600s and early 1700s, American colonists inherited a system rooted in English common law, especially the concept of *parens patriae* (“parent of the country”); that is, the monarch served as “benevolent parent, taking care of those unable to care for themselves” (Wood 2005, p. 19).³ In most American colonies, the monarch’s authority was assumed by colonial governors, and after the American Revolution, state legislatures maintained the *parens patriae* concept. Thus, the American colonial system of adult guardianship “grew unexamined into state law” during the Revolutionary Era (Wood 2016, pp. 8–9).⁴ Rhode Island had a unique system in that the responsibility of establishing and overseeing guardianships rested with the town council. Different towns showed different patterns of use of guardianships, particularly adult guardianships, providing an interesting window to explore the intersection of social norms and economic institutions during the critical and turbulent Revolutionary Era.

Adult guardianship was a powerful instrument in the hands of local authorities in eighteenth-century Rhode Island. It was a serious act to strip adults of the right to spend their money, sell their land, bequeath their property in wills, and conduct other important business of propertied persons. Before appointing a guardian, town leaders listened to complaints about someone’s ill health or troublesome behavior. Family members, friends, and neighbors had to convince the town councilmen that the person in question was mentally incompetent, a spendthrift, a drunkard, or otherwise at risk of “wasting their estate” and becoming dependent on town welfare. As “fathers of the town,” the councilmen were responsible for the good order of the whole community, and that included stewardship of the town treasury, which was

¹In Japan and China, the legal responsibility for adult guardianship traditionally rested with the extended family, rather than with the state (Doron 2002, pp. 373–376; Yang 2019, pp. 12–15). In Germany and Sweden, guardianship stemmed from Roman law and traditionally rested on civil code (Doron, pp. 377–78, 383–84). In contrast, Israel took its system from English common law as it applied in Palestine by the British Mandate prior to 1948 (Doron, p. 380). Canada inherited a combination of English common law tradition and French civil law tradition (Yang, pp. 43–46). See also Sabatino and Wood (2012, pp. 35–55).

²For a study of changes in Maryland law over 300 years, see O’Sullivan and Hoffmann (1995/1996).

³See also O’Sullivan and Hoffman (1995/1996, pp. 13–17).

⁴See also Wood (2005, pp. 19–20) and O’Sullivan and Hoffman (1995/1996, pp. 13–17).

regularly replenished from taxes levied on the propertied inhabitants. Councilmen were ever alert to someone needing taxpayer support in the form of poor relief. Adult guardianship gave councilmen a way to bring order out of disorder both socially and economically – curb the worrisome behavior and simultaneously protect the town treasury.

The council minutes include striking details from the stories that townspeople poured out before the councilmen. Widow Abigail Pearce of Warwick was “an ancient woman” and “subject to fits” which made her “incapable of managing her estate.”⁵ Richard Barton of Warren had “for a considerable time gone to great excess in drinking and abusing his children.”⁶ The South Kingstown council appointed a guardian after hearing “sundry and repeated complaints” that brothers Job and Amos Smith were showing “want of discretion” in the form of “idleness, drunkenness, and making foolish bargains when intoxicated with strong drink.”⁷ The Cumberland council placed three men under guardianship in absentia because they had “absconded” from their wives and children, leaving them without support and necessitating the sale of the errant husband’s real estate.⁸ When John Lewis of Richmond died, the council appointed a guardian over his three adult daughters – “dumb girls” who were likely deaf as well as mute.⁹ The Middletown council put Humility Coggeshall under guardianship when her niece (who also was her caretaker) reported that the older woman “was very troublesome, she being a person non compos mentis and utterly incapable of transacting her secular affairs.”¹⁰ Dramas of family distress thread through the council records of every town.

This essay analyzes the adult guardianships recorded in the council minutes of 14 Rhode Island towns between 1750 and 1800.¹¹ Altogether, the 14 study towns administered 1559 guardianships (See Table 9.1). 1181 of these (788 boys and 393

⁵Town council meeting of 26 September 1763, Warwick Town Council Records, 2:232. All Rhode Island guardianship information is taken from town council meeting minutes (hereafter TCM), written into the town council records (hereafter TCR) of each town. Additional information is taken from town meeting minutes (hereafter TM), written into the town meeting records (hereafter TMR) of each town. All town records are maintained in the town clerk’s office at the town halls of the respective towns.

⁶TCM 24 August 1781, Warren TCR, 1:478.

⁷TCM 11 November 1782, South Kingstown TCR, 6:90.

⁸George Peck was placed under guardianship in 1783, Roger Brale in 1792, and Ibrook Whipple in 1796. See TCM 17 November 1783, Cumberland TCR, 5:503; TCM 28 January 1792, Cumberland TCR 3:280; and TCM 20 April 1796, Cumberland TCR 4:6.

⁹TCM 5 February 1753 and 5 March 1753, Richmond TCR 1:114-16. The Lewis daughters’ guardian was directed to “take care of them and their estates” [emphasis mine]. The council records also refer to the cost of “nursing” the three women. TCM 3 May 1779, Richmond TCR 2:275–76.

¹⁰TCM 18 November 1782, Middletown TCR 2:107.

¹¹The 14 towns are Cumberland, East Greenwich, Exeter, Gloucester, Hopkinton, Jamestown, Middletown, New Shoreham, Providence, Richmond, South Kingstown, Tiverton, Warren, and Warwick. These towns constitute a stratified sample of Rhode Island’s 37 towns in the Revolutionary Era, taking into consideration population, wealth, economic orientation, age, and geographic location. For a discussion of the selection of these towns, see Herndon (1992a, b, Appendix A, pp. 320–336).

girls) were protective guardianships for minors who would inherit property when they came of age. The remaining 378 (269 men and 109 women) were for adults who caused complaint because of their behavior or incapacity to manage their affairs. We compared each town's use of adult guardianship to its use of child guardianship; Hopkinton used adult guardianship the most (57% of its total guardianships were for adults), and Providence used it the least (8% of its total guardianships were for adults). (See Figs. 9.1 and 9.2.) We also compared the towns' per-capita rates of adult guardianship over the same period; again, Hopkinton had the highest per-capita rate (0.04155) and Providence had the lowest per-capita rate (0.00602). (See Tables 9.2 and 9.3 and Fig. 9.4.) We also graphed adult guardianships per capita over the entire study period. The use of adult guardianships declined significantly during the war itself and increased significantly after the war and in the 1790s. (See Fig. 9.3.) We also tested for correlations between the towns' use of guardianship and other factors. Neither geographic region, nor wealth, nor the size (or growth) of the population predicted the use of adult guardianship. Figure 9.1, for instance, indicates that the taxable wealth of the residents of a town did not predict a greater reliance on adult guardianship.¹² Figure 9.4 does not suggest a particular geographic pattern in the use of adult guardianships. These two visualizations serve as a sample

Table 9.1 Guardianships enacted in Rhode Island study towns, 1750–1800

Town	Adult guardianships	Minor guardianships	Total guardianships
Cumberland	38	96	134
East Greenwich	34	52	86
Exeter	20	132	152
Glocester	39	75	114
Hopkinton ^a	75	57	132
Jamestown	5	18	23
Middletown	8	46	54
New Shoreham	6	11	17
Providence	26	285	311
Richmond ^b	12	56	68
South Kingstown	45	94	139
Tiverton	23	77	100
Warren	17	113	130
Warwick	30	69	99
	378	1181	1559

Source: Guardianship statistics are drawn from the individual town council records

^aHopkinton records begin in 1757, when it separated from Westerly

^bRichmond records end in 1783; town council records for 1783–1812 were lost in the nineteenth century

¹²While the graph shows the percentage of minor and adult guardianships, a panel regression of per-capita wealth and per-capita adult guardianships also supports this conclusion.

