



Anna M. Stetson
City Clerk

Clerk of Council

Lori L. Hagen
Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

MEMORANDUM

DATE: August 25, 2009

TO: Council President Peter S. Mancini and Honorable
Members of the City Council

SUBJECT: Agreement Pertaining to the Deposit of Historic Records
and Artifacts

CONSIDERED BY: Anna M. Stetson, City Clerk

Attached please find a copy of the Agreement between the Office of the Secretary of State and the City Clerk pertaining to the Transfer and Deposit of Historic Records and Artifacts. These documents (See Exhibit A, attached to original agreement) were transported on August 7, 2009 from the Archives of the City of Providence to the Rhode Island State Archives to be stored in a secure, climate controlled environment until such time as the City of Providence Archives Office can provide a secure location to protect and preserve documents of this nature.

Also attached is a copy of a letter received from the State Archivist, Gwenn Stern, assuring the security, safety and return of these valuable documents of the City of Providence.

Documents Transferred

- 1) Original Roger Williams Deed Dated 1637
- 2) Original Roger Williams Confirmation of House Lots Dated 1661

IN CITY COUNCIL
SEP 3 2009

READ
WHEREUPON IT IS ORDERED THAT
THE SAME BE RECEIVED.

Anna M. Stetson
Clerk

Anna M. Stetson
City Clerk

**AGREEMENT PERTAINING TO THE
DEPOSIT OF HISTORIC RECORDS AND ARTIFACTS**

THIS AGREEMENT is made by and between the Office of the Secretary of State of the State of Rhode Island (hereinafter referred to as the "Secretary") and the City of Providence City Clerk as enumerated in the City Charter, Article VI Chapter 601b (hereinafter referred to as "the City").

WHEREAS, the City has requested that the Secretary accept for deposit certain historical records and/or artifacts (See Exhibit A) (hereinafter collectively referred to as the "Records"); and

WHEREAS, the Secretary has agreed to accept the Records and to store the Records on behalf of the City; and

WHEREAS, the Secretary and the City have come to a mutual understanding with respect to the Records and other matters related thereto; and

WHEREAS, the Secretary and the City desire to embody the terms of such mutual understanding in the form of a written agreement.

NOW THEREFORE, in consideration of the mutual promises and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the Secretary and the City agree as follows:

The City shall deposit the Records with the Secretary at the Rhode Island State Archives. The Secretary shall thereafter transmit to the City an inventory of all the Records so deposited (hereinafter referred to as the "Inventory"). Within thirty (30) days of receipt of the Inventory, the City shall advise the Secretary of any and all additions, changes, and/or corrections to the Inventory. In the event that the City does not advise the Secretary of any such additions, changes, and/or corrections to the Inventory within said thirty (30)-day period, the Inventory submitted shall be deemed by the parties to be a full and final accounting of all of the Records deposited in accordance with the terms of this Agreement. In the event that the City notifies the Secretary of any such additions, changes, and/or corrections to the Inventory within said thirty (30)-day period, the parties shall confer to prepare a final form of the Inventory, which, upon finalization, shall be deemed by the parties to be a full and final accounting of all the Records deposited in accordance with the terms of this Agreement.

The parties agree that the City shall be solely responsible for the packing and transportation of the Records, it being expressly understood between the parties that the Secretary is neither responsible for nor assumes any risks, costs, or expenses relating in any manner to the packing and/or transportation of the Records.

The Records shall remain the property of the City and may not be discarded, sold, or otherwise transferred to any other agency, corporation, or person without the consent of the City.

The Rhode Island State Archives shall hold the Records on deposit pursuant to the authority granted to the Archives by R.I.G.L. § 42-8.1-7(1), as amended.

The Records on deposit shall be open and accessible to members of the public visiting the State Archives during normal business hours in accordance with the statutes and/or regulations pertaining to access to records held by the State Archives, but subject to any restrictions imposed by the City or the insurance carrier insuring said records, which are allowable under law and attached hereto and made a part hereof.

