

CHAPTER V.

THE POOR, THE DEFECTIVE AND THE CRIMINAL.

The early settlers of Rhode Island were very poor, how poor we shall better understand when we have considered their treatment of Roger Williams, their leading man and twice their representative in the mother country. When, in 1650, he was urged to appear for them before the Committee on Plantations, they still owed him the sum of one hundred pounds voted him three years earlier in remuneration of his services in getting them a charter, though several attempts had been made to raise the money. The assembly now voted to pay whatever was in arrears, and an additional one hundred pounds, if he would go a second time and advocate their interests. He consented, and immediately it was necessary for him to sell his trading house that his family might have the proceeds to live upon while he should be absent. After his return from this mission, he wrote his friend Gov. Winthrop an extended account of his sojourn abroad, from which it appears that he taught the Hebrew, Greek, Latin, French, and Dutch languages as a means of support, at the same time acquiring an intimate acquaintance with John Milton, the secretary of the council of state, to whom he taught Dutch in exchange for instruction in some other tongue. No more convincing proof of poverty in the colony could be given than that he should be compelled thus to earn his living while employed away from home at the public business.

The case of Dr. John Clark of Newport was to the same effect. In 1664 an audit of his accounts showed that the sum of three hundred and forty-three pounds was due him for expenses incurred while engaged with the colony's business in England, one hundred pounds of which should have been paid him while he was in that country, and a gratuity of one hundred pounds which had been voted him as a recognition of his distinguished services there rendered. To meet this claim with other expenses just incurred, a tax of six hundred pounds was levied. No one hoped that such an amount in money might be collected. All kinds of farmer's produce would be accepted, wheat valued at four shillings and six pence per bushel, peas at three and six pence per bushel, and pork at three pounds ten shillings per barrel. But the towns were impoverished. Warwick protested formal-

ly her inability to pay the sum assessed her. A year elapsed before Portsmouth took any step in the matter, and she then requested of Dr. Clark that he would accept a greatly reduced sum. Providence was equally backward. Other towns did no better. Years elapsed and the tax was still uncollected, remaining thus until it was at last enforced by the act of a subsequent assembly. That it was so with two such valuable public servants as Mr. Williams and Dr. Clark, and that the former was never paid even his personal expenses, witnesses to the deep poverty of the colonists in those early days.

Where all were so poor it must needs be that some were poorer than the many and that a poorer one would from time to time become dependent upon his not much better off neighbors for the means of a bare subsistence. In such cases the claims of charity were not likely to be disregarded by those who themselves were at so short remove from abject want that but a slight mishap would be enough to cast them upon the public bounty. Cases of real need when these were brought to notice did not fail to receive due consideration. Sometimes the needy one would present his own case to the town authorities, and sometimes this would be done for him by a friend or a neighbor. The following extract from a letter to the Town Council of Providence, written by Roger Williams and dated November 11th, 1650, is in point. It reveals a tenderness and a sympathy with the suffering which has not always been recognized as characteristic of the great Puritan Comeouter and Social Reformer.

“I crave your consideration of yt lamentable object Mrs. Weston, my experience of ye distempers of persons elsewhere makes me confident yt (although not in all things yet) in a great measure she is a distracted woman. My request is yt you would be pleased to take what is left of hers into your own hand, and appoint some to order it for her supply, and it may be let some publike act of mercy to her necessities stand upon record amongst ye merciful actes of a merciful town yt hath received many mercies from Heaven, and remembers yt we know not how soon our own wives may be widows and our children orphans, yea, and ourselves be deprived of all or most of our reason, before we goe from hence, except mercy from ye God of mercies prevent it.”

No record remains of the disposition of Mrs. Weston's case, but this may be easily inferred from action taken in another and similar case on the 25th of January, 1651, a little more than one year later, when it was “ordered that the Town Council shall order, dispose, and provide for the subsistence of Margaret Goodwin, as her necessity calls for, and for that end shall take the said Margaret's goods into their hands or her husband's hands and make sale or dispose otherwise thereof for her necessity and return an account to the Towne.” A few weeks later it was further “ordered that the six men formerly deputed to take care of Adam Goodwin's wife during the time of her

distraction shall have power to sell part of her goods left to discharge such debts and charges as they have undertaken for, and to return the rest of her goods to the Towne." One month later the following was rendered as the result of an inquest as to the cause of Margaret Goodwin's decease, she having been found out of doors dead one morning after a stormy night: "The virdict of us—having made inquiry by what witness they can know of or have touching the death of Margaret Goodwin; We find so near as we can judge that either the terribleness of the crack of thunder on the 2nd of the month, or the coldness of the night, being she was naked, did kill her." Whether she was killed by lightning or died of exposure the jury was unable to say.

At a town meeting held November 3rd, 1655, Roger Williams being moderator, it was "ordered yt since our neighbor Pike hath divers times applied himselfe with complaints to ye towne for helpe in this his sad condition of his wife's distraction, he shall repair to the Towne Treasurer, who is hereby authorized and required (as money come into his hand) to pay unto ye said Pike to ye sune of fifteen shillings; and ye Towne promiseth upon his further want and complaint he shall be supplied though to ye value of ten pounds or more."

The following are specimen communications addressed to the town meeting on behalf of needy ones whom the Town Council might possibly overlook. The first is dated April 27th, 1682, and reads, "Whereas you cannot well be insensible of ye condition of our neighbor ye Widow Tabor, how yt she wanteth reliefe as to her maintenance by ye Towne: Therefore I doe adjudge it lawfull for ye Towne to supply her about four pounds of provisions yearly during her life: yr friend Dan Abbot." The other is dated Feb. 4th, 1679, and reads: "My request is yt some timely aid shall be taken for our olde neighbor John Jones for fire wood and some other necessaries for his Reliefe: yr naber, William Hopkins." We need not question that Widow Taber and Neighbor Jones were given assistance as their needs demanded and the ability of the town permitted.

The case of Edward London was typical. When by reason of "imbercillity and decrippenedness" it became necessary that he should have help, the town committed the matter to the council with power to "assess and levy a rate upon the inhabitants of the towne of Providence for the Reliefe of ye said Poore (to witt) ye said Edward London, and to see and provide a place for his abode." The council entered into an agreement with one George Keech to take Edward London into his care and keeping, to find him meat, drink, washing, and lodging for the space of six months, and to receive for so doing the sum of fifty shillings; with the understanding that if the poor man should "fall into some more than ordinary condition or with respect to sickness," he should be further considered and paid for the extra

trouble, and that he should also "have what bennefitt he may receive by ye said London's Labor, in which he may comfortably doe." The required tax was levied, and Mr. London was boarded out as was then and for many years after the custom in such cases in every town of the colony. We may hope that he fell into kind hands, and that his last days were peaceful. They were not many days. Something less than a year later Mr. Keech reported that his charge had "dyed on ye 2nd day of January 1694."

So far as appears London was without friends or relatives to whom he could look for help in age and misfortune. When there were such able and unwilling to help the disposition of the authorities was good to compel these to do their duty. The case of John Dalie indicates their method of procedure. The council met January 3rd, 1718, to take measures for his relief. He was an old man having grown children, a son named Joseph and two daughters married respectively to John Rhodes and Maurice Broock. Dalie was living in the house of Rhodes, which the other children were quite willing he should do without cost to themselves—not an uncommon state of affairs. Rhodes seems to have been willing to care for his father-in-law, but he was determined that they should meet a portion of the expense thus incurred and to this end he brought the matter to the attention of the council. The council ordered that the son Joseph pay twelve shillings and six pence, and the son-in-law Broock eleven shillings and six pence to Rhodes for keeping the old man during the six weeks last past, and that thereafter he should receive five shillings per week until further action by the council. A month later it was again ordered that five shillings per week be paid to Rhodes. It appearing that neither of these orders had been heeded, an adjourned meeting of the council was called for March 10th, and notice was sent to each of Dalie's children, each of whom failed to appear, and the above order was again reaffirmed. At a second adjourned meeting held April 28th, Joseph Dalie was ordered to give bonds in the sum of ten pounds for the payment of all charges standing against him for the relief of his father. He gave the required bond, and did not make the stipulated payment. The council being again in session on May 10th and Joseph Dalie making no appearance, it was voted that a writ be taken out against him to secure the obligation which he had taken upon himself two weeks earlier. It was also ordered that the father of such an unfilial son continue with his daughter Abigail (Mrs. Rhodes) until some other order should be made by the council. On the 9th of June Maurice Broock came before the council and promised to take care of his father-in-law and to "provide for him one whole yeare for the sum of six pounds;" Joseph Dalie agreeing to pay three pounds and ten shillings of this sum to Broock, "and Joseph Dalie doth also promise to give his said father a new shirt." We may suppose that the old man remained at the house

of the Broocks during the next twelve months, at the end of which period he was again with his daughter Abigail, with whom he probably remained thereafter till the end of his life.

Information being brought to the council that "Stephen Capple" and his wife were both sick and old and likely to suffer unless helped, the overseer of the poor was ordered to visit them and provide for their immediate needs, and draw upon the treasury of the town for any expense that should be incurred.

Complaint was made to the Providence town meeting Sept. 19, 1693, that Andrew Edmunds¹ had deserted his wife and children, that for a year he had done little or nothing for their support, and that she did not know where he had gone. Being unable to find bread and shelter for all who were thus made dependent upon her alone, she was forced to bind out her children, and wished assistance from the town in the matter. Her case was referred to the council, and she was suitably relieved.

One James Bick came with his family in 1688 from Mendon, a town in Massachusetts, and became a resident of Providence by the purchase of land. His wife had been a widow before her marriage to Bick, having several children by a former husband for whom Bick undertook to provide. It seems that his way of doing this was unsatisfactory to his neighbors, and complaint was made that they were in want of clothing and other necessaries of life, so that they "were likely to perish." They went thus to Jonathan Sprague, their uncle, who applied to the council for advice and assistance. Bick and his wife being summoned before the council did not appear, and the want of the children being present and imperative, Mr. Sprague was advised not to let the children suffer, and it was promised that whatever he might do would be regarded as the act of the council. The relief granted was made to correspond in nature and method with the needs of the case in hand.

A remarkable instance of this is on record. One John Tabor² was impoverished in a day by the burning of his house and goods. He had no land to till and no means of securing a livelihood. He represented his destitute condition to the town meeting, and petitioned that twenty acres of land be allowed him on the northern bank of the Wesquadameset river. After due consideration as much land as he desired and in the location named was granted him for his use during his life time, and if he should die before his wife for her use so long as she should remain his widow; after his death and at the termination of her widowhood the land to revert to the town, unless he should have children when this land would "be unto him and his heirs forever."

It was a matter of conscience for each town to care for its own

¹Early Records of Providence, vol. xi, p. 68.

²Idem, vol. xi, p. 7.

poor, and in the main this was cheerfully done. But they were endowed with but a small measure of riches, and there was nothing to spare for unworthy applicants or for those whose relief was of right the business of another town. Each case was therefore carefully scrutinized, the immigration of persons likely to become objects of charity was vigorously discouraged, and when such a person did get into the town he was returned with slight courtesy to the place whence he came. At the Warwick session of the general assembly held in 1682, all question as to the right of the town council to reject persons desiring to dwell in the town was settled upon the application of the deputies from Providence. It was decided that any person might be rejected, who should fail to give bonds satisfactory to the majority of the council; and that if any one on being warned by the council to leave the town should refuse to do so, a warrant for his forcible removal might be issued to any constable, and in case he should thereafter return, he might be fined and whipped. The law thus announced was never permitted to become a dead letter in the statute book.

The method pursued is clearly seen in cases recorded in the Early Records of the town of Providence. A person, "Nathaniell ffox by name," having come into town, and being one "of no good fame," and likely to be "troublesome to ye towne," the council in 1694 ordered that he should within a month remove himself or else give bond that the town be indemnified for any expense accruing from his presence, or be proceeded against as the law required. At the same meeting the case of Susannah Sheldon was considered. She also is said to have been "a person of evill fame" who having come into the town had been cited before the council, but instead of doing so had left the town for a little time, afterward returning. She was now "warned in by a summons," signed by each member of the council, that she might state why she returned and give account of herself generally in such other matters as they should think proper "to examine her about." Evidently she had no desire to be examined in the way proposed for she did not appear on the day appointed, or so far as appears at any later date.

One John Gurney came into Providence with the intention of residing there. Evidently he brought with him no wealth. The attention of the council was at once called to his coming February 4, 1695-96, and the decision was reached that he "hath naught to maintaine him or supply his wants," and that "he as others are liable to fall into a condition of sickness, lameness, or otherwise as wants may acerew," and that he "doe betweene this day and the 14th day of this instant depart out of ye jurisdiction of this Towne, otherwise to be delt withall according as ye law in such cases requires." He went as ordered and very soon came back as was not desired; when an order was promptly given that he be apprehended and made to pay a fine of five pounds

or be whipped "upon his Naked Body," and thereafter be taken by the constable out of town. There is no report that he was "of evil fame;" he was only a very poor man who wished to live a little while on the earth, and those who had come somewhat earlier into the town would not permit him to live where he might in any way become an expense to them.

William Garratt came from Newport with his family to live in Providence in 1693. A doubt was expressed by several residents whether they would be able to live without public aid, and the council ordered them to get out forthwith. However, it was December, the cold was severe, and the children would certainly suffer, perhaps their lives be in danger if they were to be just then removed; and the rigor of the order was relaxed so far that the man might not be molested if he should take himself and his family away before the middle of March. The thing was hard, but there is ground for the belief that the difficult conditions of their life made our fathers harder in deed than they were in heart.

It was in the same year that John Warner of Marlborough having brought two young children with him and taken up his abode in the family of Joseph Woodward, was given four weeks in which to offer satisfactory sureties that his remaining longer should not be a cost to the town, or to remove himself with his children at once, or to suffer the penalty in such cases prescribed by law.

A child, a girl, was born of an unmarried mother in the month of August, 1692, at the house of John Malavory, the mother afterward returning to Boston whence she had come in her trouble, leaving the child to be nursed by Malavory's wife. He was thereupon required to secure the town against any expense that might arise from the child's remaining in the town. He agreed to do this, but afterward requested time to bring the mother from Boston that she might claim the child as her own before the magistrate, and became responsible for its support. The case dragged itself through several meetings of the council and how it was at last disposed of does not appear in the record. This is not the only case of this kind with which it became necessary to deal.

Illegitimacy was a not uncommon offense against the morals of society at any time in the first century of our colonial history, but it seems to have been considered by the authorities mainly as it bore upon the question of expense to the town. Only when mother or child, or both, were likely to become chargeable to the town for their support was the town interested, and then there was no lack of interest. It was only natural that the unfortunate, often a mere child in years, and friendless, should seek to hide herself for a time at least where she had not hitherto been known, and where she could find some one very likely as poor as herself who for sweet charity's sake would take her in and provide

for her in her extremity. But every such case might easily be the occasion of a call upon the public funds, and so must not be overlooked by men in authority.

Thus came Mary Wormwood, in 1696, likely to become town chargeable, and a meeting of the council being called to consider the matter, a warrant for her apprehension was issued and put into the hand of the constable to be served at once. The constable could not find her, but reported that one Joseph Latham said that she was his servant and that he would defend her against arrest. There is no record that she was afterward if found in any way molested. Probably Latham's championship saved her.

Mary Clark, a stranger, or vagrant, for these terms were used interchangeably, was in January, 1692, examined concerning her coming into town. She had lived in Newport, and said that the father of her child was Abel Tudor, a sailor now in the West Indies, to whom she was not married; and though she had sometimes avowed herself to be the wife of one Smithson, she now said that she never had been any man's wife. She also said that John Moore, a hatter living in Bristol, had brought her to Providence. Daniel Browne and Benjamin Hearnton bound themselves severally and jointly that the town should never be at any cost for her or her child and no further proceedings were taken against her. If the town were secured Browne and Hearnton might provide for her and the town council had no further interest in the matter.

Elizabeth Colwell, who had been for some years at Newport, became an unmarried mother in that town. Coming to Providence a little later, she was called before the council in January, 1693, to whom she promised that she would with satisfactory sureties secure the town or else go away, and when at the end of three months she had done neither of the three things, it was ordered that she with her child return at once to Newport, with a threat that unless she did so voluntarily she would be carried there by force.

Rebekah Bullard, January, 1693, became an unmarried mother in the home of Joseph Jenkes, a magistrate. She being a stranger in the town, Jenkes at first promised to give bond for her, and then neglected to appear before the council on the day appointed. The council now declared "that they have proceeded in the matter as farr as they Can for they have not power to command the said woman before them and the said Joseph Jenkes being a Magistrate hath not done it, nor appeared for her according to promise; therefore the defect lieth in him and must lye at his dore, and not in the rest of the Councill." In her misfortune she was fortunate in having for her friend one in official position.