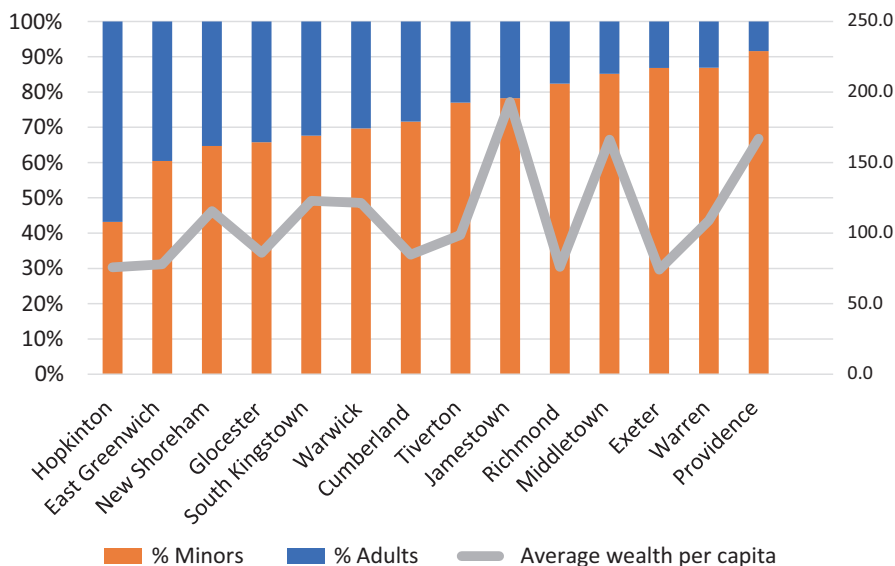


Fig. 9.1 Percent adult and minor guardianships in study towns and town per-capita wealth. (Sources: Guardianship statistics are drawn from the individual town council records. Per-capita wealth is the average of three valuations reported to the Rhode Island General Assembly. For the valuation of 1769, see Bartlett 1861, p. 576. For the valuation of 1782, see Bartlett 1856, p. 520. For the valuation of 1796, see manuscript copy included in the state estimate of 1800, at the Rhode Island State Archives.)

of our broader exploration of these relationships, without any statistically significant result.

Finally, we took a closer look at Hopkinton, which stood out because of its high overall use of adult guardianships. (See Figs. 9.4 and 9.6.) As we discuss below, Hopkinton councilmen administered adult guardianships in a heavy-handed way after the war, bypassing less intrusive and less punitive options. Every town had the same official options for dealing with disorder such as drunkenness, but other towns did not share Hopkinton’s strong preference for the option of adult guardianship.

9.2 Rhode Island and Adult Guardianship

Rhode Island was the only colony/state that relegated the sensitive responsibility of adult guardianship to local leaders elected by town voters. Everywhere else, county-level probate court judges, appointed by the governor and his assistants, had this responsibility. In neighboring Massachusetts, for example, town selectmen’s authority was limited on this point: they could identify “Common Drunkards, Tipplers, Gamesters”; they could “make inquisition respecting Ideots, Lunatics, or distracted persons”; and they could “complain of such persons to the Judge of Probate” – but

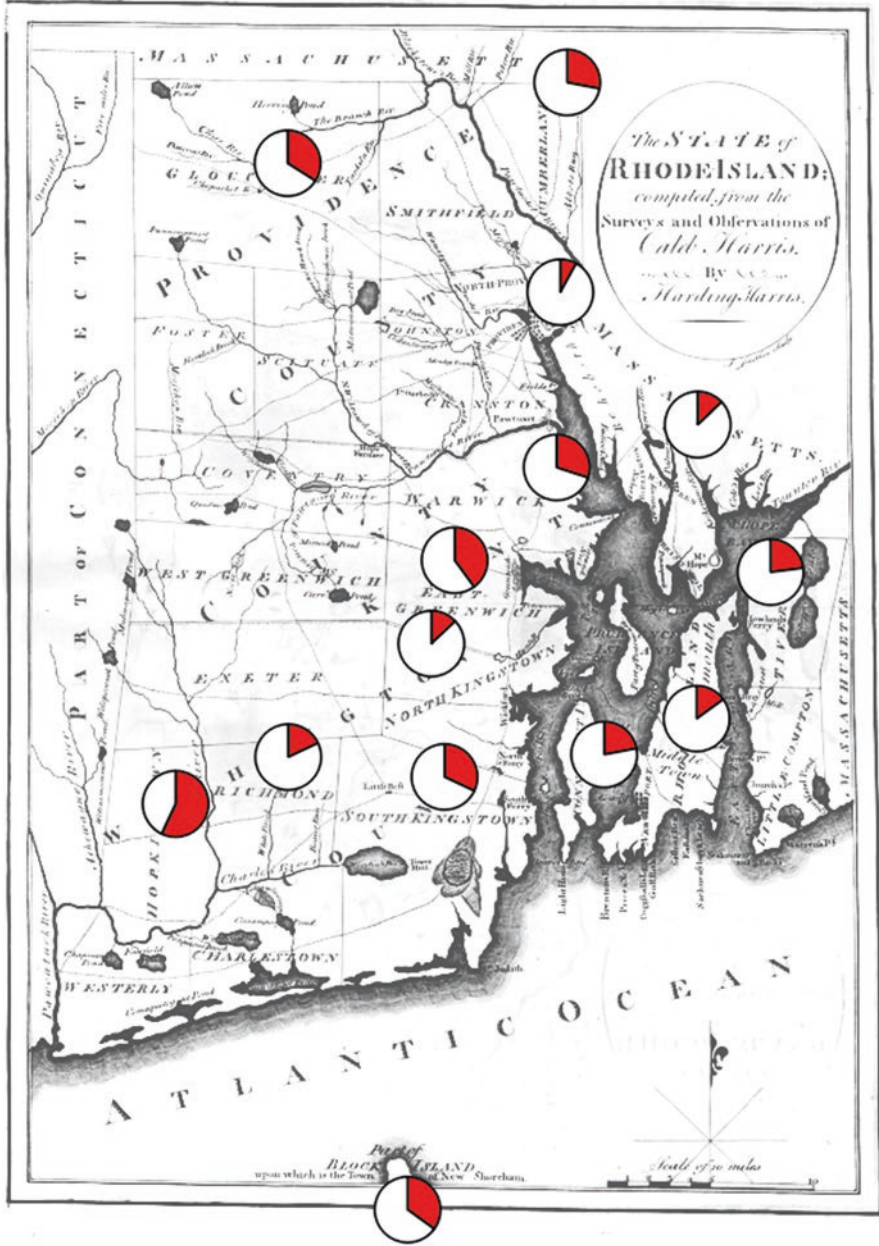


Fig. 9.2 Rhode Island's towns in 1795, showing percentage of adult and minor guardianships. The colored slice is the percentage of adult guardianships. Hopkinton has the largest colored slice and Providence the smallest colored slice. (Sources: Guardianships statistics are drawn from the individual town council records. Basemap from the David Rumsey Historical Map Collection, <https://www.davidrumsey.com/luna/servlet/s/50v514> "The State of Rhode Island compiled from the Surveys and Observations of Caleb Harris, By Harding Harris. J. Smither sculp." Map, scale 1:285,000. Matthew Carey, 1795)

Table 9.2 Population of Rhode Island towns

Town	1755	1770	1782	1790	1800
Cumberland	1083	1756	1548	1964	2056
East Greenwich	1167	1663	1609	1824	1775
Exeter	1404	1864	2058	2495	2476
Glocester	1511	2945	2791	4025	4009
Hopkinton	--	1805	1735	2462	2276
Jamestown	517	563	344	507	501
Middletown	778	881	678	840	913
New Shoreham	378	575	478	682	714
Providence	3159	4321	4312	6380	7614
Richmond	829	1257	1094	1760	1368
South Kingstown	1913	2835	2675	4131	3438
Tiverton	1325	1957	1959	2453	2717
Warren	925	979	905	1122	1473
Warwick	1911	2438	2122	2493	2532