The parties expressly agree that by accepting the Records for deposit, the Secretary does not assume any liability with respect to the loss, damage, theft and/or destruction of the Records, and the City hereby expressly releases the Secretary from any and all claims, damages, or other matters arising out of or in connection with any such loss, damage, theft, and/or destruction of the Records. The City agrees to acquire its own insurance for said Records while they are in the care, custody and control of the Secretary.

The parties also agree that the records for deposit with the Rhode Island State Archives shall be released to the City upon the written request of the City Clerk in accordance with the City Charter of the City of Providence.

The parties hereto have executed this Agreement through their duly-authorized agents this 7th day of August, 2009.

OFFICE OF THE SECRETARY OF STATE

By:

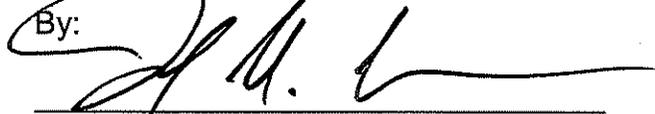


R. Gwenn Stearn

State Archivist & Public Records Administrator

CITY OF PROVIDENCE

By:



David N. Cicilline, Mayor



Anna M. Stetson, City Clerk

Exhibit A

The Original Roger Williams Deed Dated 1637

The Original Roger Williams Confirmation of House Lots Dated
1661

ARTICLE VI. APPOINTED OFFICERS*

601.	City clerk.
602.	City treasurer.
603.	City solicitor.
604.	Recorder of deeds.
605.	City sergeant.
606.	Registrar of vital statistics.

601. City clerk.

(a) *Election and term.* On the first Monday in January, 1983, or as soon thereafter as may be practical, and every four (4) years thereafter on the first Monday in January, or as soon thereafter as may be practical, the city council shall elect, by a vote of a majority of all of its members, a city clerk who shall serve until a successor shall have qualified; provided, however, that in the event of a vacancy in said office, such vacancy shall be filled within thirty (30) days of its occurrence by the city council for the remainder of the term. The city clerk shall have the status of a department head and shall have all powers and perform all duties vested in the office of the city clerk by the provisions of this Charter or otherwise, including, without limitation, the following:

- (1) To act as clerk of and to attend all meetings of the city council and to keep a journal of the acts and proceedings thereof. In case of the absence of the city clerk from any meeting of the city council, the first deputy city clerk shall act as city clerk during such absence. In case of the absence of the city clerk and the first deputy city clerk, the second deputy city clerk shall act as city clerk during such absence. If at any meeting of the city council, no person is present as required by this section, the city council shall elect one of its members as clerk pro tempore;
- (2) To keep on file all official documents, papers, reports and records of the city as are required by law to be filed in the department of city clerk and the rules, regulations and organizational charts of departments, boards, commissions and other agencies of the city developed pursuant to Article XII, section 1201(c) of this Charter; and to make due provision for public inspection of such papers as are

*Cross reference—Officer, defined, § 1207.

required to be open to inspection pursuant to the provisions of section 1203, of Article XII of this Charter and of applicable state law.

(b) [*Division of archives and history.*] There shall be a division of archives and history, which shall be a responsibility of the city clerk and shall be part of the department headed by the city clerk. The division of archives and history shall be headed by a city archivist, appointed by the city clerk, who shall be a person with at least a bachelor's degree from an accredited college or university, who shall be trained in history, archival management, library science or some combination thereof, and who shall have had at least five (5) years' experience as an archivist, manager of records, or equivalent training or experience. The city archivist will serve at the pleasure of the city clerk. The city archivist shall be in charge of the division of archives and history under the general supervision of the city clerk and shall be responsible for the custody, management and preservation of all historical records of the city and of such noncurrent records as shall be transferred to the division by the city clerk or any department or agency of the city. The city archivist shall make provision for access to the materials in the custody of the division, under appropriate conditions and safeguards, to qualified individuals desiring to make use thereof.