A woman about to become a mother was, February, 1694, at the home of Thomas Harris and as she did not belong

to the town, the reason of her being there must be explained to the council. She said her name was Hannah Hayman, that she was the wife of John Hayman, who sailed from Boston six months before; that she lived in Boston in her hired house; that she came from Boston by way of Dorehester, Dedham, and Wrentham, to David Whipple's house on the north side of Pawtucket river; and that from the last named place she was brought by Joseph Cowell, Whipple's son-in-law, to the house of Thomas Harris, and that Whipple took of her two shillings for the ride to Harris's house, where she had since been. It was in February, and they were in the midst of a violent snow storm such that she could not be at once removed but at "great danger and hazard of her life;" but at the end of a week it was ordered that she be taken to Justice Peck of Rehoboth, by whom she would be forwarded to Boston. The way of the transgressor was made very hard when her transgression was likely to bring expense upon the town, and no less hard when the transgression was as in this case only a suspected transgression on the part of one who appeared "a person vagarent."

Otherwise the matter was easily passed over. She was thought not so much a sinner as the rather unfortunate victim of ill luck, the natural consequence of her fault being its sufficient punishment. There would be some gossip among the neighbors, some censure from her relatives, and more or less of sympathy from her friends generally; but on the whole it was her own affair with which when they were not to be in any way losers, they need not seriously meddle.

When Abigail Curtice, a single woman, who was brought before the magistrates and questioned as to the daughter which had been born to her a few weeks earlier, and had the law read to her, she promptly declared herself competent to provide for her child without help from the town, and cleared all persons from pecuniary liability in the matter, the court declared itself satisfied, dismissed her, and at once adjourned.

A young woman's prospect of marrying respectably and of moving thereafter in respectable society, do not seem to have been seriously impaired by her having already shown herself qualified to discharge the functions of a wife and mother. John Whipple, jr., was a man of some prominence in his day, whose name frequently appears in the town records. His wife Liddea (Lydia) was the mother of a boy previous to her marriage. This boy she called Job. Others called him Liddea's Son, and sometimes Job, Liddea's Son. This last title easily became in common speech Job Liddeason, by which name he at last came to be universally known. He accepted it as his name, and he was recognized by it in various legal papers. He could not claim the name of a father whose paternity had not been in any lawful way established. Very likely his mother's husband held him in no great regard,

and did not wish him to bear his name. And for him to bear his mother's maiden name might be the occasion of a lifelong embarrassment. So he became Job Liddeason. He seems to have lived with his mother and her husband till he was seven years old, when by his own act and their act he passed from under their control. By this time he seems to have become an undesired inmate of the home. The instrument by which this action was made legal and binding upon all concerned preserved among the Early Records of the town of Providence, vol. 4, p. 156, only modernized as to the spelling and use of capitals, is as follows: "This indenture made between Job Liddeason, John Whipple, jr., and Liddea, the wife of said John Whipple, jr., all of Providence in the colony of Rhode Island and Providence Plantations in New England on the one party, and John Sayles of the town of Providence aforesaid on the other party witnesseth: that the said Job Liddeason doth with the full and free consent of the said John Whipple, jr., and of Liddea his wife put himself an apprentice under the said John Sayles and his assigns for the full and just term of fourteen years from the twenty and fifth day of December last past, the which said term of time will end on the twenty and fifth day of December in the year 1709 and the said John Whipple, jr., and Liddea his wife doth put the said Job Liddeason son of the said Liddea the wife of said John Whipple, jr., an apprentice under the said John Sayles and his assigns for the aforesaid full and just term of fourteen years from the twenty and fifth day of December last and from thence forward until fourteen years be fully ended and completed. During which term of time the said Job Liddeason shall well and truly serve his said master, his master's goods or substance he shall not waste but at all times endeavor to prevent any damage to his master and upon knowledge or suspicion of any detriment likely to befall his said master to inform his master thereof, his master's secrets he shall keep and at all times he shall obey all his said master's lawful commands, fornication he shall not commit, neither shall he contract matrimony with any person during the said term of time, taverns nor ale houses he shall not frequent unless it be about his master's business, neither shall he use any unlawful games, he shall not absent himself from his master's house or service by night or by day unless it be with his master's consent and allowance, but at all times shall be careful, diligent and trusty about his master's business and in all points shall behave himself as an apprentice ought to do, and the said John Sayles doth covenant, promise and grant to and with the said Job Liddeason that for and during the said term of time to keep him with sufficient meat and drink and apparel and what other necessaries to an apprentice doth belong and to endeavor to learn him to read and write and at the end of said term of time to set the said Job Liddeason free and to allow him two sufficient suits of apparel. In witness of the premises both parties do

hereunto interchangeable set their hands and seals the thirtieth day of March in the year one thousand six hundred and ninety-six." It may be of interest to add that Mrs. Whipple and her boy signed this to the boy very important document each with a cross, neither being able to write; and that the document itself was not recorded by the town clerk till after it had been executed a period of full nine years.

There was a legal and a proper way of becoming a resident in the town, and great care was taken that to this strangers should strictly conform. One Benoni Woolley came into the town in an irregular way, and complaint was made to the council that he was acting as though he were an inhabitant, and in an unlawful manner had destroyed some of the town's timber. The matter was referred to the next town meeting, January 15, 1695, which decided that it would "not admitt nor give any allowance to the said Benoni Woolley to make Residence or abode in our Towne." It does not seem that he was much influenced by this action. He remained in the town, and gained for himself a standing among his neighbors. When he died intestate sixteen years later the council tendered letters of administration to his wife which, she refusing them, were afterwards granted James Bick, who a few years earlier when he came to town was so poor that help was offered him by the town to support his many children.

In January, 1694, Thomas Elwell¹ of Swansea in the colony of Massachusetts would have hired a farm and obtained a residence, but when he could not convince the town that he would be able to support himself and family, and indeed had not yet bargained with any one for land to till, cause did not appear for granting his request.

Cornelius Darling² of Mendon, in the same colony, likewise petitioned for a residence, but inquiry having been made and the circumstances considered, and the matter put to a vote, his request was likewise refused. Henry Staey, coming from the town of Lynn, in the same colony, being about to rent a farm belonging to the heirs of Josiah Wilkinson, deceased, petitioned for a residence, easily convinced the town that he was not likely to become burdensome if he were admitted, and had his request promptly granted by a vote that was unanimous. Both these cases occurred in 1692.

Richard Blanchard and wife also were tried and found not wanting. They had lived to the eastward and had been compelled to find a new location by reason of frequent Indian wars. Having now petitioned for a residence in Providence, after a careful inquiry as to their circumstances, their request was granted, with only a stipulation that they should behave themselves "sivell and orderly in ye Towne."

William Ashley's³ case was peculiar. He had lived in the town of

¹Early Records of Providence, vol. xi, p. 2.

²Idem, p. 33.

³Idem, p. 14.

Wells and in Boston, when he came to Providence, and after staying three months with his family in the family of Abraham Hardin requested that a residence be granted him. After due consideration it was decided that his request be not granted and at the same time that no haste be made to remove him; in the meanwhile if he should fall into want he might find relief wherever he could legally demand it. They would not receive him; they would not drive him away; they would not be responsible for him as a resident.

So provision for the poor continued to be administered for generations by the citizens as a body assembled in town meeting or through the council. When at length it became the custom to elect overseers of the poor, whose title sufficiently indicates the duties of their office, in their hands was placed the whole matter of poor relief. Theirs was a thankless office. Its incumbents were subjected to unfavorable criticism on all sides. At one time it was impossible to find men willing to undertake its functions, and to relieve the situation it became necessary to impose a fine upon such as having been elected refused to serve. Further to relieve the situation of its difficulties, overseers were empowered to bind out to service all idle and shiftless persons with parties who were expected to get out of them work of a value greater than the cost of keeping them. Also a law was enacted to the effect that helpless poor and disabled persons be supported by their relatives; the justices of the peace being instructed to see that this was done.

From time to time exigencies would arise calling for extraordinary methods and measures. In 1774 ships of war laden with troops came in such numbers into Boston Harbor that the town was but a vast camp and all business being suspended the distress among the poorer classes became extreme. Contributions of money and supplies were sent up from all over New England, and Rhode Island was not in this behind her neighbors. In Providence, at a special town meeting called for the purpose, the deputies of that town were instructed to procure from the general assembly a grant of money in aid of the sufferers; a like action was taken at Newport; but the general assembly did nothing. What the representatives of the people would not do in general assembly at the people's request, the people themselves at once set about doing in their own way. Large sums of money were raised in Greenwich, Newport, Johnston, and Westerly, while Bristol, Warren, the Kingstowns, Gloucester, Scituate, North Providence, Coventry, Smithfield, Johnston and Tiverton sent large flocks of sheep, and Cranston herds of fat cattle to the beleaguered city. Providence sent one hundred and twenty-five pounds and Little Compton thirty pounds in money.

A year later the distress of the poor at Newport and on the islands in Narragansett Bay became very great. Newport memorialized Con-

gress and petitioned the general assembly for aid, and appropriated two hundred pounds to remove such poor persons as could leave the town and to support such as must remain. Creditors forebore to bring suits on overdue claims for whose protection from loss and ultimate bankruptcy the statute of limitations was repealed. Providence came forward with a generous offer which was accepted by Newport to receive and care for four hundred of the poor of that town. In 1777 the distress became so great among these refugees, two hundred and fifty of whom were wholly without means of support, that an appeal on their behalf was made through the press to the country at large. Next year the scarcity of provisions was so great that an act was passed by the general assembly permitting the poor of Newport to scatter themselves at will over the state, and providing for their settlement and support in the different towns. Two thousand persons went forth penniless and homeless, the larger number of them to Providence. Congress voted five hundred pounds for their relief. Deputy Governor Brown and President Manning of Brown University were sent to ask leave to buy grain in Connecticut; others were sent to the same colony seeking donations of money and food. Within two months donations amounting to five hundred bushels of grain and four thousand three hundred pounds in money were collected in response to this call. The following winter was one of unusual severity. The entire Bay was frozen over for six weeks, the ice extending out to sea as far as the eye could reach. Fuel became very scarce, wood selling at twenty dollars a cord at Newport and Bristol. Corn was held at four dollars a bushel and potatoes at two dollars a bushel. Whatever could be done for the poor was done, but it was little, and their condition was pitiful. Those were black days.¹

In 1723 the first almshouse in Rhode Island had already been built in Newport by vote of the town.² Here the poor, the sick, the blind and the insane were huddled together without attempt at classification of any sort in indiscriminate misery. Such as were able to labor a little were employed in the workhouse near at hand picking and spinning oakum. All who were sent there went with a fixed idea, well founded, that their next removal would be to the paupers' corner of the adjacent burying ground. Those who could do so were permitted on all days but Sunday to hobble about the streets in rags and wretchedness begging tobacco or money from citizen and stranger alike.

Many plans for the improvement of affairs were from time to time suggested by broad minded and generous citizens, but these were all talked down one after the other, on the ground that no change could be made without increase of expense to the town. At length, a project was started by a few prominent gentlemen looking to the erection

¹Arnold, vol. 11, 435.

²Arnold, vol. 11, 74.

of a suitable building in a suitable location, which should have connected with it a tract of farming land on which those able to work might be profitably employed. This project was submitted for consideration at a special town meeting numerously attended and it being generally approved, a committee was appointed to recommend a location. Coaster's Harbor Island, containing about ninety acres of excellent suitable land, situated about a mile north of the compact part of the town, and separated from this by about ten rods of water, was selected by the committee and approved at a subsequent town meeting. On this an edifice of stone was erected, which was at the time, and for many years after, thought to be complete in all its appointments and admirably adapted to its purpose. It continued in use till a few years since when Coaster's Harbor Island was purchased by the United States government and made the site of a naval school. In 1850 its value was estimated at fifteen thousand dollars. The occupation of Coaster's Harbor Island property was the beginning of better days. A new order and spirit entered into the management, and in every way into the provision made for the poor of Newport. They were now comfortably housed, clothed and supplied with an abundance of wholesome food; while the streets were no longer infested with beggars to the disgrace of the town and the disgust of all decent citizens.

The following was the bill of fare for the inmates in the year 1850: Breakfast—Rye and Indian bread with good milk porridge.¹ "Supper—Flour and Indian bread with good milk porridge, Sundays excepted, when tea and coffee, sugar and molasses, with butter at each meal shall be substituted. Dinner: Sunday—Boiled Indian or rice pudding, with milk or molasses. Monday—Boiled beef with all kinds of seasonable vegetables in sufficient quantities. Tuesday—Minced salt fish and potatoes fried in fat. Wednesday—Stew of fish or meat. Thursday—Pork and beans with other vegetables. Friday—Fish as on Tuesday. Saturday—Soup of a nutritious quality, and at every meal bread in a sufficient quantity.

Both the men and the women who make themselves useful about the house and farm have tea, coffee and butter daily, with meat three times a day if they request it. The sick are fed under the direction of the physician and are furnished with everything their appetites require—old people likewise. Sweet green corn, apple dumpling and fried fish occasionally. At Christmas, roast turkey, etc."²

The Newport asylum was, in its day, a model institution, and its high standing has been maintained until the present.

In 1738 there was a project to establish in Providence a county workhouse for the poor, and William Hopkins was selected to represent the town in the matter; but the design was never carried out.³ Its

¹Hazard's Report, 72.

²Staples's Annals, 194.

agitation was renewed fifteen years later by the towns of Providence, Smithfield, Scituate, Gloucester and Cumberland, and the scheme presented to the legislature. The erection of such a building was authorized, the oversight and management of it to be in the hands of five persons, one from each of the towns named. It was also permitted the towns in Bristol and Kent Counties to join in the enterprise. The cost was to be met by taxation and the paupers who should be admitted were to be supported by the several towns from which they might come. If such an institution was ever established it did not long continue a joint concern. But from this movement, at a later date, resulted the Providence poor house or "Old Workhouse," which stood for many years on the corner of Smith and Charles streets, and in which some paupers continued to exist until the Dexter asylum was opened in 1828. Long before this time it had, however, become a place of punishment rather than of relief.

The following rules, framed by a committee appointed for the purpose and ratified by the freemen of Providence in town meeting assembled one hundred and fifty years ago, will some of them have a strange sound to modern ears: "That the master keep the gates at all times well secured and a proper person be appointed to take care of the same who shall admit none nor let any out without liberty of the master or in his absence of the next officer, and if any be desirous to see or speak with any of the persons admitted to the house, the door keeper is not to call them without leave; and if any persons be suspected of bringing in any strong liquor or carrying out anything belonging to the house or any person therein the door keeper is to stop them and give notice to the master that so due inquiry and search may be made for them and the guilty punished; but yet all such as in an orderly way would see the house shall be treated with proper respect and civility by the master and in his absence by the next officer of the house."

"That the mistress take care that the victuals be well and seasonably dressed, and bread and beer seasonably prepared according to the direction of the overseers; that the rooms be swept and beds made every day, that the windows be frequently opened for airing the house, that the house be washed as often as shall be judged necessary, that the table linen, dishes &c. be clean, that the people be kept clean and neat in their apparel and have clean linen to shift once every week and the beds shifted once a month in the summer season and that for her assistance there shall be proper persons appointed by the overseers or their committee for these services as well as for other necessary occasions of the house."

"That none shall be admitted into the house without a written order

'Town Papers.

under the hand of one or more of the overseers and that upon their admission they be examined whether they are free from lice and foul distempers; and such as shall not be found clean shall be put into some particular room till they be perfectly cleansed and that they be obliged to take care to keep themselves washed and combed and their clothes neat and whole and to change their linen once a week."



This image was formerly located over the door of the Kent County Jail at East Greenwich, where it remained from the latter part of the eighteenth century to the middle of the nineteenth century, when it was removed and deposited with the Rhode Island Historical Society.

capacitated him by his earnings to have comfortably provided for his family, it being judged proper to order such persons to the house and employ them there, in that case account is to be kept of their earnings, a reasonable deduction for their support in the house to be made, and the overplus to go to the support of their families."

"That they be allowed from the hour of twelve to one for the time

"That they constantly attend the worship of God in the house and observe the rules prescribed for their meals."

"That when any children shall be received into the house there shall be some suitable women appointed to attend them, who are to take care that they be washed, combed and dressed every morning and taught to read and instructed in the Holy Scriptures and assemblies catechism at such hours as shall be appointed by the overseers and that the rest of their time be employed in such work as shall be assigned to them, and when they arrive at a suitable age they shall be bound out into good families as the law directs."

"That the common work of the house be picking oakum unless for such tradesmen whose business may be well accommodated in the house and it shall be judged profitable to employ as tailor, shoemaker, mopmaker, nailer, &c."

"That whereas the poverty and ruin of many families is often owing to the idle and vicious course of one of the heads of it, who if he had been bred to some good trade industriously practiced would have

of dining and that from eight to nine in the morning and from six to seven in the evening be allowed for the other meals and for attendance on divine worship."