Sources: For 1755 and 1770 census counts, see Greene and Harrington (1966, pp. 67–69). For 1782 and 1790 census counts, see Holbrook (1979, p. viii). For 1800 census count, see Walsh (1987, pp. 722–23)

Table 9.3 Ratio of adult guardianships to population

Town	Total adult guardianships 1750–1800	1770 town population	Ratio of adult guardianships to 1770 population
Cumberland	38	1756	0.02164
East Greenwich	34	1663	0.02044
Exeter	20	1864	0.01073
Glocester	39	2945	0.01324
Hopkinton	75	1805	0.04155
Jamestown	5	563	0.00888
Middletown	8	881	0.00908
New Shoreham	6	575	0.01043
Providence	26	4321	0.00602
Richmond	12	1257	0.00955
South Kingstown	45	2835	0.01587
Tiverton	23	1957	0.01175
Warren	17	979	0.01736
Warwick	30	2438	0.01231

Sources: Guardianship statistics are drawn from the individual town council records. Population counts obtained from Greene and Harrington (1966), Holbrook (1979), and Walsh (1987)

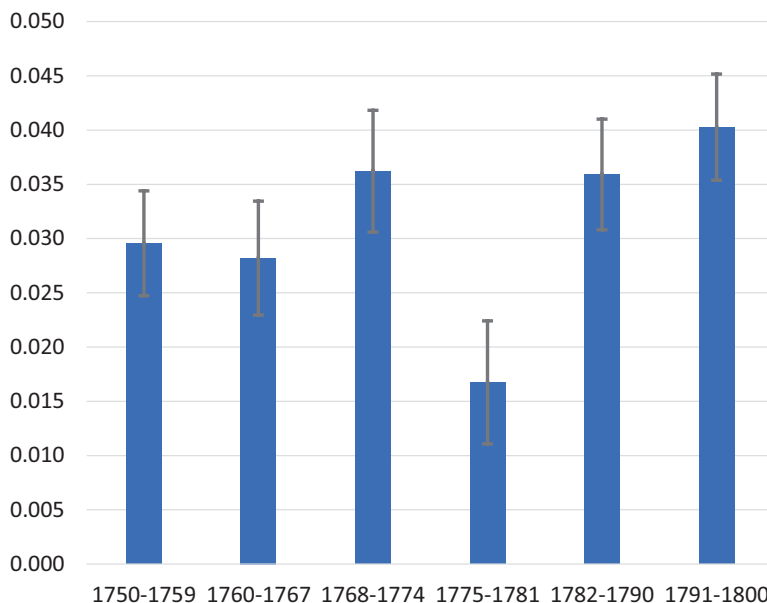


Fig. 9.3 Adult guardianships enacted in the 14 study towns, averaged by time period. (Source: Guardianship statistics are drawn from the individual town council records)

Notes: The thick bar represents the mean across all towns for each period, calculated as the fixed effects of the period binary variables; the thin bar represents one standard error. In total, the panel had 690 town-year observations

the county probate court judge actually appointed the guardians (Freeman 1791, p. 8).¹³ Only in Rhode Island did locally elected town councilmen serve also as probate judges with all their associated powers.¹⁴ In a unique development early in the colonial period, Rhode Island town councils had “inherited the function of probate courts, which clothed them in the garments of magistracy” (James 1975, p. 149). One historian has described Rhode Island town councils as “conclaves of village elders, to which had adhered the duties of a probate court” (James 2000, p. 165). Throughout the colonial era, Rhode Island “continued to elevate the

¹³ See also Jimenez (1987, pp. 49–64). Jimenez (1987, p. 51) notes that Massachusetts towns “had little do with guardianship cases” except when someone disputed a court ruling; in those cases, “town selectmen made the determination of sanity.” See also Montague (1895, pp. 5–11), who traced Massachusetts probate judges’ county-level authority back to the early English county court system. For Montague’s discussion of the Massachusetts probate courts’ authority to appoint guardians over adults, see pp. 12–13, 23–24, 32–34.

¹⁴ “An Act establishing Courts of Probate” and “An Act respecting Guardians,” *The Public Laws of the State of Rhode Island and Providence Plantations* (Providence: Carter and Wilkinson, 1798), 1:276–79, 1:316–18. For the more complicated (and expensive) system of adult guardianship in Scotland, see Houston (2003, pp. 165–186). Houston notes that “guardianship procedures in eighteenth-century Massachusetts were similar to those in Scotland” (p. 179). For adult guardianship in England, see Neugebauer (1996, pp. 24–39) and Neugebauer (1989, pp. 1580–1584).

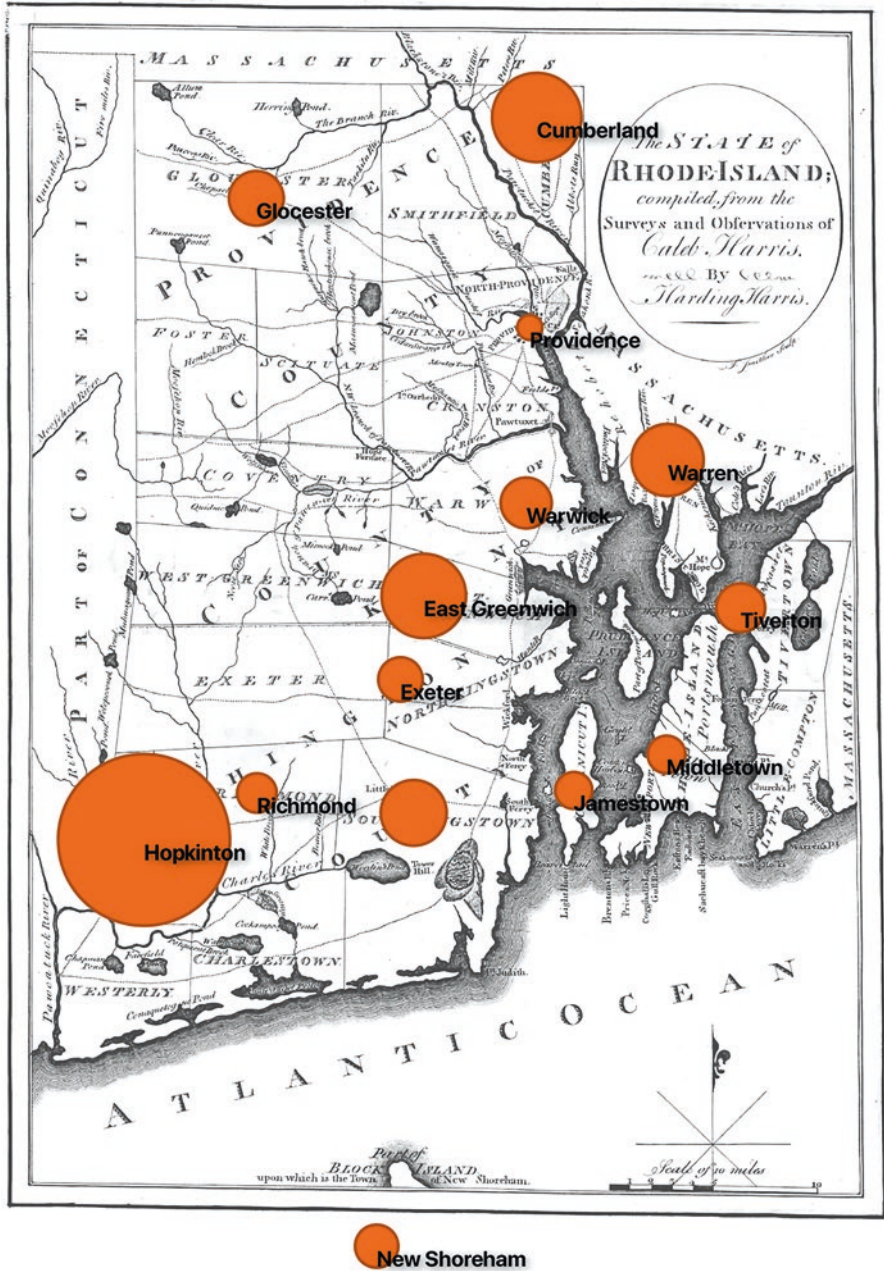


Fig. 9.4 Ratio of adult guardianships to 1770 population. (Sources: Guardianship statistics are drawn from the individual town council records. For 1770 town population, see Greene and Harrington (1966). Basemap from the David Rumsey Historical Map Collection, <https://www.davidrumsey.com/luna/servlet/s/50v514> “The State of Rhode Island compiled from the Surveys and Observations of Caleb Harris, By Harding Harris. J. Smither sculp.” Map, scale 1:285,000. Matthew Carey, 1795)