602. City treasurer.

(a) *Election and term.* On the first Monday in January, 1983, or as soon thereafter as may be practical, and every four (4) years thereafter on the first Monday in January, or as soon thereafter as may be practical, the city council shall elect, by a vote of a majority of all of its members, a city treasurer who shall be a college graduate and shall have training and at least five (5) years' experience in fiscal management or the equivalent training or experience. The city treasurer shall serve until a successor shall have qualified; provided, however, that in the event of a vacancy in said office, such vacancy shall be filled within thirty (30) days of its occurrence by a majority of the entire city council for the remainder of the term. The city treasurer shall have the



Mayor of Providence

David N. Cicilline

EXECUTIVE ORDER NUMBER 2009-7

July 8, 2009

Relocation of Historical Documents

WHEREAS, The Roger Williams Deeds, and other documents held in the Archives office, are vital and irreplaceable evidence pertaining to the founding of the City of Providence and the State of Rhode Island.

WHEREAS, It is crucial to protect and preserve historical evidence for use and enjoyment by this and future generations.

WHEREAS, The City of Providence Archives office is not currently equipped to properly protect and preserve historical documents of this age and importance; and

WHEREAS, The Rhode Island State Archives office is currently equipped to properly protect and preserve historical documents of this age and importance.

NOW, THEREFORE, do I, David N. Cicilline, Mayor of the City of Providence, order the following, effective immediately:

1. That the Roger Williams Deeds, and other similar rare documents, be moved to the Rhode Island State Archives office until such time as the City of Providence Archives Office is able to protect and preserve documents of this nature.

2. That the Roger Williams Deeds, and other similar rare documents, will be returned to the City of Providence Archives office at such a time as it is able to protect and preserve documents of this nature.

A handwritten signature in black ink, appearing to read "D. Cicilline", is written over a horizontal line.

David N. Cicilline, Mayor



State of Rhode Island and Providence Plantations

Office of the Secretary of State / State Archives Division

A. Ralph Mollis

Secretary of State

Anna M. Stetson
City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903

August 13, 2009

Dear Ms. Stetson:

At your request, I am writing to outline the security and preservation and measures under which the two recently deposited Roger Williams documents will be held at the RI State Archives. Let me assure you that these records will receive the same level of care as every record in our custody, whether those of the state or here only as temporary deposits.

State Archives Division

Phone: 401-222-2353
Fax: 401-222-3199

reference@archives.state.ri.us

RI State Archives

Public Records
Administration

State Records Center

Local Government
Records Program

Administrative Records
(Rules and Regulations)

337 Westminster Street
Providence, RI 02903

- The State Archives facility is equipped with motion detectors throughout the building, including those trained on all doors and windows. The system is monitored 24/7. Should any of the detectors be triggered, the monitoring company has a call-out list of Archives staff members, with my own name as the first to be called. Should I be unavailable, the next person on the list is called, and so forth. In addition, the Providence Police Department is notified.
- The building is equipped with water detection devices, which likewise are monitored 24/7, using the same staff call-out protocol.
- The documents are stored in a self-contained and locked vault area equipped with smoke detectors and a Halon fire suppression system. The remainder of the building is equipped with smoke detectors and sprinklered throughout. This too is monitored 24/7 and connected with the Providence Fire Department.
- The State Archives has a current disaster prevention, readiness, response and recovery plan, which is updated annually, or more frequently as needed.
- The documents can be made available for research in our Public Reading Room, which is monitored by staff. All members of the public are required to sign-in upon entering the Reading Room and to read our Guidelines for the Use of the State Archives. In addition, we adhere to a procedure for tracking archival documents that have been removed from storage for production in the Reading Room.
- The vault is climate controlled for both temperature and relative humidity, which are kept within prescribed optimum ranges and according to recognized

preservation standards. Temperature and relative humidity are monitored 24/7 using a recording hygrothermograph. Vault lights are kept off when staff is not within. (Note: The public may not enter the vault, nor any other non-staff member, unless accompanied by Archives personnel.)