"That the master every morning between the hours of eight and nine and every evening between the hours of six and seven call the people together and read a suitable portion of the Holy Scriptures to them and pray with them and as often as they eat together ask a blessing and return thanks. That he take special care that the Sabbath be duly observed, and besides the morning and evening service he shall be obliged until other provision be made to call the whole family together at least one part of the day and spend a suitable part of the time in praying, singing psalms and reading some particular discourses of divinity that shall be appointed by the overseers."

"That all immoralities and disobedience to the government of the house and other misbehavior be by the master noted in a book and laid before the overseers or their committee that by their authority and admonition such rudeness and immorality may be restrained and peace and good order maintained and all obstinate, perverse and unruly persons punished according to their crimes."

"That such as shall duly observe the foregoing order and faithfully perform their several duties shall be entitled to one penny out of every shilling they earn to be disposed of by the overseers for their greater comfort."

"That whereas some slothful persons may pretend sickness or lameness to excuse themselves from labors it is ordered that such persons shall pass a proper examination by the physician and if it should appear from his report and other concurring circumstances that those persons made false excuses they shall be punished by such an additional labor to their daily stint or some other way as the overseers or their committee shall determine."

"That no persons presume to beg money or any other thing directly or indirectly from any person that shall come to the house to visit on penalty of being denied their next meal."

"That no person presume to go out of the house without liberty and that everyone that obtains leave shall return in good order at the time appointed on penalty of being denied going out for one month for the first offense and for three months for every offense afterwards."

"That if any person shall neglect to repair to their proper places for work or being there shall refuse to work, loiter or be idle, or shall not well perform the task of work set them, or shall waste and spoil any of the materials or tools of the several manufactures, or shall deface the walls or break the windows, or shall disturb the house by clamour quarrelling fighting or abusive language, or shall bring any strong liquors into the house without leave, or shall be absent from divine service without reasonable excuse, or profane the Sabbath, or carry it

disrespectfully to their governor, or shall be guilty of lying or wanton and lascivious behaviour, or shall drink to excess, or steal, or profanely curse and swear, or in any other respect act immorally or irregularly, they shall be punished either by denying them a meal or a whole day's allowance, or by gagging, or by causing them to wear a collar round their necks with a wooden clog, or by obliging them to stand on a stool in a public place with a paper fixed on their waist denoting the crime in capitals for the space of one hour, or by ordering them into the dungeon to be kept with bread and water not exceeding forty-eight hours, or by an addition of labor to their daily task according to the nature and circumstance of their crime."

"That if any person in the house shall discover any other person who shall be guilty of any of the foregoing offenses such person shall receive some reward or encouragement as shall be ordered by the overseers or their committee, and if any person shall know of any of the offenses aforesaid and doth not discover the same such person shall be punished according to the discretion of the overseers."

"That the overseers at their monthly meeting or the committee of overseers be further empowered to punish such persons as shall be legally committed to the house and who shall threaten or attempt to make their escape or such as having made their escape shall be again committed by fixing a wooden dog with an iron chain to one of the legs of such offenders." "Small beer may be given as there may be occasion."

In 1803 attention was again called to the support of the poor in Providence. At that time forty-one persons, of whom twenty-six were children, were wholly dependent upon the town for support. Most of these were boarded out with those who would contract to keep them at the smallest cost. Their support with that of others who were but partially dependent aggregated for the year ending June, 1803, the sum of \$3,660. At this time it was recommended by a committee appointed to consider the matter that until an almshouse for the poor and another house for the idle, intemperate and disorderly could be erected, the overseers of the poor should continue in their old method of sending a few to the "Old Workhouse" and boarding out the greater part with whomever would take them for the least money. No change was made in method until long after this date.

On the 10th of August, 1824, Ebenezer Knight Dexter died, leaving the bulk of his fortune accumulated in Providence and amounting to some \$60,000 to be used for the benefit of the poor of his native town.¹ Such a gift was received with expressions of profound gratitude by the people. The fund was to be denominated the Dexter Donation and was to be under the control of five commissioners who should be

¹Staples's Annals, 389.

known as the Commissioners of the Dexter Donation. Isaac Brown, Caleb Earle and Truman Beekwith were made a building committee, who proceeded at once to erect an asylum in accordance with views which had been expressed by Mr. Dexter, the cost of which amounted to \$43,000. The location had been selected by Mr. Dexter on high land about a half mile in a northeasterly direction from Market Square. The building was made to front the south, being 170 feet long and consisting of three sections, a center and two wings. The center measured 50 feet front and 55 feet from front to rear, projecting 10 feet in advance of the wings. Each wing measured 60 by 45 feet, and was two stories in height. The center building was three stories high, and in the third story was a commodious chapel. The roof of the center building was surmounted by a finely proportioned cupola with ball and vane. The style of architecture was Roman Doric. It stood and still stands on a plot of ground containing about 40 acres, surrounded, by the explicit directions of Mr. Dexter, with a stone wall 3 feet thick, 8 feet high and 6,220 feet in length, its cost being about \$22,000.

This asylum was first occupied in 1828 with sixty-four inmates, five of them children. Mr. Gideon Palmer was the first master, holding this position for many years. In 1842 the number of inmates had increased to one hundred and three, fifteen of whom were children. Such as were able to do so were required to labor for the city, though it was soon discovered that a person who could not support himself at large must be able to contribute but little towards his own support in an asylum. The wants of the sick and feeble poor were now better than ever before supplied, and the sorrows of poverty-stricken age were greatly lessened. One-fourth, however, of all the inmates were insane. The disadvantages arising from their presence soon appeared. The same were rendered less comfortable than they otherwise might have been and the expense of the institution was greatly increased. At the same time little could be done to improve the mental condition of the insane. But at that time and for many years subsequent to that date, no better way of taking care of the insane appeared.

Four different modes of providing for the poor were now pursued in the various towns of the state.¹ As late as the year 1850 the custom of selling the care of these at public auction to the lowest bidder still prevailed to some extent. The cruelty of this ought to have sooner condemned it everywhere. Practically it was offering a reward to the avarice and inhumanity of the man who would consent to neglect them more flagrantly and to inflict upon them a worse abuse than any other man in town could be induced to practice.

It was useless to resolve that only the bids of good men should be

¹Hazard's Report.

taken, and that overseers should visit them from time to time and that bonds should be required from the successful bidders for their proper treatment. Then, as now, a bad man was often a good politician, and there was never any guaranty that such a man might not be at once both overseer and surety of the keeper as well as a sharer in the profits of his venture. A humane and conscientious man could scarcely be a keeper of the poor. There was small hope that the poor would in any case be made comfortable under this system. There were indeed such instances, but they were rare exceptions to the rule.

Some towns contracted with an approved individual or with a number of such individuals for the maintenance of their poor, a method certainly far superior to the auction block, and when carried out in good faith with a liberal spirit differing but little in merit from that of the asylum into which many who must receive public aid were compelled to go. A better plan than either of these was rapidly growing in favor. That of placing in an asylum or almshouse such as were homeless, friendless and helpless, and administering a measure of outdoor relief to such as were not so utterly bereft. If this method afforded some opportunities for imposition on the part of the poor, it could only be through the connivance, carelessness or neglect of officials; while each of the other plans noted was sure to subject the poor to impositions which they were less able than the public to endure. The better way was increasingly recognized and acted upon as the years passed, till in 1850 not less than fifteen of the thirty-one towns in the state were thus providing for their dependent poor, each sustaining an asylum located on a farm which was the property of the town.

In this year (1850) under a resolution adopted by the legislature, the Governor appointed Mr. Thomas R. Hazard to inquire into the provisions made for the support of the poor and the insane throughout the state. He visited all the towns, except New Shoreham, and personally inspected the several asylums, learning the names of all inmates, making himself familiar with the facts of each case so far as this was possible, and making voluminous notes of his observations. Such a work had never before been attempted. It was well and thoroughly done. What he saw he told, good and evil alike. A man of generous heart and sympathetic impulses, independent judgment and fearless utterance, careless of favor and regardless of censure, he presented a report which was of great value.¹ He found much to commend and not a little to condemn, and with equal candor, he bestowed upon each what was its due. He named the town in which he found most of humanity and of a wise kindness, and the other town in which he could discover little beside rudeness, vulgarity and brutal

¹Hazard's Report on the Poor and Insane in Rhode Island, made to the general assembly at its January session, 1851.

treatment of the helpless; the town where were cleanliness, good cheer and a plenty of wholesome, well cooked food, and the town where were dirt, despair and an insufficient supply of half grown, soggy and inedible potatoes, constituting the entire bill of fare for a dinner to be eaten by a collection of unfortunates, consisting mainly of aged women and children under twelve years of age; the town whose rules for the government of its asylum were nearly all in the way of duties and restrictions laid upon the keeper and matron and designed only to secure the comfort and well being of those committed to their charge, and the town whose rules were admirably calculated to make easy all manner of abuses, prescribing for slight offenses modes of punishment which can be suitably characterized by no word weaker than inhumanity. He said of some towns, calling these by names, that their asylums were pleasantly and conveniently located and well arranged to accommodate those for whose comfort they were established, and that these were conducted in a wise and benevolent spirit; and he said of the poor in another town, calling this town by name, that he found them "in the most deplorable conditions imaginable. The house in which they were huddled was old and dilapidated and the furniture provided by the town was absolutely unfit for the use of the most degraded savages. The mattresses and bed clothing were filthy and ragged, not a sheet or pillow case was to be seen, and I afterward understood that the town did not deem such articles necessary, and therefore were not in the practice of furnishing them. The chairs were more or less broken or worn out and there was but one in the house that had both back and bottom. A poor, helpless, palsied female who had not stood for years was braced in the skeleton of one of these by its being stuffed with rags." Though the delinquent town might be the one in which he had his own residence, he saw in this fact no reason why he should mince matters. Mr. Hazard's report created a sensation, not only in the legislature, but throughout the state. It was printed by order of the legislature, and was widely circulated. It had an immediate practical effect. Towns which had done well were encouraged to do better. Towns which had done ill were stimulated to improve matters within their borders. It is a fact which, though not surprising, is worthy of note, that the towns then at the head of the line are those in which most is now done for the poor, and towns which then did least are still among the most backward.

A direct result of the feeling thus aroused was the immediate passage by the general assembly of the following act: "Section 1. Corporal punishment and confinement in dark rooms or dungeons are prohibited at asylums and houses for the poor in this state. Section 2. No paupers shall hereafter be closely confined at any such asylum or poor house for a longer period than five days for any one offense; and in all cases

of close confinement, it shall be the duty of the commissioners and officers of asylums and poor houses to report the same to the Town or City Council as often as once in three months, stating the name of the pauper together with the offense and period of his confinement. Section 3. The use of chains in asylums for the poor and in poor houses or of any other bonds intended to confine the limbs of paupers is hereby abolished and forever prohibited in this state, excepting in such instances as they may be necessary to effect the removal of insane persons to a curative hospital or to take and detain in custody a pauper charged with the commission of crime."

The custom of boarding out paupers upon the best terms obtainable, the best terms for the town usually being the worst terms for the paupers, fell more and more into disfavor, as the hardships which it involved became better and more generally understood. Twenty years later the number of towns in the state not owning asylums and farms for the poor was reduced to eight, and although at this date Mr. G. W. Wightman, then superintendent of state charities, reported that some towns did themselves no credit by the manner in which they cared for their poor, it remains that the standard had been in the meantime greatly elevated so that a provision for paupers which would be at this date rightly regarded with small favor might have been in 1850 esteemed not at all discreditable.¹

In 1869 the subject of a state almshouse to accommodate paupers who were without legal settlement began to be agitated, and in the same year definite action was taken by the legislature looking to the establishment of such an institution at the State Farm in Cranston. The matter being referred to the attention of the Board of State Charities and Corrections, that body wisely judged that the whole subject of state pauperism, pauper settlement laws, and the removal from the state of such as had within its limits no legal settlement, must be investigated before they could intelligently proceed to erect the required buildings. An opinion was expressed that the number for whom provision should be made could never be very large and that these might be accommodated in the old work house at the State Farm in Cranston when a new building, then in process of erection, should be completed and occupied. In accordance with this view, the old workhouse was to some extent remodeled, and upon trial was found to answer the purpose perhaps as well as could have been expected; but at the best, it was an old and inconvenient structure which had once demonstrated its unworthiness to be regarded as more than a temporary expedient, and which could be retained only until the state should be ready to provide something better adapted to the end sought. In the meantime, oppor-

¹Report for 1870.

tunity was given the Board to learn how many state paupers would be likely to present themselves, and what would be needed for their proper care, and thus to be prepared to build intelligently when the time to do this should arrive.

The State Almshouse was opened on the first day of August in the year 1874. At the end of the month the inmates numbered eighty-one, and on the thirty-first of the following December, one hundred and forty-one, and on the twenty-seventh of January, one hundred and sixty-five. These numbers were so much larger than had been anticipated as to suggest the necessity of at once providing additional room, by converting into a dormitory another building which stood in the yard. And still the numbers increased. An old "storehouse" was utilized. All the buildings were of wood, low studded, and so constructed as to make a proper ventilation impossible. Everything was done that could be done under existing conditions for the comfort of the inmates, but at the end of two years, the decision was reached that "until the state provides a better building for the inmates of the almshouse, the Board can never give a satisfactory report of this institution."

From year to year thereafter the attention of the legislature was directed to the matter, and with increasing urgency permission was sought by the Board to take the initiatory steps toward the erection of a suitable almshouse. The suggestion was made more than once that the good name of the state had already been injured by delay.

At last the time arrived when it seemed proper to ask an appropriation to secure plans and estimates for a new almshouse, these plans and estimates to be presented when prepared to the general assembly for its consideration. This request was granted and five hundred dollars appropriated for the purpose at the January session in 1888. At the June session of the same year, fifty thousand dollars were appropriated, with which to begin work. The long-felt need would now soon be met.

Two sites for the new building were given careful consideration. One on the west side of the road that crosses the Farm from the Pontiac road to the New Loudon turnpike, since known as Howard avenue. The other near Pontiac road and on the ground occupied by the old almshouse buildings. Both were excellent locations, but the latter possessed advantages which easily rendered it the more eligible, and it was selected. It was decided to build of stone, such as is found in abundance on the Farm and in the simplest manner, with no attempt at architectural display; but the elevation of the ground and the crest of hill on which it stands made easy the arrangement of the several buildings in blocks, agreeable to the eye, from whichever direction they may be approached or viewed.

Briefly described, the new almshouse consists of a central building, which may be called the administration building, in which are all the

rooms necessary for the residence of the keeper, or deputy superintendent, and his assistants, with a chapel for the inmates in the upper story; a wing for the men, a wing for the women, and beyond the latter a building for the children. These several parts are connected by corridors, one story in height, the whole structure having a frontage on Pontiac road of about seven hundred feet. The walls are of rough faced stone, cracked boulders, with trimmings partly of granite and partly of brick, the roof being covered with variegated slates. The design was to accommodate three hundred adults, an equal number of men and women, and sixty children. Since its completion, as many as three hundred and ninety-six have at the same time found shelter and comparative comfort within its walls. The work of construction began in the autumn of 1888, and in October, 1891, had been so far finished as to be occupied in all its several departments. The cost was upward of two hundred and thirteen thousand dollars. The result is an institution second to no other of its kind in the United States.

The Board of State Charities and Corrections in the State of Rhode Island is a unique body, exercising the functions of those bodies which in other states are known by the same name, together with the functions of what is elsewhere called a Board of Control.

In its origin it was an evolution and not a direct creation. At the January session of the legislature in 1867 a joint committee of the senate and of the house of representatives was raised "to inquire into and report upon the expediency of erecting a State Asylum for the Insane, with the probable cost thereof, and suitable location for the same; with instructions to embody in their reports such facts as they may be able to obtain in regard to the cost and the manner of supporting the pauper insane in other states."

One year later this committee reported, accompanying its report with a series of resolutions, which after being amended at various points were passed by the legislature; the effect of which resolutions was to appoint a commission entrusted with the following duties, viz.:

"First. To select and make report to the general assembly of a suitable location not less than two hundred acres of land, for the erection of an Asylum for the Insane; and to prepare and report plans and estimates of the cost of said Asylum.

"Second. To examine and report upon the whole subject of the care of the insane, paupers, criminals, and helpless, as now exercised in this state; and to suggest such a plan for state action over the whole, as to them may seem most desirable, in accordance with the report of the committee upon the Insane Asylum appointed at the January Session, A. D., 1876, as made at this Session.

"Third. To draft and report such legislation, by act or otherwise,

as they may deem proper and efficient to establish and carry into effect the system which they may recommend."

This commission of which the attorney-general was a member, was authorized to draw upon the general treasurer for expenses actually incurred, but not for time employed or service rendered.