importance of the towns as opposed to the colonial government” (James 1975, p. 71). By 1750, town councils were well acquainted with the responsibilities of “judicial competence,” including administering guardianships (James 2000, p. 121).¹⁵

Probate work, including appointing guardians to adults and minors, was only one part of the many responsibilities of Rhode Island town councils. Their nonprobate work included monitoring transient residents, granting departure certificates to legally settled inhabitants who wanted to move away, authorizing poor relief for the needy, authorizing the construction of roads, granting liquor licenses, and giving directions in emergencies such as an outbreak of smallpox or threat of enemy invasion during wartime (Herndon 1992a, pp. 186–187). Each year at the June town meeting, Rhode Island freeholders voted in a slate of local officials, starting with a town clerk and six town councilmen. These first-elected men were invariably social and economic elites who had earned the voters’ confidence with their wealth, reputation, connections, and willingness to devote time to unpaid public service (Herndon 1992a, pp. 192–193; Cook 1976, chaps. 3 and 4; Daniels 1978, pp. 36–52). The Rhode Island General Assembly had fixed the council’s number at “six good and sufficient freeholders” for each town, regardless of the town’s population.¹⁶ The councilmen’s workload could become quite heavy in the more populous towns. In 1782, when town leaders were scrambling to respond to wartime upheaval, Providence’s 6 councilmen (serving a population of 6380 inhabitants) convened 30 meetings; Hopkinton’s 6 councilmen (serving a population of 1735 inhabitants) convened 14 meetings; and Warren’s 6 councilmen (serving a population of 905 inhabitants) convened 8 meetings.¹⁷

Adult guardianship was the responsibility of town councilmen (acting as probate court) because it involved property that could be bequeathed and inherited, bought and sold. The probate court set the amount of the bond the guardian posted when taking up this responsibility; the court also had to “examine, allow and settle” the guardian’s accounts periodically.¹⁸ When Stephen Cottrell asked the South Kingstown council to put his son under guardianship for “leading a very irregular life” through “drinking to excess and idleness,” the councilmen appointed Dr. Benjamin Wait as guardian and required that he post £100 bond, indicating that Stephen Jr. had a significant estate.¹⁹ John Ladd conducted a full inventory when he

¹⁵During the period under study, some town clerks kept probate court business separate from non-probate council business in the town books. In 1798, the Rhode Island General Assembly standardized record-keeping by requiring that clerks keep separate probate court minutes. See “An Act establishing Courts of Probate,” *Public Laws of Rhode Island* (1798), 276–78.

¹⁶*Acts and Laws of The English Colony of Rhode-Island and Providence Plantations in New-England* (Newport: Samuel Hall, 1767), 261–62.

¹⁷Providence TCR vol. 5; Hopkinton TCR vol. 2; Warren TCR vol 1.

¹⁸“An Act respecting Guardians” (1798), Sec. 2, 316–17; “An Act establishing Courts of Probate” (1798), Sec. 1, 276.

¹⁹TCM 10 December 1781, South Kingstown TCR 10 December 1781.

became guardian to the Lewis daughters of Richmond, and he reported the value of their joint estate as £578.²⁰

To place propertied adults under formal guardianship, councilmen needed good cause. They enacted a guardianship after “a due consideration” of a report, when they had concluded a complaint was “well founded.”²¹ The circumstances giving rise to a complaint were undoubtedly well-known to family, friends, and neighbors of the problem person. The doctor who attended the sick in the community, the pastor of the local church, the officer who headed the town militia, and the townsmen licensed to sell liquor at their inns – all these “worthies” had probably already been asked informally to bring their influence to bear. Assessing the process of adult guardianship in Scotland, R.A. Houston notes that the “simplest and least formal” alternative was “extra-legal protection of community opinion.” That is, families could “rely on a consensus in the neighborhood about the impropriety of doing business with an individual who was plainly unable to manage his or her affairs” (Houston 2003, pp. 171–172).²² Rhode Islanders likely relied on the same kind of informal procedure. It was up to the council to decide when and if a complaint should result in a formal guardianship. The absence of certain names in the minutes suggests that the council declined to act on complaints against elites. We reviewed the names of the top town leadership in each of the study towns – the head of the town council, the town clerk, the town treasurer, and deputies to the General Assembly.²³ Some of these men very likely became incapable of managing their

²⁰The inventories were conducted 18 May 1752, and 1 January 1753, Richmond Wills 1:119–20. Ladd submitted two separate lists: the first (items held for them in a separate location) included cows, sheep, and household goods, totaling £370-13-9; the second (items already in their possession) included more household goods and cloth, totaling £207-15-6. When James Lewis died, his three disabled daughters Abigail, Hannah, and Ruth (by his first wife Abigail) were 35, 32, and 28 years old and still under their father’s care. Lewis had bequeathed to them “one quarter part of my movables,” stipulating that “beds, bedding, chests, boxes, wheels, chairs, clothing” and other goods “be equally divided between them” (Will of James Lewis, 5 April 1752 (probated 23 May 1752), Richmond Wills, 1:91–93). Lewis also stipulated that his unborn child by his second wife Susannah “whether it be son or daughter” should have “one fifth part of my lands before willed to my two sons.” Daughter Patience was born to Lewis’ widow 7 months after he wrote his last will (*Rhode Island: Vital Records, 1636-1850*, ed. James N. Arnold (Providence: Narragansett Historical Publishing Company, 1891); Richmond, 6–30).

²¹TCM 4 December 1797, 1 January 1798, and 12 February 1798, Tiverton TCR 5:59–60; TCM 15 December 1797, South Kingstown TCR 6:253. For example of “a due consideration” wording: The Tiverton council cancelled Abraham Burrington’s guardianship after some family members protested the action; the council spent one meeting “hearing what was offered for and against the same.” For example of “well founded” wording: The South Kingstown council concluded that Samuel Curtis should be put under guardianship, since Curtis had been “giving himself up to the practice of a daily inebriation, thereby disqualifying himself from taking a prudential care of his temporal interest.”

²²Houston (2003, p. 171) points out that the process of adult guardianship in Scotland was “potentially difficult, frequently expensive, and necessarily public,” making informal alternatives much more appealing.