- The documents will continue to be housed as received—within their Mylar enclosures and in the archival flat storage box provided. They have been assigned a specific shelf location within the vault and have been accessioned as a temporary deposit in our holdings, using our standard procedures. I have enclosed a copy of that Accession Record.

The State of Rhode Island carries a 1 million dollar blanket “valuable papers” insurance policy to cover records in our care, custody and control not specifically covered by a separate rider. Although the two Roger Williams documents may be covered under such a blanket policy, it is recommended that the City acquire its own insurance of the documents it has placed on temporary deposit with us, in case it is not covered under the blanket policy, to protect itself and to comply with the agreement between our agencies.

If you have any further questions or concerns, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Gwenn Stearn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

R. Gwenn Stearn
State Archivist &
Public Records Administrator

Temporary Accession Record

Required fields: 541 ; 110 (IXX) ; 500 ; 583

541 bb Sa Providence City Clerk Anna Stetson Sb 25 Dorrance Street Providence, RI 02903

Donor/Office Name / Immediate Source of Acquisition
enter in *Process Control Screen* and *Action Screen*

Donor/Office Address
enter in *Process Control Screen*

Sc transfer gift purchase loan
Acquisition Method
enter in *Process Control Screen*

Sd 8/7/09 Se 2009-T1
Date of acquisition Accession No.
enter in *Process Control Screen*

590 bb Sa

Location

110* b Sa Rhode Island

[other]
Creating Agency

City of Providence

Sb

n/a

Subordinate Unit of Creating Agency (use second Sb as needed)

*(use 100 Sa if creator is an individual or family; 111 if creating source is a meeting or treaty; 130 if uniform title)

245 1b Sa

Providence Deeds
Title of series/record group/collection

Sf 1637-1661 \$g
span dates bulk dates

351 bb Se Agency Department Division Record series Subseries Item(s);

Sa Organized

n/a

Sb Arranged chronologically alphabetically numerically geographically by form of material .

500 bb Sa

Excellent Good Fair Poor condition.

Torn Frayed Mildew Foxing Rubber bands Rusty Clips Flatten Refolder Rebox
 Other

[explain]

**All of 583 is entered in MicroMarc Action Screen

583 bb Sa

Accessioned, refoldered, reboxed, shelved

Action (e.g., accession, appraisal, copy, exhibit, lend, microfilm, preserve, schedule, survey, transfer;
if action is in re: preservation - e.g., condition reviewed, preservation completed, interim treatment)

Sn 2 items
no. of units (e.g., 10)

So cubic ft. 287 cu ft.
type of unit (e.g., cubic ft.)

(583 continued on verso)

583 continued

Sc 8/7/09 Sc
Date of action Contingency for action (not a specific date, e.g., upon receipt, at conclusion of court case)
(use either Sc or Sc)

Sl
Status (condition or state of materials, sometimes resulting from the Action (\$a))

Sk Kate Telford and Tracey Croce
Agent (person or organization performing the action)

545 bb Sa The "Roger Williams Deed/Agreement" between Canonwicus, Miantunomi
Historical or Biographical Note

and Roger Williams dated March 24 [1637/8] documents the sale of
lands that would later become Providence and surrounding communities. The
agreement listed Roger Williams as the sole owner of these lands. In 1661
a new deed was written which named all original settlers as claimants to the
land.

520 b8 Sa Consists of (types of materials) [1637/8] cotton linen and 1661 parchment
Scope and Content Note

The two documents consist of the [1637/8] cotton linen document
known as the "Roger Williams Deed/Agreement" and the 1661 parchment
deed which lists original settlers in addition to Roger Williams
as claimants to the land outlined in the [1637/8] agreement.

561 bb Sa
Provenance Note (history of described materials from the time of their creation to the time of their accessioning,
including the time at which individual items were first brought together in their current arrangement)

Documents were transferred and accessioned on a temporary
basis from the Providence, RI City Archives to the Rhode
Island State Archives on August 7, 2009.