Its report made a year later (1869) was unanimously adopted, and a new committee consisting of one person from each county, together with the mayors of the cities of Providence and Newport, was raised and "empowered to negotiate for and purchase a suitable farm of not less than two hundred acres, for the location of a House of Correction, a State Asylum for the Insane Poor, and for such other purposes as the General Assembly may direct." At the same time a resolution was passed directing this committee "to report to the next May session of the General Assembly a plan for the organization and the establishment of a House of Correction and State Pauper System, with the necessary bills or resolutions to carry the same into effect, and also plans for and estimated cost of such buildings as may be needed until permanent structures are erected."

At the date named the committee reported that the William A. Howard farm, so-called, located on Sockanosset Hill had been purchased. A bill "to establish a Board of State Charities and Corrections" was also at this time reported, which after much discussion and some amendment was enacted and became a law. This act as passed provided that the "Governor with the advice and consent of the Senate shall appoint six persons, two from the County of Providence, and one from each of the other Counties, who, together with the Secretary, shall constitute the Board of State Charities and Corrections." In accordance with this provision, Governor Puford announced in the senate, May 27th, 1869, the following persons as constituting the first Board of State Charities and Corrections in the State of Rhode Island, viz.: Henry W. Lothrop of Providence county, Thomas A. Doyle of Providence county, Jonathan Brayton of Kent county, James M. Pendleton of Washington county, Samuel W. Church of Bristol county, and Henry H. Fay of Newport county. Thus was completed the legislation necessary to the establishment of one of the most important and useful agencies of government in our commonwealth. Its organization was effected in the city building at Providence on June 1st, 1869, by the unanimous election of Thomas A. Doyle, chairman, and Edwin M. Snow, M. D., secretary.

At a later date the Board was increased in number to nine members—three from Providence county, one from each of the other counties, and one from the state at large, together with whoever should be chosen secretary of the Board. At a still later date it was enacted that this officer should no longer be a member of the Board, but its

servant only, since which the constitution of the body has not been changed. The members hold their office for a term of six years, unless for cause sooner suspended or removed. The secretary holds his office during the pleasure of the Board which appoints him.

The oversight, management and control of the various penal, correctional and charitable institutions located at Howard, in the town of Cranston, is vested in this Board. These now include the State Farm, the State House of Correction and Workhouse, the State Hospital for the Insane, the State Almshouse, the State Prison and Providence County Jail, the Soekanossset School for Boys, and the Oaklawn School for Girls, with an aggregate population of about 2,400 souls. Besides the government of these institutions the Board is charged with a general supervision of the Butler Hospital for the Insane, and of all the city and town almshouses in the state; also with an inspection of "the jail in each County, except the County of Providence, at least twice in each year, and to inquire into the state thereof, as respects security, treatment, and condition of prisoners therein."

The Board appoints an agent, holding office during their pleasure, who has charge of "the examination of paupers and lunatics for the purpose of ascertaining their place of settlement," and of "their removal to their homes or places of settlement, or to the State Almshouse or to the State Hospital for the Insane," as the case of any may require, and of such other duties as may be required of him by the Board.

The value of this officer will be seen in the fact that in the year 1900 he caused to be removed to their homes outside the state no less than 727 persons who must otherwise have been supported in our charitable institutions. One hundred and three of these persons were sent to foreign countries.¹

The Board also appoints a superintendent of the State Farm, with the State Workhouse and House of Correction, and the State Almshouse, situated on the State Farm; a superintendent of the State Hospital for the Insane, a superintendent for each of the two Reform Schools, and the warden of the State Prison. Deputy superintendents are appointed upon the nomination of their respective superintendents, also a Deputy Warden upon nomination of the Warden. Besides these the Board appoints the Physician and Religious Instructor. All officers appointed by the Board hold their respective positions during the pleasure of the body that appoints them. All assistants and employes of every sort and grade are hired by their superintendents or by the warden, and hold office during the pleasure of their employers.

The members of the Board receive no compensation for their services, only their necessary traveling expenses being paid out of the

¹Report for 1900.

public funds. They have uniformly been intelligent and broad-minded men, of generous impulses and marked skill in the management of affairs, under whose supervision and guidance has grown up a system unique as to many of its features and of great efficiency.

It is quite the fashion with certain writers upon social topics to assert that because of sundry peculiarities in our New England life and thought, and because especially of that great influx of foreigners which has taken place during the last generation, insanity has been and still is rapidly upon the increase; and in support of such a view a confident appeal is made to census tables compiled by officials acting under the authority of the state. Such census tables have an unquestioned value, but they are insufficient to establish the point at issue. We should remember that social statistics are but a recent invention, and also that our charitable systems are now more nearly perfect than at any earlier date in the history of the country. To compare the showing of a community that seeks out diligently and gathers scrupulously all the mentally diseased persons within its borders into suitable hospitals where they may be cared for tenderly according to their individual needs, with the same community before any special attention was given to those who suffered from the loss of reason, would seem absurd enough; but a more absurd thing is done when the present record of such a community is compared with the record of another community which still rests content while its insane and demented ones are chained in attics and cellars, or shut up in poor-houses, or permitted to wander heedless in the streets; and the extreme of absurdity is reached when we are told that the first community because it numbers and ministers in a Christian way to the good of its unfortunates, is therefore afflicted with an epidemic of insanity from which the community which does not consider them enough to find out how many they are is exempt. The social and physical evils that now afflict men are not new. They all existed when they were unnoted and unnamed. We are shocked by unusual suffering, the very commonness of which in our fathers' day caused it to be passed by uncommiserated. It was Macaulay who said most truthfully of such sufferings, "that which is new is the intelligence which discerns and the humanity which remedies them."

The first mention made of insanity found by the writer in the annals of this state is in a letter written by Roger Williams to the town council, and dated Nov. 11, 1650, in which he called attention to the "lamentable" case of a Mrs. Weston, whom he believed to be "a distracted woman." His communication breathes a most humane spirit; but his only requests are that the town council take measures to prevent the waste of any little property of which she might be possessed, and

that such provision be made for her sustenance as should be necessary. She was presented to the attention of the council as a person reduced to want by mental disturbance, who might be easily overlooked by the constituted authorities.¹

In the following January the case of Margaret Goodwin came up for attention. She had some property in her own right. She also had a husband, who seems to have been unable to support her or unwilling to do so out of his own substance. She was accordingly given into the keeping of six reputable citizens of the town, who should have charge of her person and her estate "during the period of her distraction," with power to sell of her property so much as might be needed to indemnify them for any expense that they might incur on her behalf. It would appear that the care exercised over her person could not have been extremely vigilant, for a month later she perished from exposure to a midnight storm, having wandered from the house alone and unclothed.²

In 1655 a man named Pike, who had previously and at different times applied to the town for aid in the support of his wife who had gone "distracted," was voted help in the sum of fifteen shillings, with a promise of further relief as it should be needed "to the value of ten pounds."³

These may be taken as specimen cases. They have this in common, that each unfortunate was a pauper or in immediate danger of becoming a charge upon the town; and the case of each was disposed of precisely as would have been done had her need arisen through physical rather than mental disorder either in herself or in those upon whom she naturally might depend for a support. Like the town's poor to whom had been preserved the right use of their faculties, the insane were aided at their homes and their relatives paid for any special care or expense that might be entailed upon them; or in the absence of home and relatives they were farmed out to the lowest bidder for the time being, or perhaps a lump sum of considerable value was paid and a satisfactory guaranty given that the town should be "forever cleared of them."

And whichever it might be the case of the poor unfortunate would be pitiable. When one must be treated as a wild beast, whether this shall be at the house of a relative or of strangers can make but little difference to the victim. "A little house, seven foot long and five foot wide" might be built hard by the house of some relative, in which he or she would be chained like a dog in a kennel, or a stranger might make such provision for the

¹Town Papers, vol. xv. 39.

²Town Papers, vol. xv.

³Town Papers, vol. xv.

wretched maniac as he could afford at the rate perhaps of eighteen pence a week.

There was such a building as is suggested in the town of Jamestown situated on the highway. It was elevated on posts some feet above the ground, having a floor of slats with spaces between them, the design being to make unnecessary frequent cleaning of the inside. In this place a man named Armstrong was confined the year round, without fire, for twenty years, with little clothing, and only such light as might enter at the sides and at the bottom, till at last he suddenly died, as we may suppose to the great relief of himself and all others concerned. It is wonderful that he should exist in such conditions for so long a time.¹

Willard Wade, born and reared in the town of Gloucester, was arrested when a young man for setting fire to a building in that town, but it being evident that his mind was disordered the case was not prosecuted; instead of which he was placed in the care of his relatives, his father giving bonds that he should not be permitted to go at large. He was kept in the home of his father till the death of the latter, who bequeathed some not very valuable real estate to a young man who had married a relative on condition that he should maintain the insane son during the period of his natural life. A distinguished citizen² describing a visit made him in the quarters thus provided for his safe keeping, says, "We found him four miles from Chepachet, locked in an outhouse some six or eight feet square, into which after some difficulty we succeeded in obtaining entrance. The room was as comfortable and filthy as could be imagined, and did not appear as if it had been cleaned for years. The apology for a bed was completely rotten and saturated with ordure. In this room or one similar to it I was credibly informed this poor man had been imprisoned for thirty-three years, nearly thirty of which he had been chained by the leg, which limb then bore unmistakable marks of the iron that had lacerated the flesh, the latter being much discolored and seemingly united in one solid mass with the bones and sinews. Although he conversed freely and tolerably rationally, still he uttered no complaint. Neither did he exhibit any indication of suffering, unless as such might be interpreted a sigh which seemed unconsciously to escape from his lips as he dropped heavily into his seat. My attention was directed to his feet which were thrust into the lower extremities of what appeared to have been a pair of old boots. Upon being asked he drew forth a foot; one of the toes was entirely eaten off, the remaining four were black and matted as was also the extremity of his foot for some inches adjoining. This was caused as I was told by his feet having been frozen, I think the previous winter."

¹Hazard's Report.

²T. R. Hazard.

The first step toward those disciplinary and reformatory institutions which are now so numerous and so well conducted in the state was taken in the year 1725, in a law which empowered the towns on the mainland to build a House of Correction for vagrants "and to keep mad persons in."¹ Earlier than this mention had never been made of insanity in any enactment of the general assembly. Vagrants and insane persons were put in the same class and the same treatment was deemed proper for each. Vagrancy and insanity were alike misdemeanors to be dealt with according to one rule. A few years later in 1742, the care of insane and imbecile persons was by law given to the town councils, with power to appoint guardians of their estates. This was a formal recognition of society's responsibility for the well being of such unfortunates. But it does not appear that they fared better in the town's almshouse than when left with their relatives and neighbors.

In the Newport asylum there was at one time a woman whose name was Rebecca Gibbs, who had lost her reason through disappointed affection, and thereafter had been for thirty years a charge of the town. She seemed to be in a sense folded together, her lower limbs being drawn up to her breast so that her knees and her chin met and from this position there was never a change.² Her deformity was caused by her having been for several winters shut up in a cell without fire and without clothes, where she had drawn herself as compactly as possible together as a protection against the cold and had so continued till sinew and muscle were unable to relax. In another town in the same county efforts were made year after year for a more humane treatment of the insane poor, but those who would have such a change were uniformly out-voted, and the effect seemed only to rivet more firmly the maniac's chains. On one occasion when the subject was under discussion in town meeting a man who had been overseer of the poor shouted that he himself had once flogged an insane person at the town asylum, and the majority present were not disgusted by this frank avowal, but rather applauded him. It was in the same asylum that a young man was not only chained but so wrapped in bagging that when an apple was placed within his reach he could only gnaw it like an animal as it rolled about the floor and he rolled after it.

Such treatment of the insane was not universal. In most cases friends did as well as they knew how to do and as their circumstances permitted; and the same may be said of the insane who were kept in the almshouses. But their proper treatment was not understood, and if it had been understood would have been impossible; and again inexcusable abuses were common. The only apology was in the absence of a hospital for the insane in the state. A measure of relief appeared only

¹Arnold, vol. II, 80 and 140.

²Hazard's Report.

when in the last will and testament of the Hon. Nicholas Brown, a wealthy and wisely philanthropic merchant of Providence, dated March 3rd, 1843, was found the following:¹ "And whereas it has long been deeply impressed on my mind that an Insane or Lunatic Hospital or Retreat for the Insane should be established upon a firm and permanent basis, under an act of the Legislature, where the unhappy portion of our fellow beings who are by the visitation of Providence deprived of their reason may find a safe retreat and be provided with whatever may be conducive to their comfort and to their restoration to a sound mind. Therefore for the purpose of aiding an object so desirable and in the hope that such an establishment may soon be commenced, I do hereby set apart and give and bequeath the sum of Thirty Thousand Dollars toward the erection or the endowment of an Insane or Lunatic Hospital or Retreat for the Insane, or by whatever other name it may be called, to be located in Providence or vicinity." He was not the only one who had perceived the existing need. The matter had been discussed, and his views had been accepted by not a few enlightened and public spirited citizens; but he was the first to give to his interest in the subject so practical an expression.

In January, 1844, the bequest was formally accepted, and the Rhode Island Hospital for the Insane was incorporated by act of the general assembly. The following named gentlemen constituted the corporation: Amasa Manton, George W. Hallett, John Carter Brown, Moses B. Ives, Robert H. Ives, Amory Chapin, Thomas Burgess, Benjamin Hoppin, Elisha Dyer, Seth Adams, jr., Shubael Hutchins, Samuel F. Mann, Joseph Carpenter, Royal Chapin, Frances Wayland, William S. Goddard, Thomas R. Hazard, George S. King, J. Smith, Byron Diman, Gideon Spencer, Edward W. Lawton, W. Updike, J. P. Hazard, and Stephen Branch.

At the first meeting of the corporation held March 20, 1844, a committee was raised to prepare and circulate subscription papers for the additional funds necessary to erect and furnish the required buildings. Six months later this committee reported that a letter had been received from the Hon. Cyrus Butler in which he tendered to the corporation the sum of \$40,000, upon condition that an equal sum should be by others subscribed for the same purpose during the next six months, and provided also that a sum equal to at least \$50,000 be set aside as a permanent fund the income of which alone should be used in defraying the current expenses of the hospital. It was also reported at the same time that this generous gift would be at once available, since more than \$50,000 was already promised by responsible parties.

As a recognition of Mr. Butler's munificence the name of the projected institution was changed to Butler Hospital for the Insane, and

¹1st Annual Report of Butler Hospital.

a farm in the northeastern part of the city of Providence containing one hundred and fourteen acres was purchased for a location at a cost of \$6,000. Two years later the aggregate subscriptions amounted to the sum of \$128,000, and it was judged that the time to proceed about building had arrived. Dr. Isaac Ray, a physician of large experience in the care of the mentally diseased, was elected superintendent, his term of office to begin May 1st, 1846, and he with Dr. Bell of the McLean Hospital in Somerville, Mass., were made a committee to prepare plans. The wide information of these eminent specialists made it certain that any plans which they might present would be of the most approved character. As a further preparation for the duties assigned him Dr. Bell visited Europe and carefully inspected the best hospitals there existing, the peculiar excellences of these being noted and made a part of the contemplated institution. The contract was given to Messrs Tallman and Bucklin, at that time the leading architects and builders in the state, for the sum of \$70,000, by whom the work of construction was pushed rapidly forward. The Hospital was opened for the reception of patients on the first day of December, 1847, with forty patients; the number increased to sixty-seven during the succeeding month.

Through no fault of the management, but owing to conditions incident to the establishment of all institutions of this kind, and unavoidably, the Hospital was early involved in embarrassing debt. Relief came in the very generous donation of \$20,000 by Mr. Alexander Duncan, a sum sufficient to cancel all outstanding obligations, and yet leave a balance in the treasury. The same large hearted gentleman some years later added another \$10,000 to his former benefactions.

In the year 1850 an act was passed by the general assembly forbidding to keep insane persons in the jails of the state, a custom which even at that late period to some extent obtained, by which the misfortune of mental disease was treated as a crime against society or at the very least as a misdemeanor. It was provided that one who should thereafter be adjudged by competent authority insane should be sent directly to Butler Hospital.

It was in the same year (1850) that the general assembly first made an appropriation, in amount \$1,000, for the partial support of indigent insane persons in this institution; to be dispensed by the Governor of the state in sums not exceeding \$50 to each beneficiary. On the 17th of December in this year the whole number of patients was one hundred and fifteen, of whom one hundred had been residents of the state till the date of their commitment, the remainder having been received from other states. Of the Rhode Island patients sixty-one were supported by the several towns in which they had settlement, twenty-six by their friends, twelve by the state appropriation and their friends

unitedly, and one by the town which had been his home joined with such contributions as his friends were able to make; fifty-two were men and sixty-three were women; seventy-four were born in the state and three in other states, while twenty-three were of foreign birth.