²³Lower-level officials, such as town constables, were not treated with the same reserve as men who had been in the most prominent positions. In Jamestown, for example, the town council put

affairs in their old age, but only one suffered the indignity of formal guardianship: John Maxson of Hopkinton (discussed below). And when the Hopkinton council did put Maxson under guardianship, it caused such “uneasiness” that the council soon reversed their decision.²⁴

Town councils enacted a guardianship when they deemed that the complaint described a person who was non compos mentis (literally “of unsound mind”) and “likely to waste their estate.” In the eighteenth century, the line between mental illness and physical illness was unclear (Rothman 1979, p. 4).²⁵ Today we might apply specific labels such as dementia, depression, or alcoholism to some of these cases.²⁶ In addition, we bear in mind that many soldiers returning from combat in this era exhibited a wide array of ailments and disabilities, both mental and physical, for decades afterward.²⁷ Other adults placed under guardianship – the Lewis daughters, for example – suffered from profound physical and mental disabilities their entire lives.²⁸ Still other adults, like Richard Barton of Warren, periodically “abused” family members.²⁹ And others, like George Peck, Roger Brale, and Ibrook Whipple, deserted their families. The Cumberland council was so outraged at Peck’s abandonment of his wife and seven children that they publicly censured him for his “unnatural conduct,” declaring that he was “greatly depraved and almost lost the natural feelings of common humanity.”³⁰

The councilmen heard details of unsettling and disorderly behavior and must have had no illusions about the intensity of distress in some households. Very likely, they were not surprised when people declined to take on a guardianship that would embroil them in family disputes or commit them to years of unpleasant service. Four men in quick succession declined to serve as guardian to John Lewis’s “dumb” daughters, and the fifth resigned after 2 years. The records indicate that being guardian to these handicapped women involved finding appropriate nurses and caretakers

Benjamin Carr, a former town constable and tax collector, under guardianship when his son complained about this elderly man “squandering away his estate” (TCM 6 March 1784, Jamestown TCR 2:155).

²⁴TCM 3 September 1793 and 2 December 1793, Hopkinton TCR 3:38, 41.

²⁵For a good review of the scholarly literature on insanity in early America, see Jimenez (1987, pp. 1–11). See also Eldridge (1996, pp. 361–386), Neugebauer (1987, pp. 481–483), Grob (1994), Bell (1980), and Deutsch (1949).

²⁶On attitudes toward and treatment of the elderly in early America, see Fischer (1977) and Achenbaum (1978, pp. 1–6); see also Field and Syrett (2020, pp. 370–384). On alcohol consumption in early America, see Rorabaugh (1979), Salinger (2002), and Lender and Martin (1982, Chap. 1).

²⁷For a recent study of illness in early America that incorporates a discussion of Revolutionary War veterans, see Mutschler (2020, pp. 183–222). See also Resch (2002) and Blackie (2010).

²⁸For a relevant study, see Dayton (2015, pp. 77–99).

²⁹On domestic violence in early America, see Pleck (1987) and Daniels and Kennedy (1999).

³⁰TCM 17 November 1783, Cumberland TCR 5:503.

as well as managing their financial affairs.³¹ In other cases, the guardian perceived the task as intrusive or inappropriate. Moses Baker had been appointed guardian to his 21-year-old brother Pardon Baker when Pardon began drinking to excess after returning home from military service during the Revolutionary War. Seven years later, Moses told the Warwick council that “it was very disagreeable for him to act in that office any longer.”³² The council appointed a different guardian but had to revisit the case 3 years later, after they heard “great complaints” about the second guardian’s neglect – so much so that Pardon’s estate was “squandering away.” The council appointed an assistant to the guardian to “procure an estate” where Pardon could “make a home for himself and family” and thereby avoid becoming a town charge.³³ The following year, the council “thought fit. . . to set Pardon Baker free from his guardianship, in hopes that he would refrain from his evil courses of life.” But they soon learned that Pardon “persists in drinking too freely of spirituous liquors and spends much of his time at taverns and in idleness, whereby he is likely to bring himself and family to want and misery.” Since they could persuade no reliable person to take on the guardianship, the council decided to serve collectively as guardian to Pardon, now 31 years old.³⁴ In this case, the council took quite seriously their responsibility as “fathers of the town,” caring for a man who had apparently suffered a breakdown after his wartime service on behalf of the town.

Sometimes the adult placed under guardianship protested the council’s action, embarrassed to have been publicly reduced in status. A year after the Warwick council placed George Wightman under guardianship because he showed “no discretion,” his son Reuben told the council that his father “was got something uneasy at his being under guardian”; the councilmen “thought proper” to release the elder man from guardianship.³⁵ Two years later George Wightman’s sons appeared before the council because “their father conducted in such a manner, that they apprehended unless there was a stop put to it, he would bring himself to want and misery,” and the council once again appointed a guardian.³⁶ Before a year had passed, however, the sons were back to ask for their father’s release once again because he “had of

³¹ Edward Pierce of Charlestown, George Lewis of Richmond, and the Samuel Kinyon of Charlestown all “refused to serve” when they were first appointed in February 1753. One month later, David Lewis, who had been appointed “in their stead,” also refused. John Ladd of Charlestown agreed to serve, but he resigned in 1755, and the council recruited Jacob Lewis of West Greenwich. This appointment lasted. More than 20 years later, the Lewis daughters were still living in Jacob Lewis’ household in West Greenwich, and the Richmond council was continuing to inspect the guardian’s account, which included payment for “nursing and boarding” the three women. TCM 5 February 1753, 5 March 1753, 3 March 1755, 3 May 1779, and 2 December 1782, Richmond TCR 1:114, 1:115-16, 1:176, 2:275–76, 2:337.

³² TCM 30 December 1777, Warwick TCR 3:40; TCM 15 December 1784, Warwick TCR 3:168.

³³ TCM 12 March 1787, Warwick TCR 3:200.

³⁴ TCM 28 April 1788, Warwick TCR 3:226.

³⁵ TCM 27 June 1767 and 13 June 1768, Warwick TCR 2:286 and 2:302. Reuben Wightman was one of the town constables at the time he made this complaint to the Warwick council; he was later elected as town sergeant, the chief law enforcement position.

³⁶ TCM 18 July 1772 and 21 March 1773, Warwick TCR 3:16 and 3:23–24.

late governed himself better” and (perhaps more to the point) he “hath an opportunity of disposing of his real estate at a good lay and to purchase another place whereby he would greatly advance his interest.” The council “disannulled” the guardianship.³⁷

The Warren council put shipwright Amos Bowen under guardianship in April 1756 because he was “discomposed and disordered” and “altogether unfit to manage his secular affairs.”³⁸ Over the next 20 months, Bowen asked the council repeatedly that he “be restored to his former capacity,” and in December 1757 the council finally agreed that he should be released from guardianship, settle accounts with his guardian, and take possession of his estate.³⁹ Three years later, though, “repeated complaints” from “credible persons” prompted the council to put Bowen back under guardianship because he was “so discomposed as well by excessive drinking as by other extravagant behavior.”⁴⁰

In another case, the father of a man under guardianship seemed to feel the public humiliation most keenly. The Warwick council put David Gorton under guardianship in 1796 because he “spends much of his time and money at public houses” and because of his “want of discretion in the management of his estate.”⁴¹ Eight months later, Gorton’s father asked the council to discharge his son from this guardianship and allow him, the father, to “remove his son and family into some part of the state of New York, where he meant to settle them in such a manner, that [they] should not for the future be chargeable to this town.” The council agreed and removed the guardianship “upon the condition that the said Joseph Gorton remove the said David and family out of this town, agreeable to promise.”⁴²

In yet another case, the Warwick council kept Benjamin Stone under guardianship for decades, suggesting that some underlying disability complicated the immediate problem of drinking too much. Stone was in his early 30s when the council put him under guardianship for “drunkenness” in 1750. There he remained for 39 years, living a surprisingly normal life under guardianship, even marrying.⁴³ In 1789, Stone (now in his 70s) wrote a petition (or had it written for him) “signed by a number of the inhabitants of the town of Warwick and [the neighboring town of]

³⁷TCM 21 March 1773, Warwick TCR 3:23–24.

³⁸TCM 5 April 1756, Warren TCR 1:126.

³⁹TCM 5 December 1757, Warren TCR 1: 158.

⁴⁰TCM 1 December 1760, Warren TCR 1:211.

⁴¹TCM 14 April 1796, Warwick TCR 4:393.

⁴²TCM 10 January 1797, Warwick TCR 4:410.

⁴³The original guardianship occurred at TCM 10 December 1750, Warwick TCR 2:88-89. He appeared in the Rhode Island 1774 Census (Cherry Fletcher Bamberg, “The 1774 Census of Rhode Island: Warwick,” *Rhode Island Roots*, 30 (2004), p. 201). He appeared in the Rhode Island 1777 Military Census for Warwick, showing as “60+” years of age (*The Rhode Island 1777 Military Census*, transcribed by Mildred M. Chamberlain (Baltimore: Genealogical Publishing Company, 1985)). He appeared in the Rhode Island 1782 Census, with 1 adult male and 1 adult female in his household (Jay Mack Holbrook, ed., *Rhode Island 1782 Census* (Oxford, MA: Holbrook Research Institute, 1979), 119).

Cranston.” The petition described “the embarrassment he labored under, by being deprived of the privileges of freemen.” “Freemen,” in eighteenth-century Rhode Island, referred to freeholders, men who owned sufficient property to qualify to vote in town meeting. Stone also pointed out that even while under guardianship he “made some improvements in his estate” and had behaved himself recently “in a prudent manner.” The councilmen agreed and discharged him.⁴⁴ In the following 8 years, Stone could well have voted in town meeting and even prepared a will. In 1797, however, Stone (now in his 80s) was put back under guardianship because he was “infirm” and showed a “want of discretion.” He died a year later, still under guardianship.⁴⁵

The councilmen’s wide discretion in imposing guardianship (and removing it) highlights the independence and autonomy of Rhode Island towns.⁴⁶ In the absence of an overriding authority at the county or colony/state level, councilmen were free to choose among a number of measures that might help secure peace and good order in the community during the Revolutionary Era. When they enacted adult guardianship, the town council in effect assumed the traditional *parens patriae* authority of the English monarch over adults deemed unable to care for themselves or their property.

Every Rhode Island town used adult guardianship to a greater or lesser extent, but overall towns increased their use of adult guardianship significantly between the 1750s and the 1790s (See Fig. 9.3.) This 50-year period was arguably the most tumultuous in Rhode Island’s history.⁴⁷ The French and Indian War in the late 1750s and early 1760s required that towns raise troops and equip them for military campaigns. Revolutionary protest from the mid-1760s to the mid-1770s caused significant division among Rhode Island’s townspeople. The Revolutionary War itself, from 1775 to 1783, directly and deeply affected Rhode Island: some port towns were occupied by British troops for several years, coastal towns came under fire from British ships, and all towns prepared for invasion. In the 1780s, people throughout the state felt the effects of severe postwar depression, as poor transients surged through towns in search of work and family and as settled inhabitants went bankrupt at alarming rates. In the early 1780s, Rhode Islanders argued over passage of a contentious law to begin the abolition of slavery; the law passed in the state legislature in 1784. In the late 1780s, the state experienced another political crisis over ratifying the new federal constitution; Rhode Island towns held meetings to vote on ratification in 1788 and resoundingly rejected ratification (238 for and 2714 against) (Herndon and Murray 2019). The state joined the union belatedly and reluctantly in

⁴⁴TCM 14 September 1789, Warwick TCR 3:261.

⁴⁵TCM 8 July 1797, Warwick TCR 4:420. See also Patricia Reed, “Henry Straight of Portsmouth and East Greenwich, R.I., and His Family,” *Rhode Island Roots* 40 (2014): 192.

⁴⁶Sydney James (1975, p. 56) found that each Rhode Island town “in its own way developed basic institutions” and “tried to bring into use daring ideas about the exercise of the body politic.”

⁴⁷On Rhode Island in this era, see McLoughlin (1986a), Polishook (1969), Lovejoy (1958), and Conley (1977). Rappleye (2006), Coughtry (1981), Sweet (2003), Withey (1984). See also Jones (1992), Coleman (1963), McLoughlin (1986b), and Lemons (1986).

1790. Rhode Island took its first step into the industrial revolution with the construction of a cotton spinning mill on the Blackstone River in Pawtucket, just north of Providence, in 1793. This not only began the state's turn toward textile production as its economic engine; it also signaled Providence's victory in the battle with Newport for economic dominance. A system of major roads to accommodate the increasing trade between Providence and the rest of New England began to snake through the Rhode Island countryside, ushering in the transportation revolution.

A Rhode Island resident born before 1750 witnessed a high level of political, economic, and social change in her town if she lived to 1800. Most towns experienced a dramatic population increase in the half-century, and some doubled in size. (See Table 9.2.) During the war itself, voters gathered more and more frequently in town meetings, scrambling to produce quotas of soldiers and raising taxes for bounties and supplies for the troops (Herndon 1992a, pp. 260–264). Town taxes increased 15-fold during the war (Herndon 1992a, pp. 271–274). The East Greenwich voters held a record 28 town meetings in 1779, while the Jamestown voters held no meetings at all that year, since the townspeople were all refugees scattered in nearby towns (Herndon, 1992a, pp. 270–271). In 1777, the Providence council called 51 meetings to deal with the most urgent problems of the war, while the Jamestown, Middletown, and New Shoreham councils did not convene at all because they were under British occupation.⁴⁸ After the war, towns were disrupted as Rhode Islanders found their way back home – or to a new home – and began to assess the cost of the war in blood and treasure. Not until the 1790s did Rhode Islanders begin to feel a respite from the chaos of the war (Herndon 1992a, pp. 310–311). Those who had endured the war years as adults must have welcomed the end of the century as a return to better times in many respects.

Figures 9.3 and 9.5 show that council activity putting minors under guardianship decreased overall, while council activity putting adults under guardianship increased overall.⁴⁹ These figures use the period 1750–1759 as a point of comparison and show the rise or fall in relation to that period. Enactments of adult guardianships stepped up significantly in the period 1767–1775, indicating an increased need to address disorder during the period of revolutionary protest. After the onset of war, council activity to put both minors and adults under guardianship decreased significantly, and this activity stayed low until 1781. This coincides with some towns being occupied by the British and all towns being preoccupied with wartime exigencies. Under these stressful circumstances, town councils did not prioritize

⁴⁸ Providence TCR 5:61–104; Herndon (1992a, pp. 292–95).

⁴⁹ Figure 9.3 shows changes in use of adult guardianships. A panel regression of the 690 counts of guardianships by year and town is behind these observations on the differences between periods. The 1775–1781 period is below all other coefficients with at least a 10% significance level; the 1791–1800 period is only significantly different relative to 1760–1767 and 1775–1781. Still, the trend suggests an increase in the towns' use of adult guardianships interrupted by the revolutionary war. Figure 9.5 shows changes in use of guardianships for minors. The dip during the revolutionary war and into 1790 is significant at the 5% level, according to a panel regression of the rate of minor guardianships with fixed effects by period. The decline of 1791–1800 relative to the 1750–1759 period is significant at the 10% level.