During many years the state has been accustomed to appropriate \$10,000 annually for the support and the partial support of persons at the Butler Hospital. Of such there are two classes. One hundred dollars each is allowed to the first class of beneficiaries upon order from the Governor of the state. These have friends who though unable to meet the full expense of their treatment are yet desirous of doing all that they can in this direction. The number of these is by law limited to twenty, and not more than \$2,000 of the annual appropriation can be used for their benefit. A second class includes insane poor persons who are committed by the courts, whose number is not by law limited, and for the support of each of whom the sum of \$280 per annum may be expended. At the present date the number of these last seems to be declining. There is a tendency on the part of the courts to send fewer such to Butler Hospital, and many who are sent there are afterwards transferred to the State Hospital for the Insane.

Starting in the fore front of institutions of its class more than a half a century ago, Butler Hospital for the Insane has kept step with every advance made in subsequent years, and still continues a model in point of equipment, enlightened and generous administration, and facilities for the successful treatment of the unfortunate persons for whose well being and comfort it is designed.

Still a large majority of the insane in Rhode Island remained in the care of their friends or in the town almshouses, and all the abuses incident to such a system continued with little abatement. This appears in the valuable report made by the Hon. Thomas R. Hazard, elsewhere mentioned. He did not confine his attention exclusively to the insane who were cared for in the town poor houses, but also sought out and learned so far as he was able the condition and treatment of those who lived in the homes of their relatives. The whole number in poor houses he discovered to be eighty-five, while one hundred and forty were otherwise provided for—exclusive of those at Butler Hospital. Abuses more flagrant than he saw and reported would be difficult to conceive. At the same time examples of humanity and kind treatment were not wanting. Especially the asylum at Newport was accorded high praise. The result of his investigations was a recommendation that all recent cases of insanity should be at once placed under hospital treatment, with all others who could not be elsewhere controlled without resort to chains, close confinement, or personal violence of any sort. He strongly expressed his conviction that for such methods there could be no

real necessity in the treatment of insane persons. Butler Hospital, the only institution of the kind in the state, was already full to overflowing, and there still remained the large number named above for whom it seemed impossible to make immediate suitable provision. A few might be and were boarded at hospitals located outside the limits of the state, but the large majority must continue in their present unfavorable circumstances for twenty years longer.

In the year 1867 there were as many as one hundred and thirteen insane poor persons in different hospitals at the expense of the state and the several towns. There were at the Butler Hospital, seventy-six; at the Brattleboro, Vermont, Hospital, twenty-four; at the Worcester, Mass., Hospital, eight; at the Taunton, Mass., Hospital, three; and in private families, two. Twenty-seven towns were united with the state to furnish their insane poor with treatment in hospitals for the insane. Seven towns had no persons in such an institution. In one of these towns there were at the same time ten insane persons in the poor house, nearly all natives of the town and all having a legal settlement in the town; two of whom, middle aged men, were fastened to the floor with iron chains, one having been held thus for eleven years; two others, women, had been chained about half the time for several years; while five others had been held in confinement for periods ranging from four years to ten years. The wrong and the disgrace of such things were felt, and there were those who expressed their conviction that society must be held responsible for the continued insanity of those to whom it denied all opportunity to receive a treatment calculated to restore to them the right use of their minds.

When about this time the proposition to purchase a State Farm began to be discussed, it was chiefly to provide accommodations for the pauper incurable insane. And when at last such a farm had been secured steps were at once taken toward the erection of the necessary buildings. Two one story wooden cottages were built after the general plan of buildings which had been for some years used for a similar class of patients at Blackwell's Island, in New York city, but with changes and improvements. Besides these a stronger building was erected for such as might be of a violent and dangerous character.

The first patients were admitted on the first of November, 1870, from which date to the first day of the following January one hundred and eighteen were received—sixty-five from Butler Hospital, twenty-two from Vermont Hospital, four from Worcester, two from Taunton, and twenty-five from the town poor houses of the state. One year later the number of inmates had grown to one hundred and forty-two from which date till the time of this writing the increase has been constant and rapid, so that on December 31st, 1900, the whole number was not less than seven hundred and forty, while the original two small buildings, hardly more than wooden barracks, have become

nineteen substantial structures of stone and brick, furnished with all the most approved apparatus and appliances for the scientific and successful treatment of mental disease of every form.

Two features in this institution have always commanded the approval of intelligent visitors; the first of these being the use of one story buildings, as many as may be needed, rather than lofty and elaborate structures such as are common elsewhere; and the second of these being the large measure of liberty accorded the patients both within the several wards and out of doors in spacious and well turfed yards connected therewith.

At the first and until a comparatively recent period this institution was what its name implied, an asylum for the incurable insane, in other words a place for the custodial care of hopeless cases, or an almshouse for pauper lunatics who had passed beyond the reach of the physician's art. For such only was provision made and only such were committed to its keeping. There was no attempt at curative treatment. This was provided for cases of not long standing at Butler Hospital and in others of like character, legal authority being given to place such in these at the expense in part at least of the state. When application was made for their admission to the State Asylum, they were refused. It was rightly judged that common humanity as well as the public interest required that no one should be received till he had enjoyed the opportunities of a good hospital and had been pronounced incurable by competent medical authority. So is explained the otherwise seemingly strange fact that from the first and for eleven years the institution was in charge of a deputy superintendent who was not a physician. Rightly or wrongly during all this period it did not appear to the authorities that medical knowledge and skill were necessary in the one who should fill this position.

But in the year 1885 a change was made in the law, the evident purpose and actual effect of which was that since that date practically all insane paupers have been sent at once to the State Asylum, recent and presumably curable as well as chronic and incurable cases. This change made imperative the immediate introduction of curative methods, and also that the head of the institution should be a medical man having special gifts and qualifications as well as eminent skill in the practice of his profession, both of which requirements have been met in the years that have since elapsed.

Up to about the same date the insane poor having settlements within the borders of the state were supported at the expense of the various cities and towns; now the state assumed the whole expense of caring for all the insane paupers, those having and those not having legal settlements. Naturally officers having in charge the towns' poor at once became less reluctant than formerly to place insane persons in the State Asylum, and there followed in consequence a sudden and

large increase of those who while they were certainly insane according to the terms of the law yet needed only such care as might be given them in a well ordered almshouse, had it not been made less expensive to the town to surrender them to the custody of the state. The increase at the State Asylum for the last six years preceding this change of method had been but seventy-one; the increase for the six years next following was two hundred and one.

At the January session of the general assembly in 1897, and on recommendation of the Board of State Charities and Corrections, the name of the State Asylum for the Insane was changed to State Hospital for the Insane.

At the same time an important change was made for the better in the administration of this institution, by which it was dissociated from the other institutions located on the State Farm, with which it had been connected from the beginning under a single superintendent. When it with these was established no one could foresee the magnitude which all would attain in a period of less than thirty years, and the form of organization then adopted was doubtless well suited to a number of small institutions contiguous to each other; but a period had at last arrived when the interests of the Hospital for the Insane, now become the most prominent as well as the largest of them all, plainly demanded that it should be wholly separated from its life-long companions, and particularly from the Work-house and House of Correction. This view had long been entertained by members of the Board of State Charities and Corrections, and to it the legislature now gave expression in an act authorizing the change and the election of a Superintendent of the State Hospital for the Insane.

On the twenty-first day of May, 1897, George F. Keene, M. D., who had shown singular fitness and ability during a connection with the institution extending over a period of fifteen years, for more than ten of which he was its deputy superintendent, was unanimously chosen the first superintendent under the new order; and the State Hospital for the Insane now at last assumed its proper name and true position among similar institutions wherever located.

The early New England colonists were saints and sinners. The saints were few, the sinners were many. These statements might not be needed were it not that there exists a very common notion that only people of exalted, intellectual and moral quality migrated to these shores during the first half of the seventeenth century.

It is true that the ruling element in each of the New England colonies was pre-eminent for character and respectability, consisting mainly of country squires and sturdy yeoman from the eastern counties of the Mother Country. Each of the forty English shires was here represented, but those bordering on the North Sea contributed to this better element more numerously than all others. It has been

estimated that of all the Americans now living and able to trace their descent from the original New England stock, at least two-thirds might follow the line back to one or another of the East Anglian counties, one-sixth of all to the County of Devon, Dorset or Somerset, and one-sixth to all beside of England.

The men who came with Governor Bradford to Plymouth, and with Governor Winthrop to Boston, were thrifty and prosperous householders in their old homes. These made of themselves voluntary exiles because of their devotion to an idea. Their ideals were high and they attempted to realize these in their lives as Christian men and citizens of the new commonwealth. Religion before all else claimed and received their attention. They would have education to be the inseparable attendant upon religion. Industry, economy, decorous behavior and reverence for superiors were regarded as of paramount obligation. The moralities were in any case to be scrupulously observed and rigidly enforced upon men of all ranks in society.

They were the aristocrats of the new world, and the term is used in its best sense. As must ever be true of an aristocracy, whether of birth, of wealth, or of personal merit, they were but a small minority of the whole people. Social distinctions were carefully noted and were not under any circumstances to be overlooked or ignored. Of all the immigrants who came to New England previous to the year 1649, not more than one in fourteen would be permitted to write Mr. before his name; each of the remaining thirteen being merely Good Man So-an-so. This was as might have been expected. There could be nothing like social equality between men whose recent ancestors were serfs, and upon whom the marks of serfdom were still many and manifest, and those who had been free men and landholders for uncounted generations. The man who had been a peasant and whose grandfather had been a serf in Old England, could not expect to be treated, and was not treated as other than he was, in New England. From such men of low degree came many of the criminals of the early days.

The wilderness was hungry for laborers. To meet this demand, apprentices or indentured servants were brought out in large numbers from the mother country. These apprentices or indentured servants were persons who had bound themselves, or who had been bound by others to periods of service extending over four, six, or in some cases even ten years. They were recognized as property, and by their masters or owners they were treated as such. Fugitive servants escaping from one colony to another were returned, upon proof, to their owners, and at the expense of these. They differed from slaves in but little, save that they were bondsmen by contract, and they could be held in bondage for but a term of years. The Mayflower brought out some such servants. Not less than thirty were taken by a single indi-

vidual, Captain Wollaston, to Quincy.¹ Governor Winthrop speaks with regret of the pecuniary loss which the Bay Colony sustained when it became necessary to free three hundred such servants because there was no food to give them. Whether they starved as free men in the woods does not appear. Governor Craddock and others who remained with him in England sent over as many servants as were needed to manage their large estates in Massachusetts. Harvard College is said to have received a donation of one hundred and fifty pounds, being the proceeds of the sale of children who had been kidnaped in England and sent out to America as indentured apprentices,² perhaps followed all the way from London to Gravesend by weeping parents who had no power to redeem them, and to whom the law offered no relief.³ The higher officials of Bristol, chief center of the Colonial trade, were nearly all at one time involved in kidnaping.

Among the indentured servants were some of a not ignoble parentage, some educated men, some Latin scholars, the victims of misfortune or of vice, who had sold themselves as a means of getting away to the new land, in the hope that when their term of service should expire they might there improve their condition. There were honest working men, too, discouraged by the difficulties with which they had all their lives vainly contended, who trusted that they might find on this side of the Atlantic better conditions than they could ever hope to know in the old world. Knaves, also, were numerous. Husbands forsaking their wives and wives forsaking their husbands, runaway sons and daughters, jail birds and bawds, were sent across the ocean by those who coined wealth in the business. All these were welcomed by colonists whose strongest wish was for cheap labor and a plenty of it. It was common to pardon thieves on condition that they would consent to be sold to a service of seven years in the colonies. The record exists of a horse thief who, in 1622, very naturally chose this alternative rather than to be hanged for his crime. A little later we find a husband humbly petitioning on behalf of his wife that she might be sold and sent over as a servant, and not be put to death for stealing three shillings and six pence. Petty officers were paid by the mayor and by the aldermen of more than one English city to persuade men and women who had been convicted of crime for which the death penalty would be exacted, that they should consent to go as indentured apprentices to the colonies. The profits accruing from such transactions to the officials named were very large. After the restoration it became lawful for justices to send "loose and disorderly per-

¹Fiske's *Beginnings of New England*, 91.

²Mass. Rec. 13, Nov. 1644.

³Eggleston's *Transit of Civilization*, 295.

sons" at their discretion to the colonies, and thus at intervals a hundred or two of "Newgate Birds" were shipped to America. In America such apprentices and indeed all others would be immediately lost to those who were acquainted with their history, lost as completely as if they had migrated to the moon. But neither would the negro change his color, nor the leopard his spots.

It is true that the colonists in Massachusetts endeavored to sift their servants and so to exclude convicts of every grade with all the more vicious and corrupt ones; but the offenses against good order and against common decency with which the civil authorities, and the ecclesiastical authorities as well, were at once compelled to deal, and the nature of the penalties which they thought it necessary to inflict upon offenders, show conclusively that the sifting process was to a very large extent a dismal failure.¹ Notwithstanding that the convict element may have been to a considerable extent shut out of New England, it remained that servants were for the most part from the dangerous classes of large English cities. They were men who had been sturdy beggars and incorrigible rogues of every sort, idle and debauched persons of both sexes; of whom an early New England writer said that they would "eat till they sweat and work till they froze to death." Everywhere these indentured apprentices or servants were a distinct and recognizable class, the source of endless discord and disorder, leading astray the "unstead and the young." And their children are with us till this day.

The statement so often made that in New England no traces are to be found of the "mean white" is an incorrect and unwarranted statement.² The facts are unmistakably against it. The "poor white trash" of the South has its counterpart in every New England state. All over New England are to be found isolated neighborhoods, whose quality is indicated by the epithets applied to them, such as "Hard Scrabble," "Hell Huddle," and "Devil's Hopyard." The dwellers in these localities are not to be regarded as mainly the degenerate offspring of a sound New England stock; they are of an unmistakable strain to be found in every land where English people dwell. At an early day the riff-raff of England came to these colonies in the persons of apprentices and of others of a not better quality, whose evil ways brought them into perpetual conflict with the better element of society; and whose immoral and criminal influence did not fail to act injuriously upon young people of good family and careful, Christian nurture. In some cases there was intermarriage between the two classes, with the usual result of an honored name reappearing in a line of vicious descent. It was the presence of this base element that made necessary

¹Pilgrim Republic, Goodwin, 160.

²Fiske's Beginnings of New England, 142.

from the first those enactments against every sort of wickedness and vice, namable and unnamable, which have so often proved an enigma to the reader of early colonial history.

The State of Rhode Island and Providence Plantations was settled by men who were of the best in Massachusetts Bay and Plymouth colonies, with the dependents and servants of these. The intellectual, moral and religious value of the new colony did not at first greatly differ from that of its neighbors on the east and on the west. In the beginning it certainly would not suffer by comparison with any other. It is worthy of note that the first crime committed within the borders of Rhode Island of which any record remains was not the deed of a resident of Rhode Island, but of renegade apprentices from Plymouth. It may be interesting to relate the particulars of this crime as they have been preserved in Massachusetts records.¹

One Arthur Peach, twenty years of age, a runaway servant from Virginia, came to Plymouth and was for a time in the employ of Governor Winslow. He was a worthless scoundrel and prepared for any desperate act. He was out of means and unwilling to work; he was also deeply in debt to honest men who clamored for what was due them. He had come to Plymouth as a fugitive apprentice; he would leave as an absconding debtor. Taking with him three indentured servants of his own quality, he started, as was believed, for the Dutch settlements on Manhattan. At a place some four or five miles from Providence these men perpetrated a deed, the atrocity of whose details is but rarely exceeded in the annals of crime. Discovering an unarmed Indian as he rested on the edge of a swamp not far from the footpath in which they were traveling, they approached and invited him to smoke with them. As he came near, unsuspecting of their evil intent, Peach stabbed him twice, in the body and in the thigh. Two of the others then attacked him; but avoiding their weapons he ran into the swamp, they pursuing, where he fell in the mire and water, rose and ran again, fell and rose again, doubled on them, ran back and forth, till he at last fell and was unable to rise. They now lost sight of him, and not doubting that he was dead or would soon die, they went back to his pack, opened it and took whatever they wanted—three beaver skins, three woolen coats, five fathoms of wampum peage, and some beads. About this time it was reported to Roger Williams that four destitute white men who had been lost for five days in the woods, were in the neighborhood. At once he sent them a supply of provisions, invited them to his own house and entertained them hospitably over night. The next day he sent them refreshed on their journey toward Connecticut, as he supposed. They went, however, directly and by the shortest route to Acquidneck. They afterward

¹See also Town Papers, Providence.

proved to be Peach and his companions. In the meantime the wounded Indian crawled out of the swamp into the path, where he was found by three men of his own tribe. Word was taken to Mr. Williams, who had him brought in, summoned to his aid the two physicians of the town, Dr. James and Dr. Greene, and did for him all that could be done. He lived only long enough to make a clear and full statement of the affair. The murderers were pursued, overtaken, and three of them captured. One escaped and was never afterwards heard from. Mr. Williams wrote the particulars of the affair to Governor Winthrop at Boston, asking his advice as to what should be done with the villains. There was no question as to their deserts, but under what jurisdiction the case might fall was in doubt. Mr. Williams thought that as they had come from Plymouth they should be carried back to that place for trial and punishment. Since there was no well-established government as yet in Rhode Island, this would seem to be the only reasonable conclusion, and it was found that Governor Winthrop held this view. They were accordingly taken to Plymouth under a suitable guard, where they were tried, convicted, and after the custom of that day, speedily executed. There was, however, much dissatisfaction on the part of the Plymouth colonists that three white men should die for the murder of a single Indian. These warmly urged that a life for a life would meet all the requirements of justice in such a case. Mr. Williams, Dr. James, and several Narragansett Indians were present in court as witnesses against the accused, and in view of the sentiment just mentioned, very properly remained to see them hanged.¹

In the earliest list of "Twenty-five acre men" who were received as inhabitants of Providence in 1645, is the name of John Clauson. Roger Williams says that he, with some Indians, found Clauson naked and starving in the woods. Where he came from or why he was in the place where they found him, or what was the occasion of his being in such a plight, we are not told. No one in Providence knew him. It is certain only that he was a Dutchman; but all the circumstances indicate that he was a runaway apprentice from some one of the neighboring colonies, perhaps from Manhattan, not unlikely from Massachusetts. Mr. Williams brought him to town, took him into his family, treated him with much kindness, taught him to read, gave him a Dutch testament and had him learn the carpenter's trade. A little later complaint was made against him that he was illegally using the common land; and again, at the instance of Richard Harcutt he was put under bonds to keep the peace. He also had some personal difficulty with Roger Mowry and Samuel Bennett, two prominent citizens of the town. Mr. Williams relates that he was

¹The Pilgrim Republic, Goodwin, 406.