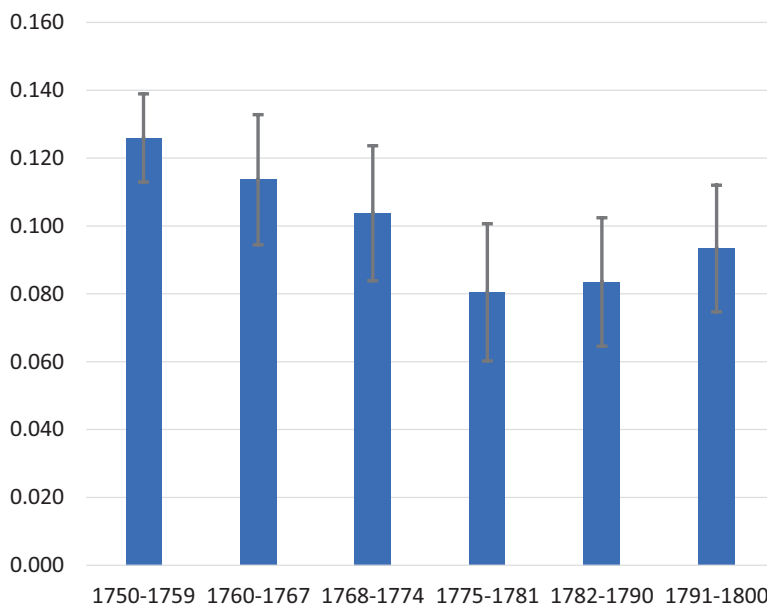


Fig. 9.5 Minor guardianships enacted in the 14 study towns, averaged by time period. (Source: Guardianship statistics are drawn from the individual town council records)

Notes: The thick bar represents the mean across all towns for each period, calculated as the fixed effects of the period binary variables; the thin bar represents one standard error. In total, the panel had 690 town-year observations

guardianship. At the end of the war, council activity to place minors under guardianship increased briefly, reflecting town councils catching up on the backlog of probate business. After that, however, enactment of minor guardianships trended downward until, by the 1790s, the rate of guardianships for children due to inherit property had fallen significantly below the per-capita levels of the 1750s. On the other hand, enactment of guardianships for adults deemed incompetent to manage their affairs returned to prewar levels and then increased significantly in the 1790s, well above per-capita levels of the 1750s.

9.3 Hopkinton

In April 1783, Elijah Burdick “personally appeared” before the Hopkinton town council and told them that “he suspected that sundry evil-minded persons was design[ing] to injure either his person or estate & that he believed he was not of a sufficient ability to defeat them.”⁵⁰ He asked the council to appoint a guardian to

⁵⁰TCM 21 April 1783, Hopkinton TCR 2:113.



Fig. 9.6. Per-capita adult guardianships in Hopkinton, 1757–1800. (Sources: Guardianship statistics are drawn from Hopkinton Town Council Records, held at the Hopkinton Town Clerk’s Office, Hopkinton Town Hall)

Notes: The gray dots represent the ratio of adult guardianships to Hopkinton population each year. The thick line represents 3-year moving average of each year

protect him, and the councilmen obliged. Burdick’s anxiety suggests a kind of paranoia – was this one man’s nightmare or was he pointing to an unusual pulse of fear and worry in Hopkinton?

Hopkinton stands out among the Rhode Island towns for its high rate of putting adults under guardianship in the 1780s and 1790s (See Figs. 9.4 and 9.6.) Hopkinton was not alone in suffering economically, socially, and politically during this period. All Rhode Island town councils worked hard to restore order after the war. But adult guardianship appears to have been Hopkinton councilmen’s favorite solution for problems that affected every town. Further, Hopkinton’s application of adult guardianship seems rather heavy-handed. The council put adults under guardianship when less formal measures might have served just as well. What prompted the Hopkinton councilmen to make such choices?

The answer may lie in Hopkinton’s status as the newest Rhode Island town, having separated from Westerly in 1757.⁵¹ For the town leaders, the pressures of making a new town must have been significant. Would Rhode Island’s newest town be competently governed? Would their separation from Westerly be viewed in hindsight as

⁵¹“An Act dividing the Town of Westerly,” *Acts and Laws of Rhode Island* (1767).

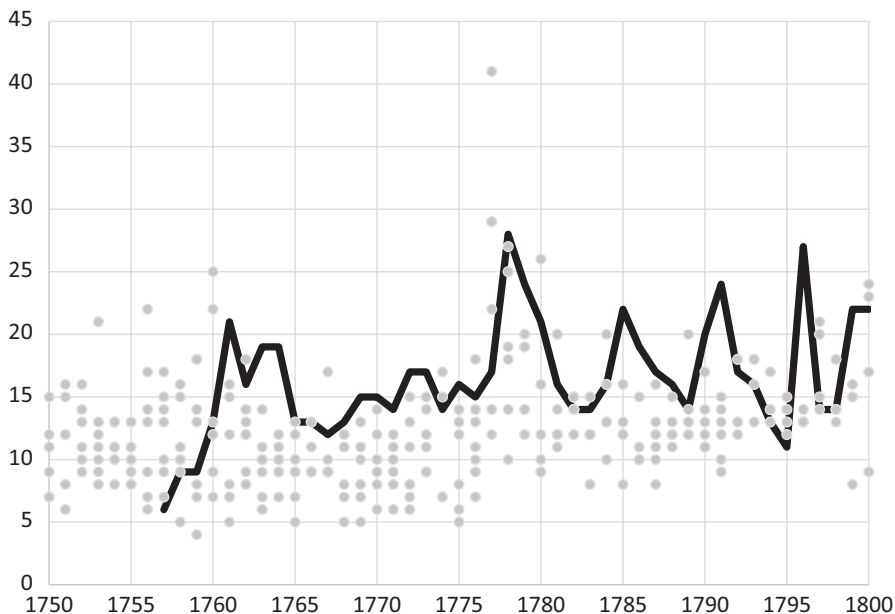


Fig. 9.7 Town council meetings in Hopkinton, 1757–1800. (Sources: Hopkinton Town Council Records, Town Clerk’s Office, Hopkinton, RI, town hall)

Notes: The thick line represents the number of town council meetings in Hopkinton. The gray dots represent the number of council meetings in towns of similar size

a mistake, if they could not manage the disorder of the war as effectively as more established towns?

For Hopkinton, the Revolutionary Era was an unusually severe strain.⁵² The inhabitants had to deal with turmoil almost from the moment they convened their first town meeting in the midst of the French and Indian War. Before the town meeting had opportunity to solidify itself as a group of voters, they were being pressured to officially protest various acts passed by the English parliament in the 1760s and 1770s. Before the town could firmly build its own alliances with neighboring towns, it was hearing calls for rebellion against the English monarch. Before the inhabitants had bonded as a community and put in place informal mechanisms to deal with disorder, they were engulfed in revolutionary turmoil that stirred up discord among neighbors. Before Hopkinton leaders could establish their own “best practices” for governing, they were faced with urgent wartime situations that demanded immediate responses. Adult guardianship might easily have seemed the most expedient solution for a council under such pressure.

The Hopkinton town council met more often than usual throughout the 1780s and 1790s, with a post-war peak of 27 times in 1796 (See Fig. 9.7.) Putting adults

⁵²On Hopkinton in the late 1700s, see Herndon (1992a, pp. 18–49) and Herndon (1992b, pp. 103–115).

under guardianship was often on the agenda in these meetings. In 1 month alone – April 1783 – the council put four adults under guardianship. Between February 1782 and January 1785, Hopkinton put ten adults under guardianship; it would not experience another such “run” until 1795, when the councilmen appointed guardians over seven people in one 5-month period. The council gave reasons that varied from drunkenness to imprudence to selling land unwisely. This last concern deserves a closer look.

Every Rhode Island town clerk had charge of the land evidence books that documented the sale and purchase of privately owned real estate. Town councils had no authority over these private sales, yet Hopkinton’s town councilmen cited a looming sale of real estate as cause for putting someone under guardianship. They implied that selling real estate would cause the seller to fall into poverty and then need town poor relief. Very likely, the town council was also trying to maintain some control over who had political power in the town. Owning real estate was key to becoming a freeholder and having the right to vote in town meeting (Herndon 1992a, pp. 89–91). Selling real estate signaled the potential loss of a freeholder; selling real estate to someone outside of Hopkinton potentially introduced a new freeholder, perhaps someone they did not approve.