“grieved at his folly and forwardness.” He was evidently of a rough and lawless temper.¹

On the night of January 4th, 1660, Clauson was attacked near his dwelling, which was in the vicinity of what is now the North Burial Ground, from behind a clump of barberry bushes, by an Indian named Wau Manitt. At the first blow Clauson’s chin was split open and he was mortally wounded in the chest. After lingering in great agony for two or three days, and receiving such care as neighbors could give him, he died, having as tradition asserts uttered a strange curse upon one Herrendeen, whom he believed to be the instigator of the attack, “That he and his posterity might be marked with split chins and haunted by barberry bushes.” Wau Manitt was immediately apprehended, placed in irons and confined in Roger Mowry’s public house, with a watch of eight able-bodied citizens to guard against his escape. After the burial of Clauson the freemen were called together in town meeting to take such action as the case demanded. Roger Williams acted as interpreter. The decision was that the prisoner be sent to the colony prison in Newport till the date appointed for his trial. He was taken there; but no account of his conviction and execution is at hand. However, in view of the fact that he was only “A heathen savage” and undoubtedly guilty, we may fairly conclude that the matter was neither forgotten nor overlooked by those who firmly believed that every “Son of Adam is his brother’s keeper and avenger.” There is no reason to suppose that Herrendeen was ever called to account for the part which the dying Clauson accused him of having in his taking off. This was the first murder committed in the town of Providence.²

An account of the first case of burglary in the colony of which any record remains is also in point. On the twenty-third of April, 1648, a writ was served upon Wesountup, an Indian living in Mashapaug, charging him with having broken into the house of Widow Sayre four days earlier, and with taking therefrom several parcels of goods. To this charge Wesountup very naturally pleaded not guilty. On the same date and for the same offense a writ was issued against another Indian called Nanhiggan, whose home was at Pawtuxet. He also pleaded not guilty. Each Indian accused the other of the crime of which himself was accused. Wesountup testified at length against Nanhiggan, saying that he came to town with Nanhiggan and that his purpose was to work for Mr. Scott; that they passed the night together on the west side of the river, where there were a number of Indians; that they had no communication with these Indians and were not seen by them; that Nanhiggan took a ladder from the premises of Nicholas Power and set it up against Widow Sayre’s house, and was thus able

¹Town Papers.

²Arnold’s Rhode Island, vol. 1, 465.

to reach a hole in the gable near the roof, through which he entered; that he put out at this hole a coat of skins and three loaves of bread; that he afterward opened the door and persuaded him, Wesountop, to go in and get fire to light a tobacco pipe; that in this way it came about that he, Wesountop, was found and taken in the house; and that no other Indian was present or consenting to what was done. Nanhiggan, being put upon his examination, declared that Wesountop was reckoned a common thief where he was best known; that when he had found him employment he was not permitted to work because of his bad reputation; that he had not seen Wesountop for twenty days; and that he knew nothing at all about the robbery of Widow Sayre's house. He called three Indians to confirm his statement. The examiners, however, found him probably guilty, and gave him into the custody of the town sergeant until further orders. At a later date he was brought to trial before a court composed of a majority of all the male inhabitants of the town, convicted and sentenced to be whipped with twenty lashes well laid on. A like verdict was found in the case of Wesountop and a like penalty imposed.¹ As to the crimes committed, the rank of the culprits in society, and the disposition made of them, these cases are typical and characteristic of the time in which they occurred.

The settlements at Providence, at Warwick, and on the Island of Acquidneck, were at the first and for several years in all respects separate and independent colonies. Neither of them was recognized by charter or patent, and neither had protector or patron in England. In a very real sense each was apart and separate from all the rest of the world besides. The men of each settlement met in town meeting, agreed upon the terms on which they were willing to live together, and framed such rules, few and simple, as were calculated to secure the rights of individuals and advance the general prosperity of a small community composed of laborious and law-abiding citizens. As the population increased and became more varied in its character, something additional was necessary. They must have a royal charter to compel the respect of adjoining colonies and to give the force of authority to such laws as they might enact for their own government.

Early in the year 1643, Roger Williams was sent over to the Mother Country on this business, and in March of the following year he secured a charter liberal in its provisions and in every respect satisfactory to himself and to those whom he represented. He returned in the following September, bringing this charter with him, but for various reasons it was not adopted until thirty-two months later. The first general assembly convened at Portsmouth on the Island of Acquidneck. This was in fact, as well as in name, a general assembly,

¹Town Papers.

not a convention of delegates merely, but composed of all the inhabitants of all the towns so far as these could be induced to be present, a majority of whom really were present to participate in the deliberations and give weight to the conclusions reached.¹

Under this charter was enacted a code of laws which had been previously prepared and which proved to be in the highest degree "suitable to the nature and constitution of the place." Its evident purpose was to repress rather than to punish crime. In this it was far in advance of the age that produced it. Its humane spirit was in marked contrast with that vindictiveness which pervaded so many criminal codes of that period. Its manner was kindly, setting forth in terse and cogent preambles the unhappy consequences of crime, both to the perpetrator and to society at large, and urging men by that love which they should have for themselves to restrain from its commission. If some of the definitions presented are not so full nor so exact as those of professional writers on criminal law, the meaning is always clear and unmistakable. Its composition was evidently the work of an honest man, who never stopped to quibble, and who adhered closely to the rule which he prescribed to himself in the matter of written contracts, expressing his thought "in as few words and as plain form, and as easy to be understood as may be." Possibly this code at some points erred on the side of inercy, as has been suggested by high legal authority, but in every case it recognized the fact so often overlooked, that the man guilty of crime has yet some rights which law abiding members of society are bound to respect.²

It provided that one charged with high treason should be brought before the next general assembly, and if there found guilty should then be sent to England to be further tried and dealt with according to the laws of that country where the penalty was, as it continued to be until 1814, as follows: The condemned man was drawn in a hurdle to the place of execution with a rope around his neck, hanged, cut down while yet alive, disemboweled while in the full possession of his senses, his intestines burned before his eyes, his still beating heart torn out and burned in the same fire, his body quartered and his head set up on London bridge, or in some other public place. It will be remembered that this savage penalty was not devised by the people of Rhode Island, but by the highest legal authorities of the Mother Country, and that there was no power on this side of the Atlantic competent to modify in any wise its method or conditions.

With respect to petty treason the law of old England was re-enacted, the penalty of death by hanging or by burning and the forfeiture of goods to the state of course remaining unchanged.

¹Arnold's Rhode Island, vol. 1, 201.

²Judge W. R. Staples on the Code of 1647.

The servant who should assault his master was to be imprisoned in the house of correction for a period of six months, or until his master should declare himself satisfied. The son who should assault his parent might suffer confinement in the house of correction for a period of twelve months, or until the parent was satisfied. This does not seem very severe when we remember that in Plymouth, Massachusetts Bay, and New Haven colonies the "Smiting" of father or mother was made a capital crime to be punished with death.

The goods of a suicide were to be forfeited to the state. For murder and manslaughter the penalty was death, and in the case of murder a forfeiture of goods also to the amount of the costs incurred by the colony in bringing the murderer to justice. But the taking of life by an infant, by a natural fool, or by an insane person, subjected the homicide to no penalty whatever. It was wisely judged that a knowledge of right and wrong and the right use of one's mental faculties were necessary that the deed done, whatever its nature, might be a felony.

Witchcraft was forbidden under pain of death. It is to be noted, however, that the enactment which forbids all commerce with Satan and his angels is not defended in the code, as were other enactments which involved the death penalty. Can it be that the author of this code had in his time proceeded so far as to doubt the reality of those pretended dealings with Satan in which all others implicitly believed? In that day no legislature would have dared to do in respect to witchcraft less than was done at Portsmouth.

Burglary was deemed worthy of death, except when the culprit was found to be under fourteen years old, or when he was so poor as to be impelled to his deed by extreme hunger; in these cases the offense became larceny and the law was satisfied with a minor infliction.

Robbery was made a felony of death, and in case it should appear that the officers did not use proper diligence in pursuing the fugitive robber, the town or colony might be made to satisfy the victim for his loss. Arson was also a capital crime.

Rioting was to be punished by fine and imprisonment. So, too, was assault and battery; and in addition the person assaulted might recover for any loss of time or injury to health that he sustained. For stealing that whose value was less than twelve pence, on the first offense the culprit must be "severely whipped and made to serve in the house of correction until the party or owner be satisfied two-fold for what he had stolen; and for the second time he shall be branded in the hand and serve in the house of correction until the party be satisfied two-fold for what he has stolen, and the colony four-fold as much." In 1718 the law against theft was so amended that should the culprit prove unable to make the restitution required, he might be sold by the sheriff for a term of years extended enough to raise the needed

sum. Fifty years later this enactment was still in force. In the newspapers of those days are to be found many advertisements of impecunious thieves to be sold at auction in which the physical qualities and working value of the convict are set forth in words not unlike those employed to describe a horse that is offered for sale in the same columns. Trespassers were liable for damage done by themselves, by their servants, and by their cattle, in some cases as much as treble damages being allowed. Persons guilty of forgery and kindred offenses were to be fined, imprisoned, and made to satisfy the defrauded party. The penalties for sexual immoralities and for unnatural crimes were those at that time in force in England. Perjurers were to be fined, "and disenabled either to bear office or to give testimony in a court of record until the colony released them;" or if they could not pay their fines they were to be "imprisoned in the house of correction till these be wrought out, or else set in the pillory in some open place and have their ears nailed thereto." No man was required to swear if his conscience forbade him to give or to take a legal oath. In this case a "solemn profession" would have all the force of an oath, and to falsify this would involve all the penalty of false swearing. An insolvent debtor could not be treated as a criminal, as at a later day he was often treated; it being expressly forbidden that he "be cast into prison, there to languish to no man's advantage." One convicted of drunkenness must pay five shillings "into the hands of the overseer for the use of the poor within one week after his conviction," and in case he refused to pay or was unable to do so, he must be sent to the stocks and there remain for the space of six hours. For a second offense he must forfeit ten shillings to the overseer, as before, and give bonds in the sum of ten pounds to keep sober in future.

The existence of any crime not specified in the code was expressly denied, and any act not therein forbidden was allowed. No other laws were regarded as "conformable to the nature and constitution of the place." The code ends in these words, "These are the laws that concern all men, and these are the penalties for the transgression thereof, which by common consent are ratified and established throughout the whole colony; and otherwise than this what is herein forbidden, all men may walk as their consciences persuade them, every one in the name of his God; and let the saints of the Most High walk in this colony without molestation in the name of Jehovah, their God, forever and forever!"

The capital offenses named in this code are treason, murder, manslaughter, burglary, robbery, witchcraft, rape and crimes against nature.

Some minor changes were made in the first code while the charter of 1643 continued in force. Three years after its adoption, it was enacted that the victim of an unjust and untruthful indictment, who

should be found not guilty in the court having jurisdiction, might recover of the complainant any costs to which he had been subjected, with damages; and a complainant who had sworn falsely might be set in the stocks and fined the sum of twenty shillings. Five years later this act was so amended that upon the rendering of a verdict of not guilty the colony was required to pay the expenses of the defendant, and the complainant became liable to a suit for slander. If such provisions were in force to-day, we may safely say that the volume of criminal business in our courts would be sensibly diminished, and the interests of justice would not seriously suffer.

Adultery which by the code of 1647 had been left to the action of the laws of England, that is of the English Ecclesiastical Courts, was in 1655 made punishable by whipping for the first offense, fifteen stripes inflicted in each of two towns and in successive weeks; for the second offense fifteen stripes inflicted in each of the four towns composing the colony, with a fine of twenty pounds. In framing a penalty for this crime, and for others that will be noted, the law makers of those days seemed to have thought it important that the offender should be degraded as much and as widely as possible, or perhaps they gave less thought to the measure of his degradation than to the deterrent force which they supposed might be exerted upon the onlookers by the spectacle of his sufferings. It has taken a long time for us to learn that nothing is ever gained by the needless disgrace of even a criminal, but rather that loss is incurred by society and the interests of law abiding citizens are brought into greater jeopardy—and we have not yet fully mastered the lesson. The deterrent force of penalty publicly inflicted continues till now to be much over-estimated among otherwise very intelligent people.

“A notorious and accustomed swearer and curser” was in the same year (1655) made liable upon the first complaint to be admonished by the magistrate, and upon the second complaint he might be fined five shillings or be set in the stocks.

Few changes in the criminal legislation of the colony were made from the adoption of the new charter until the public laws were revised and printed in the year 1718. Changes subsequently made as these related to capital punishment are elsewhere indicated. At this time forgery, the altering of records, and other acts of the same nature, were punishable with imprisonment and a heavy fine: no change being made until 1797, when counterfeiting bank bills and coin, and the having such spurious money in one's possession with the intent to pass the same as genuine were placed in the same category with forgery, and penalties were prescribed as follows: Standing in pillory, having both ears cropped, having a cheek branded with the letter C, imprisonment not exceeding six years, and a fine not exceeding \$4,000, all or any of which penalties might be inflicted upon a culprit at the discre-

tion of the court. These penalties continued in force till the year 1838. By the law of 1718, on his first conviction of theft or larceny, the culprit was required to restore to the owner twice the value of the goods stolen, or to pay a fine, or to be whipped, at the discretion of the court. If a second time convicted of this offense, he must restore four times the value of the goods stolen, and pay to the colony a like sum, and be whipped or pay an additional fine. In either case if the thief were found unable to make the required restitution and to pay the fine imposed, he might at the discretion of the court be sold by the sheriff for a term of years, as many years as should be necessary to realize the sum required. In 1797 the penalty for theft was changed to a restoration of the value stolen, and a fine not exceeding \$1,000, or imprisonment not exceeding two years, or a whipping not to exceed fifty stripes; and at the discretion of the court all of these penalties might be imposed upon a single conviction. No change was thereafter made until 1838.

In 1739 the penalty for adultery was made whipping not to exceed thirty-nine stripes, or a fine of ten pounds or both. About twenty years later it was enacted that one found guilty of this offense should in addition to the whipping named be made to sit on the gallows with a rope around his neck. The same penalty was affixed to polygamy. In 1797 a change was made by which the penalty for adultery became a fine of not more than \$200, and imprisonment for not more than six months; at the same time one guilty of polygamy was to be set on the gallows with a rope round his neck for an hour and to pay a fine not exceeding \$1,000, or to be imprisoned at most two years; and so the law rested until 1838.

Perjury and the subornation of perjury were until 1838 punishable with standing four hours in the stocks, or a fine not exceeding \$1,000, or imprisonment not exceeding three years, or cropping, or branding, or all of these inflictions at the discretion of the court.

Between these dates (1787 and 1838) the penalty for fighting a duel or for challenging one to fight a duel, was sitting an hour on the gallows, or imprisonment for a period not exceeding four years, or both. At the same time horse stealing was treated as a distinct offense, to be punished with a fine not greater than \$1,000, imprisonment not to exceed three years and whipping not more than one hundred stripes. During a few years in the later part of this period, the burning of a house or other building under conditions such that the act could not be reckoned arson under the common law, was punishable by a fine of not more than \$5,000, and imprisonment not more than five years; also by standing in the stocks, cropping, and branding.

As late as 1835, corporal punishment in some form was a part of the legal penalty which might be inflicted upon a person convicted of any one of fifteen separate and distinct offenses, namely: Forgery, coun-

terfeiting, having in possession tools for making counterfeit money, having in possession counterfeit money, perjury, inciting to perjury, dueling, challenging to fight a duel, horse stealing, larceny, polygamy, setting fire to a building, and the crimes against nature. For many years, however, there had been a growing sentiment against the whipping post, the cat, the stocks, the pillory, and the branding iron, resulting at last in the abandonment of their use. They were sanctioned, indeed, by the statute, and in many cases they were made imperative; but when discretion could be exercised by the court, fines and imprisonments were generally substituted, and in those cases where no option was given and corporal punishment was required, the execution of this part of the sentence would be deferred till after the next session of the general assembly, which would almost uniformly remit or commute it.

In 1663 arson and rape were taken out of the list of capital crimes, and thereafter the crimes for which the life of the criminal might be forfeited remained unchanged for nearly sixty years. The number of these seems in our day large, but it was small by comparison with that of any sister colony, and very small by comparison with that of the mother country. The omissions are remarkable, no mention being made of atheism, as in Plymouth and Massachusetts Bay colonies; or of blasphemy, idolatry, the rebellion of children against their parents, the cursing or sniting of parents by children sixteen years old or more, or of false witness, as in Plymouth, Massachusetts Bay, Connecticut and New Haven colonies; or of defrauding the public treasury, Unitarianism, sacrilege, or refusing to attend public worship, as in Virginia.

Under the law forbidding high treason only two trials ever occurred in the colony, in each of which the accused was acquitted. The first was the case of Hugh Bewit, commissioner of the town of Providence, against whom complaint was made by Samuel Gorton, an assistant for Warwick, "of treason against the power and authority of the State of England." He was arraigned at a special session of the court of commissioners, and after a trial which continued three days he was declared "not guilty of treason."¹ In 1657 Mr. Roger Williams, then president of the colony, accused Mr. William Harris of treason, the charges being founded on words contained in a book written by Harris. He was required to give bonds for his good behavior in the sum of five hundred pounds; but the case was not pressed to trial.² No man ever was by the authorities of Rhode Island and Providence Plantations made liable to suffer the brutally cruel and revolting penalty of high treason, as this was at that time executed in England.

Quite as worthy of our notice is the fact that no man or woman ever

¹Staples's Annals, 86.

²Staples's Annals, 118.

was arrested and prosecuted in this colony for the crime of witchcraft, though Providence was but a little more than forty miles from Boston at the time of the Salem delusion, when the jails of the Bay Colony were full of accused persons and twenty condemned witches were sent to the gallows, and when the old man, Giles Corey, was pressed to death for refusing to plead to this charge.

Exemption from the full penalty for burglary of children under fourteen years of age and of persons suffering the pangs of hunger evinces a humanity only too rarely manifested by legislators in that day. It may be that this exemption "savors more of humanity than of sound legislative discretion," as was observed by a learned judge of our Supreme Court half a century ago, but there are few at the present day who would think it right to hang for house breaking a child of tender years or an adult person who was starving on the day of his crime. The first instance where the sentence of death was pronounced against a convicted burglar occurred as late as Nov. 16, 1764, more than a century after this law was enacted. The man petitioned for a pardon and secured a reprieve of fourteen months in order that his case might be carried before the king with a recommendation to mercy, but a pardon was refused and he was hung on Easton's Beach in the Town of Newport. Except for military offenses, it is believed that no execution has since taken place in Newport county.

The penalty prescribed for stubborn rebellion on the part of a child and for assault made by a child upon its parent, at the most twelve months in the house of correction and a shorter period of incarceration if the child should sooner satisfy the parent that he was become of a dutiful spirit, is more nearly commensurate with his offense than that he be hanged, as was provided in the laws of other New England colonies. And how much more reasonable it seems that a thief be imprisoned till he make restitution, even though he first be whipped, than that he be hanged by the neck till he is dead, as was done with at least one "persistent thief" at Boston in 1670, and as was so common in England at that time and many years later.

Two forms of crime which became very common in the colony deserve special mention and at some length; these are counterfeiting and piracy.¹

In 1710 when bills of credit were issued it was declared a felony in any way to deface or counterfeit these, the provisions of the act being extended so as to embrace bills of credit of other colonies and to provide for the extradition of counterfeiters. For a long time the courts were much occupied in the trial of counterfeiters. The penalties were severe but the deterrent effect of these penalties was not very great. In 1754 the penalty of death was pronounced against counter-

¹See Arnold's Rhode Island.

feiters. Two years later when Spanish dollars for the first time appeared in circulation, the ingenuity of knaves was at once turned to the imitation of this more reliable sort of currency. In the following year it was made a capital offense to counterfeit any coin or knowingly to put such counterfeit coin into circulation. Two or three years later Samuel Casey, lying in Kings county jail under sentence of death, with several others suffering for the same crime, was liberated by a mob of friends, so disguised that they could not be recognized by those who perhaps had met them daily for years. These all made their escape upon horses provided by their liberators, and although a reward of fifty pounds was offered for the discovery and apprehension of those who perpetrated the outrage, and as much more for the recapture of Casey, no one ever appeared to claim either sum and no one of the criminals was ever retaken.

When lotteries were established by the Continental Congress, the general assembly enacted the penalty of death against any who should counterfeit the tickets issued. In 1782 an act was passed to punish with death whoever should counterfeit the bills of the Bank of North America. This was the first paper money issued in the country and made redeemable in specie on presentation, and it must be protected. One would think these enactments severe enough to deter would-be offenders; but counterfeiting continued to be regarded with no great disfavor by a considerable element of society in this and in neighboring colonies.

No mention of privateering in the colony is found previous to 1653, when the assembly met at Newport, commissioned Captain John Underhill, William Dyre and Edward Hull to proceed against the merchant marine of the Dutch and appointed a court of admiralty, consisting of the general officers and three jurors from each town, for the trial of all prizes that might be taken and brought into court; but a court of commissioners assembled in Providence the next month declared the action taken at Newport illegal, forbade the men to accept the commissions voted them and disfranchised whoever should recognize the validity of these commissions, until such persons should give satisfaction to the towns of Providence and Warwick. We need not suppose that those commissioners scrupled at privateering as a means of injuring an enemy and of getting to themselves riches, but only that they denied the authority of the Newport assembly, and that they regarded its action as rash and ill-considered in view of the colony's extreme weakness. Nevertheless the next spring another commission of reprisal was granted against the Dutch, and without formal remonstrance on the part of any in the colony.

When Governor Peleg Sandford was asked by the British Board of Trade concerning the matter he stated that "Our coast is little frequented, and not at all at this time, with privateers or pirates," seem-

ing to imply that there was but little difference between the privateers and the pirates of that day. Probably this was the correct view. Later a crew of privateers was brought into Newport, some of whom broke jail and laid a plot to murder Governor Sandford; this plot was divulged by one of their number, who, being afraid that the others might kill him, was permitted, at his urgent request, to remain in Newport when they were sent to Virginia for trial. Why they were sent away to be tried does not appear, unless we are permitted, in view of events that followed, to conjecture that the ruling sentiment at Newport was not such as to insure for them a fair trial and a just verdict.

At the close of the year Mr. Sandford declined to serve longer as Governor, and Mr. William Coddington, whose feeling toward such culprits seems to have been less unfriendly than that of Mr. Sandford, was chosen in his stead. In a very few years what had been recognized as allowable between the vessels of nations at war with each other degenerated into actual piracy, and naval freebooters frequently resorted to the New England coasts, where a certain laxity of public sentiment favored their unlawful operations. A privateer commanded by Captain Thomas Paine of Conanicut arrived in Newport, and the authorities, who were his neighbors and personal friends, took no steps toward her seizure. Deputy Collector Thatcher of Boston came to Newport and demanded of Governor Coddington aid in making her a prize, but met with a stubborn refusal. Captain Paine showed clearance papers from Jamaica, which the deputy collector declared a forgery, and again demanded the assistance of the Governor, and was again refused such assistance. He returned to Boston, secured from the Governor of Jamaica a statement that Paine's clearance papers from that island were forged, and sent this paper to Governor Coddington, who once again refused to do anything in the matter. There the case rested for awhile, to become at a later day the occasion of serious trouble to the colony. The attention of the home government being called to it orders were sent to Jamaica and to the New England colonies, directing these to proceed against privateering and piracy, the close kinship of the two being again frankly recognized. These orders were published in Newport by beat of drum, and a corresponding act was passed by the general assembly, making it felony to serve under any foreign prince against a power at peace with England, and making all persons liable as accessories who should give aid or countenance in any way to those who might be adjudged as privateers or pirates. But little could be expected from the action of a law that was enacted under compulsion, and that was at the same time sharply at variance with the well known sentiment and pecuniary interests of those whose duty it was to enforce its provisions. Privateers continued to be fitted out in Rhode Island, and to be manned by Rhode Island sea-

men, whose undisguised purpose was to engage in the same illegal acts. To prevent this it was ordered that no commission be granted unless a bond in the sum of one thousand pounds were given that the powers conferred by the commission should not be exceeded by him to whom it was granted. But it was easy upon the high seas to violate the terms of such a bond, and when this had been done it was easy to escape detection and punishment.

This unlawful business was not without its dangers and its financial losses. The ship *Foy*, Captain John Dennis, carrying eighteen guns and one hundred and eighty men, fitted out by the merchants of Newport to annoy the commerce of Spain, sailed away and was never again heard from (1756). Two large ships fitted out and owned principally by Col. Godfrey Malbone, mounting twenty guns each, one commanded by Captain Brewer and the other by Captain Cranston, sailed from the same port, and it is supposed went down the next day, upwards of four hundred lives being lost and nearly two hundred wives being made widows by the disaster. It is authoritatively stated that nearly every merchant in Newport at one time had funds invested in privateering, and we cannot suppose that these had anything like a monopoly of the business. It is safe to conclude that every town on the Narragansett waters having a port and a shipping interest was involved, when, as in 1759, nearly one-fifth of all the adult male population of the colony was serving on private armed ships,¹ and we shall not go far wrong if we assume that nearly all pirates were first privateersmen.

Privateers clearing for Madagascar and the Red Sea on trading voyages, with roving commissions against the French, became openly pirates when peace was declared. All New England had a part in these enterprises, so did New York and the West Indies. No real effort for their suppression was made until it was ordered by the home government. Then, under pressure, the Rhode Island general assembly passed an act ordering the arrest and trial of any person having in his possession foreign coin or merchandise; such person must satisfactorily explain how he came by these or be regarded as himself a pirate or in collusion with pirates. Immediately in each town proclamation was made calling for the arrest of all suspected persons and warning people not to harbor such or to receive of their goods on pain of being regarded their accomplices and abettors. An address to the king was prepared, in which there was full confession of past remissness and mention made of the recently enacted statute against piracy, and a continuance of the royal favor humbly supplicated. The general assembly was alarmed. With this address Governor Cranston sent a letter to the Board of Trade, in which he stated that two men suspected of piracy had just been arrested and that they would be brought at

¹Arnold's Rhode Island, vol. ii, 217.

once to trial. But all this did not prevent the surveyor-general of customs from charging the rulers of the colony with being in alliance with pirates and with being enriched from the proceeds of piracy, supporting this charge by reference to the fact that the deputy-governor had issued a number of privateers' commissions after these had been refused by Governor Easton. The Board also demanded copies of all privateering papers issued, with a particular account of the trial of two priates, Munday and Cutler, recently before the court. Soon after came an order from the British cabinet to apprehend the notorious Captain Kidd should he appear in Rhode Island waters.

This man Kidd, who was an Englishman by birth, had commanded a privateer during the war with France, being commissioned with the title of admiral to act against pirates wherever found. He sailed from New York for the Red Sea in a government ship of thirty tons and a crew of sixty men, and himself immediately turned pirate. The change was slight. A fleet was sent to the East Indies to take him, but he escaped, came to the American coast and appeared in Rhode Island, where he had many influential friends, with whom he hoped to find a safe refuge. He also had a large number of friends in Massachusetts, and when his affairs became desperate, prominent persons financially interested with him, came to his assistance from New York and from Albany. By stratagem he was lured from his retreat of comparative safety in Rhode Island to Boston, where he was arrested, sent to England, and in the following year gibbeted for his crimes.

The work of extirpating piracy was exceedingly difficult. One Bradish and other pirates equally well known had been permitted to escape from Newport jail not long before. The evidence of connivance on all sides was abundant and a great mass of documents exists supporting the worst charges made against the rulers of the colony by the English officials. Among these documents is an order from the wife of Captain Kidd, who was with her husband in jail at Boston, upon the famous Captain Thomas Paine, before mentioned, for twenty-four ounces of gold, to be used for their sustenance while prisoners. The correspondence of Lord Bellomont is full of the names of Kidd's accomplices, who from time to time resorted to the waters of Rhode Island, and also of the names of well known citizens, who on such occasions harbored them. A sad picture of society in the colony is presented, scarcely better than was to be seen in New York, where Bellomont declared "The people have such an appetite for piracy that they are ready to rebel as often as the government puts the law in execution against it." It was even declared necessary to put the governors of Connecticut and Rhode Island under bonds of three thousand pounds each to enforce the law against piracy. Governor Cranston was denounced for "conniving at pirates and making Rhode Island their sanctuary." Lord Bellomont died and there is no record of any

movement further against this entrenched crime till 1718, when the legislature authorized the governor to equip a force against pirates and ordered that any prizes taken should be given to the captors. It was further ordered that the pirates then in Newport jail should be held till the king should make known whether he would have them tried here or sent to England for trial.

Two piratical sloops sailing in company captured the ship *Amsterdam*, plundered and sunk her. Later they took a Virginia sloop, rifled her of whatever they wanted and let her go. The next day she fell in with the English sloop of war *Greyhound* and told of her capture and release. Four days later the *Greyhound* fell in with the pirates off the coast of Long Island, who at once attacked her, flying black and red flags at their mastheads. In the engagement which followed one of the piratical sloops was captured with her crew of thirty-six men and taken into Newport. There had been a reformation in the popular feeling during the last twenty-five years, or perhaps the necessity of a change of method had become apparent to officials. At any rate there was now no effort at temporizing. The general assembly ordered a military force to guard against a possible jail delivery. An admiralty court was summoned, such as guaranteed that the criminals should not escape justice. Their trial continued two days and resulted in the conviction of twenty-six men, all of whom were sentenced to be hanged (July, 1723). Their execution occurred on Gravelly Point, opposite the town, and their bodies were buried between high and low water mark on the shore of Goat Island.¹ Their names indicate that they were of English extraction, and it is certain that Rhode Island, and perhaps Newport, was represented amongst them. Some fifteen years after four pirates were executed at Newport, and as late as 1760 two other seamen were convicted of piracy and executed on Easton's Beach.

A remarkable case of posthumous punishment occurred in 1706. A slave at Kingstown murdered the wife of his master under circumstances of singular barbarity, and then drowned himself that he might not be taken alive. Two weeks later his body was found on the shore at Little Compton. It was impossible to hang him by the neck till he was dead. He had placed himself beyond the reach of human penalty. Something, however, must be done to deter others from the commission of a like crime. There was no law for it, but necessity is above law. Evidently the general assembly so reasoned when it ordered his head, legs, and arms to be cut off and hung up in some public place near Newport, and that his body be burned to ashes. This sentence was duly executed; but that it accomplished its design would in the light of subsequent events be too much to assert.

¹Bull's Memoirs of R. I.

It is easy to over estimate the deterrent influence of severe penalty. This fact realized by thoughtful persons prompted many to doubt the efficacy of capital punishment and a movement was made at an early day for its abolishment. The number of crimes for which the death penalty was exacted was gradually reduced.

By the code of 1647, as was before noted, the death penalty was affixed to "high treason, petit treason, murder, manslaughter, witchcraft, burglary, robbery, arson, rape, and the crimes against nature." In a revision of the laws made in 1718, arson and rape were omitted from the list of capital crimes. Fifty years later witchcraft was also dropped. After thirty years more arson and rape were again included; while treason and the crimes against nature were taken from the catalogue. From this date till 1838 there was no change in the law, though the execution of the death penalty was less frequent in each new decade; but in that year "imprisonment was substituted for the death penalty for all crimes except murder and arson," the latter being punishable by either imprisonment or death as the court should determine. The last man hanged in the state of Rhode Island was John Gordon, who was executed in 1844 for the murder of Amasa Sprague, a prominent citizen and manufacturer. There was a wide spread conviction, which has since increased in strength, that he had been convicted upon insufficient testimony; and this conviction doubtless stimulated the growing sentiment against capital punishment. The number of executions in the colony and state has never been large as compared with adjoining colonies and states, or in its ratio to the whole population. A very large majority of them were for murder. In the year 1852 capital punishment was abolished and life imprisonment became the extreme penalty for crime in this state. Twenty years later the death penalty was re-enacted for murder committed by one at the time "under sentence of imprisonment for life." There has never yet been a man hanged under this enactment, no life prisoner having been found guilty of murder.