In 1786, the Hopkinton council heard a “complaint” that Isaiah Button “is in a likely way to lose part of his estate by making sale of part of his lands if not speedily prevented.” The council promptly put Button under guardianship explicitly to prevent the sale. Three years later, when Button wanted to “exchange some lands” with neighbor Ross Coon, an exchange that Button’s guardian approved, the council lifted the guardianship so that Button could legally make this exchange.⁵³ In 1791, when the Hopkinton council learned that Elisabeth and Penelope Barber were “about to dispose of their land” – an action which the council considered “of bad consequence” – the councilmen appointed a guardian to prevent the sale.⁵⁴ In 1796, the Hopkinton council appointed Deacon Zaccheus Maxson to be guardian to Jonathan Dyer and his mother Rebekah, because Dyer “conducts imprudently and is about to convey his real estate” and his mother, Widow Rebekah Dyer, “is consenting to sign the deed and acquit her right of dower.”⁵⁵ Adult guardianship seems an overbearing method of preventing a sale, when town leaders, friends, and neighbors might have exerted pressure more discreetly.

The Hopkinton council’s heavy reliance on guardianship is especially evident in its dealings with the Button family. Isaiah Button’s guardianship in 1786 was not the first encounter between the Buttons and the council. Twenty-one years earlier, in 1765, the Hopkinton council had put Rufus Button under guardianship because he had “through misconduct” gotten himself in debt “and likely to remain so.” Given that Rufus Button had a wife and young child, the council thought it unlikely that he could get out of debt without the supervision of a guardian. By 1770, Rufus Button

⁵³TCM 29 August 1786 and 7 June 1789, Hopkinton 2:257 and 2:305.

⁵⁴TCM 13 December 1791, Hopkinton TCR 3:9.

⁵⁵TCM 20 August 1796, Hopkinton TCR 3:84.

(with the assistance of his guardian) had cleared his debts and was released from guardianship.⁵⁶ In 1783, the Hopkinton council put Samuel Button, “an aged gentleman who is past labor,” under guardianship because he was “about to sell his present inheritance which will likely render him in a suffering condition.”⁵⁷ In 1786, another, younger Samuel Button (son of Amos) was put under guardianship “at the request of his parents,” suggesting a serious problem in family relationships.⁵⁸ In 1794, the council put Rufus Button Jr. under guardianship because he “conducts himself very imprudently, in a very slothful, idle manner.”⁵⁹

Finally, in 1796, the council took comprehensive action against the latest generation of Buttons for being troublesome. The Hopkinton council heard “complaint” that Arnold Button and David Button Jr., two teenaged cousins, “conducts themselves in a very unbecoming manner, being idle, disobedient to parents & mischievous.” The complaint also alleged that kinsman John Button “conducts imprudently.” The council appointed guardians over the two teenagers, over their fathers (Rufus Button and David Button Sr.) and over John Button. The guardians? Renowned General George Thurston, veteran of the Revolutionary War, and William Tanner, Esqr., another of town’s political and economic elite.⁶⁰ Perhaps the Hopkinton councilmen had decided that lesser measures did not work with members of the Button clan.

The Hopkinton council’s biggest mistake over adult guardianship was John Maxson Sr. In September 1793, John Maxson Jr. reported to the Hopkinton town council that his father “conducts himself imprudently and very unbecomingly in several respects”; even worse, “some of his misconduct is well known by others.”⁶¹ John Maxson Sr. had been a prominent citizen of Westerly; his father and grandfather – both ministers – had established the Sabbatarian (Seventh Day Baptist) Church in the northern region of Westerly that would later hive off as Hopkinton (Denison 1878, pp. 60–61; Griswold 1877, pp. 70–71).⁶² John Maxson Sr. was elected to Westerly’s highest office, serving as one of their two representatives to the General Assembly in the 1740s (Denison 1878, pp. 156–157). Further, he was one of the “honored civil founders” of Hopkinton; in 1757, when the town separated from Westerly, he was the first man elected to the town council and served as its president for 3 years.⁶³ Starting in 1761, he was regularly elected to be one of

⁵⁶TCM 18 November 1765, 21 March 1768, 6 March 1769, 1 January 1770, Hopkinton TCR 1:85, 1:119, 1:127, 1:139.

⁵⁷TCM 7 April 1783, Hopkinton TCR 2:112.

⁵⁸TCM 6 February 1786, Hopkinton TCR 2:245.

⁵⁹TCM 24 March 1794, Hopkinton TCR 3:46.

⁶⁰TCM 5 September and 3 October 1796, Hopkinton TCR 3:86–87.

⁶¹TCM 3 September 1793, Hopkinton TCR 3:38. John Maxson Sr. was born on April 21, 1701; his son John Maxson Jr. was born August 27, 1725. See *Rhode Island: Vital Records*, 1:117.

⁶²At the time of Hopkinton’s founding, the Sabbatarian Church was the only church in Hopkinton.

⁶³TM 4 April 1757, Hopkinton TMR 1:1–5; Griswold (1877, pp. 17–18). John Maxson, Jr., who made the complaint against his father, was elected to the town council regularly from 1760 onward. He served as town clerk from 1768 to 1774. Hopkinton TMR vol 1 and 2.

Hopkinton's representatives to the General Assembly, and the clerk who recorded this election wrote "Esqr." behind his name, showing the widespread respect he had earned.⁶⁴

Some 30 years later, the Hopkinton councilmen quickly realized they had made a mistake in not considering John Maxson Sr.'s long and distinguished service to the community and his still high status among the residents. They could have made an informal arrangement with kinfolk and neighbors to keep this venerable town father and the town council itself from the embarrassment of a formal guardianship. Three months after they put Maxson under guardianship, the councilmen reversed their decision because "there seems to have arisen some uneasiness" about it and "some think it best to discharge him therefrom."⁶⁵ Adult guardianship was indeed a powerful instrument; if townspeople believed the council had misused that instrument, they would talk about it. By lifting the guardianship of John Maxson Sr., the Hopkinton council acknowledged they had fallen short of the community's expectations.

9.4 Conclusion

Hopkinton's unusually high use of adult guardianships was likely due to its newness as a town. But Hopkinton was not alone; town councils throughout Rhode Island increased their use of adult guardianship throughout the era. There is no simple explanation, however, of this rise. The rise and fall in wealth or the pace of population growth did not predict a greater use of guardianships. Instead, we conclude that town councils responded to the disorder caused by war, in part, with increased use of adult guardianships. And some towns (Hopkinton being the paradigm) relied on this tool as a key way to restore order. The Revolution had introduced unprecedented turmoil at the local level and put town leaders under pressure to restore order. Towns clung to the traditional structure of government right through the chaos. In 1800, they still elected six town councilmen to solve their problems, and those councilmen relied more intensively on the familiar measures their counterparts had used in the 1750s. The increased use of adult guardianship was part of a larger effort to restore order in a time of crisis.

Appendix: Herndon on Murray

John Murray strongly influenced the direction of my scholarship. During the years that he and I were on faculty together at the University of Toledo (1996–2007), he helped me keep social history in conversation with economic history. He fed me

⁶⁴TM 25 August 1761, Hopkinton TMR 1:41; Griswold (1877, 38–39).

⁶⁵TCM 3 September 1793 and 2 December 1793, Hopkinton TCR 3:38, 41.

classic and recent books and articles that used economic data to tell a story about the past. One of the greatest benefits of being on the same campus with him was getting to hear his critiques of new scholarship; he had a new book in hand every time I walked into his office, and I always left with a recommended reading list. A conversation with John was even more productive than browsing through book reviews in a scholarly journal. Further, during those years at UT, John gave me a great gift of his time by reading every piece of scholarship I had produced, including my lengthy dissertation on Rhode Island towns during the Revolutionary Era. He had fruitful ideas for developing and publishing pieces of the dissertation. It has been a great sadness not to be able to consult him as I wrote this essay, which began with my dissertation and took on new life when John asked questions about adult guardianship that I couldn't answer. This essay answers some of John's questions.

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