From time immemorial, with the landed aristocracy of England whipping had been a favorite mode of punishment for minor offenses committed by persons belonging to the lower orders in society. By the first settlers it was transplanted to this colony, as it was to each of the other colonies; it was the penalty provided in the code of laws adopted by the first general assembly, as suited to drunkenness and other offenses for which a short term in jail would be now allotted, the alternative being a fine. From the beginning two penalties were enforced for the same offense, a whipping for the very poor man, and a fine for his better conditioned neighbor, to whom a few shillings was not an impossible sum of money. The method of procedure in a case of drunkenness was by affidavits and affirmations presented to the town council. A typical case which occurred in Providence in 1649 may be

of interest. The following are copied unchanged from the original documents: "I, Nathaniel Dickens, doe declare agaynst Robert Williams, for beinge Drunke that day the pinice of Mr. Thockmorton was taken in possession by Benedict Arnold, this last sumer, which eveninge he put the towne to 12 shillings charge in settinge of a needlesse wach; at another time for challengeing a man to fight in his own house." "Mr. Dexter doth affirm yt Mr. Scott beinge also present, hee saw Mr. Robbert Williams reele to and fro like a drunken man, and Daniel Cumstock went to help him, that day the pinice was taken possession of." "John Olderkin affirms yt there was a writtinge in Robert Williams his hand, yt he had the keeping of, and was some way defeated of it, which sett him in a rage, and then he would come at force, and so John Olderkin came with him, and would have had him goe home or to his brothers; and he would not, but would goe aboard agayne; and as he was goinge he tumbled overbord and could hardly bee recovered, and soe John Olderkin went his way, and sent Daniel Cumstock to look to him."¹ Evidently Mr. Robert Williams was what we should call fighting drunk, but being a prominent citizen he paid his fine and escaped the whipping post. Somewhat later, the brothers Joe and Ben Dale, were soundly flogged for getting drunk and fighting.²

In 1655 two "ordinary keepers were appointed in each town," and leave was given to add one more if the town saw fit. These were the only persons authorized to sell strong drinks "either to English or Indian in a less quantity than a gallon;" and they were forbidden to sell "above a quater of a pint of liquor or wine a day" to any Indian. "If an Indian were found drunk, he was to be whipt or laid neck and heels"; but it was ordered that the "ordinary keeper by whose means he is made drunk shall pay twenty shillings for each person's transgression." There being no doubt that an ordinary keeper would have twenty shillings always at his command, no mention is made of whipping in connection with his offence.

There must have been some flagrant breach of decorum during the sessions of the court of commissioners at Portsmouth; for in 1755 it was found necessary to enact "that in case any man shall strike another in yt court, he shall either be fined ten pounds, or whipt according as ye Court shall see meete." Whether the warning proved sufficient or whether an angry individual at a later date so far forgot himself as to call for either infliction is not recorded.³

One Uselton, a graceless blackguard, having been sentenced at the last Court of Trials to leave the Island of Rhode Island for the peace and comfort of its well disposed citizens, and refusing to go he was

¹Town Papers, 1648.

²Town Papers, 1704.

³Arnold's Rhode Island, vol. 1, 257.

brought again before the general assembly in 1761, when his conduct and language became so insulting that he was sentenced to receive at once fifteen lashes well laid on and to be sent away immediately, with the promise that if he was found again in the colony he would be punished again with the same number of lashes.

At one time it was ordered that all intentions of marriage should be posted in some public place for at least fourteen days, by and with the magistrate's consent, and if this order were not complied with it was provided that the contracting parties should be punished by fine, imprisonment or whipping—which of the three being determined by the financial ability of the delinquents and the convenience of the magistrate.

Illegal voting was common from an early day and was punished with a fine or whipping not to exceed twenty-one stripes or imprisonment for the period of one month.¹ That this law was better enforced than the now existing statute against the same offense does not appear.

A young Indian in the town of Portsmouth attempted to kill his master. No law being found to meet the case the general assembly (1727) ordered that the culprit be branded on his forehead with the letter R, a hot iron being used for the purpose, and whipped at the tail of a cart at all the corners in Newport, ten lashes in each place; and that he should then be sold out of the colony to pay the costs of his punishment, and forbidden ever to return.²

The offenses for which whipping was thought a suitable punishment were many and various, from profane swearing to horse stealing. Mary Williams came from Albany to Providence and being at the last named place adjudged a vagrant, by which we need not understand more than that she was a poor and friendless stranger, though she may have been worse, she was sentenced to be "whipped five stripes well laid on her naked back at the public whipping post in the said Providence, on the fourth day of this September at about eight o'clock," and to be sent immediately thereafter out of the state by the most direct road leading toward Albany.

Peter Tollman applied for a divorce from his wife, charging her with adultery. She freely admitted her fault, the petition of her husband was promptly granted and she was arraigned at once before the general assembly to be sentenced for adultery. The penalty passed upon her was that she pay a fine of ten pounds and receive fifteen stripes at Portsmouth on the following Monday, and another fifteen stripes at Newport one week later, and that she remain in prison till the full sentence should be executed. She pleaded for mercy, as well she might; but on being asked whether she would return and live again with her husband who had published

¹Arnold's Rhode Island, vol. ii, 57.

²Arnold's Rhode Island, vol. ii, 93.

her fault and just now divorced her, she refused to do this upon any terms. A whipping, much as she feared it, was preferable to his companionship. She was remanded to jail to await her punishment, but escaped from jail, fled from the colony, was absent two years, returned, still refused to live again with her husband, petitioned the court for mitigation of sentence, and had this reduced to fifteen stripes, the fine being remitted. The stripes were inflicted at Newport in May, 1667.

At one time, in 1772, when horse stealing had become very common, a severe law was enacted for its repression: the estate of the thief was to be confiscated, he was to be three times publicly whipped, receiving each time thirty-nine lashes and to be banished from the colony; in case of his return he was to be hanged by the neck till he was dead. Whipping continued to be the penalty for horse stealing until a comparatively recent date. The last instance of public whipping was for this offense, on the green in front of the court house at Providence, July 14, 1837. It had been for a long time in disuse; and its infliction at this time calling attention to the half-forgotten fact that it was still legal, it was soon after struck from the statute book as a relic of darker days, unworthy longer to have a place in a Christian commonwealth.

The venerable father of the writer, now advanced in age far beyond four score years, tells of a public whipping that he witnessed when a boy, in the village of Washington. The culprit was a negro, a stranger in the community, who being drunk at the time, stole a pair of badly worn woollen stockings which he found on the ground where they had fallen from the clothesline; they were the property of the deputy-sheriff, who arrested him next morning in the barn where he had slept during the night. There was no doubt of the negro's guilt, he having the socks in his possession when arrested. He was promptly sentenced by the village justice to be whipped at the signpost of the public house; and the sentence was immediately executed with evident satisfaction by the deputy-sheriff who had secured the warrant for his arrest, who had arrested and committed him to jail, who had testified against him before the court, whose property the stockings were, and who being the village tavern keeper had sold him the rum which he drank on the day of the theft. We may suppose that the honorable official who thus represented the majesty of the law did not fail to congratulate himself that his legal fees in the case aggregated many times the value of his stolen property—which by the way was restored to him by the court.

Penalty calls for agencies and appliances. By universal consent jails and prisons are necessary. The need of such institutions appeared at the very beginning of our colonial history. The first admission of freemen in the settlement at Portsmouth occurred August 16th, 1638: and at the same time, when no man had been in his place more than a very few weeks, it was ordered by the town meeting that "a pair

of stocks and a whipping post" be immediately constructed. The movement was not too soon, nor was the work complete long before there was a use for it. A few days later eight men were arrested by warrant for "a riot of drunkenness," and being brought before the town meeting, the only court then and there existing, five of these were sentenced to pay fines, and three who presumably had no money were put in the stocks. During the same summer a vote was taken to build forthwith a house "for a prison, containing twelve foote in length, and tenn foote in breadth, and tenn foote studd," and of "sufficient strength." The construction of this building was entrusted to Mr. William Brenton, and was finished during the following winter. Mr. Henry Bull, "near" or "joyned unto" whose dwelling it had been placed, was appointed its keeper. This jail, the first erected in the colony, was located in the southwest part of the Island Aquidneck, which was at about the same time set off from Portsmouth and incorporated as a separate town under the name of Newport.

At a general court held at Warwick some ten years later it was ordered that "each town within this colonie shall provide a prison with a chimneye and necessaries for any offender that shall be committed, within nine months." The towns at that time were but four—Providence, Portsmouth, Newport and Warwick. It was further ordered that in the meantime "the prison at Newport should be the Colonie prison, and Richard Knight shall be the keeper of it." The colonists were very poor, dissensions arose between the northern and the southern towns, and we find that six years later the terms of this order had been so far disregarded that not a new prison had been built or stocks set up anywhere in the colony. This order was now amended so as to require a new prison at Warwick only, with a pair of stocks at Providence and at Portsmouth; but though the matter was much agitated and constantly kept before the people, and even the date at which the work should be completed was fixed, nothing was ever done toward carrying out its provisions. At Newport, however, the old prison was enlarged and reconstructed so as to make it practically a new building.

When yet another ten years had elapsed and matters still remained as they were, at the May session of the general assembly in 1658, the "Court fynding by experience how difficult it will be to procure two prisons according to the former order, as also two cages, and alsoe the great uncertainty and difficulty as will from time to time arise in the using such prisons and cages for want of sufficient keepers, and furthermore taking into consideration the direct and absolute way and course that the town of Newport have lately taken for the present furnishinge the prison in their towne, which prison is already in a forwardness—upon the consideration of the aforesayed, the Court do order and declare that sayd prison house at Newport be accordingly finished as the sayd towne have lately agreed to doo, shall be accounted

to be the prison for the occasions that may arise in any part of the Colony to make use of the same." In other words, when the assembly saw that the people could not be induced to obey its order, and was unable to enforce obedience it annulled the order and made another requiring less, and sent this out hoping that it might receive better treatment. Providence and Portsmouth were excused from building cages, and Warwick from building a prison, and it was permitted the prison at Newport to do service for the whole colony. The general sergeant was appointed to "take care that the prison be not voyd of a sufficient keeper," and the town of Newport alone was required to meet the expense of keeping it in repair. The cost incurred in its reconstruction was apportioned upon the other towns; Providence to pay thirty pounds, Warwick twenty pounds, and Portsmouth ten pounds, in addition to what had been paid already by the latter town.

The office of general sergeant was successively held by Richard Knight, James Rogers, Thomas Fryc, and Edmund Calverly, each in his turn providing a keeper for the prison or keeping it himself; the period of service covered by these four was not less than thirty or thirty-five years. The last named, Calverly, seems to have been a very inefficient officer. His honesty may be questioned; though, when a serious misunderstanding arose between him and the attorney-general, and he was charged with culpable neglect of duty, and the general assembly found him to be deeply in the wrong, he was nevertheless excused on the ground that he had erred "not through wilfulness, but through ignorance," and at another time when he had permitted seven prisoners to escape "by leaving the prison doore open," he was again excused because of his "poverty." Ignorance and poverty would seem a somewhat unsatisfactory reason for holding in his place by annual election for half a generation a keeper who left the prison door open and allowed the prisoners to walk away at their leisure. It is easy to suspect that the general assembly may have acted from some motive other than charity and good will for public functionaries.

The office of the general sergeant was at about this time merged into that of sheriff, and Capt. Thomas Townsend was elected to this position. Whether he was as ignorant and poverty stricken as his predecessor is supposed to have been we are not told; but it appears that before he had been long in his office, either by connivance or by wilfull neglect, he allowed a prisoner under indictment for the crime of piracy to escape. The assembly for some reason less considerate now than when Calverly was prison keeper, sharply censured him, and a little later the matter was made the subject of a special investigation by the royal council.

In the meantime the need of increased prison accommodations had been brought again and again to the attention of the general assembly, and more than once action taken by this body in view of such necessity

had been rendered futile by the studied inactivity of the several towns. In 1663 it was ordered that a cage be built with its inseparable companion, a pair of stocks, at Warwick, but the work was never begun. Some twenty or more years later, the royal commissioners having established a new province in what has been since known as the Narragansett country, ordered a prison to be built and stocks to be set up at Kingstown, then called Rochester; the expense to be met by the proceeds from the sale of thirty unmarked wild horses running at large in the province, which were to be caught and sold under the direction of the justices of the peace, without regard to the property rights of their owners. Daniel Vernon was made marshal of the province and appointed keeper of the prison; but it never was erected and the stocks ordered were never provided.¹ It seems not unlikely that the independent spirited settlers of the Narragansett country objected to having their horses confiscated and incorporated into a jail in the manner proposed.

In 1695 the general assembly, "still sensible of the want of a prison upon the main land," directed that one be built at Providence and at the cost of that town; but as we have so often seen, the authority of the general assembly rested quite lightly upon the several towns of the colony, and it is doubtful if at this time any real effort was made by the citizens of Providence to carry out its wish. Still at a town meeting held in the month of February following it was voted to build a prison ten feet wide and twelve feet long, "near the water's side, next Gideon Crawford's warehouse."² Two months later and before any steps had been taken toward putting this action into effect, the town voted to change the location; and the record says that "whilst the matter was in probagating by the town obstruction was made by Samuel Winsor against the same, thereby raising such a tumult among the people that the moderator was put upon to dissolve the meeting." The matter was now for a time dropped. It is difficult to believe that, if it had been built, a ten by twelve prison would have been sufficient to meet the demands of a community so contentious as Providence was at this period in its history.

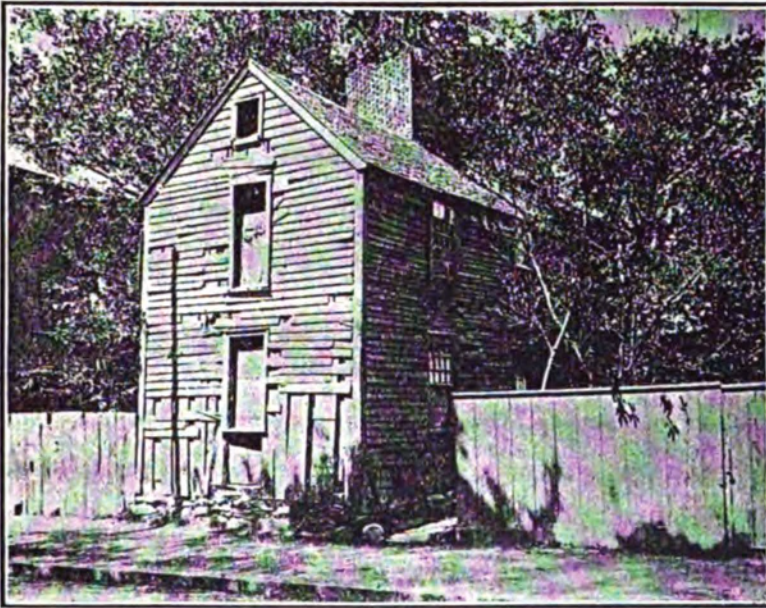
No further movement was made during the next quarter of a century, when in 1698 a tax of thirty pounds was ordered to build a prison in Providence, and a committee was appointed with instructions to see that the order was carried into effect.³ At an early date this committee reported the work finished, at a cost of twenty-one pounds and seventeen shillings, the necessary locks not being included in this sum. The structure thus provided was not at all what was needed, and it had but a brief existence. It was destroyed by fire at some date previous to

¹Potter's Narragansett.

²Staples's Annals, 179.

³Staples's Annals.

the year 1705. For reasons now impossible to learn, the general assembly required Joseph Lapham and John Scott to build another jail as good as that which had been burnt, or failing to do this to forfeit the sum of thirty-three pounds. They preferred to pay the money, thirty pounds of which were immediately appropriated to the work of rebuilding. This jail was located on the west side of Benefit street, nearly opposite the old Grammar School House, and not far from the junction of Benefit and North Main streets. Probably the older jail which it replaced had been located on the same spot. This lot of land was abandoned as a prison lot in 1733 and five years later was sold by the town.



OLD PROVIDENCE JAIL, ERECTED 1705, DEMOLISHED ABOUT 1885.

This building was located on "the prison lot" nearly opposite the Benefit street School House, the rear portion of the house was the part used for the jail. It was abandoned in 1733.

The prison just described was wholly inadequate for colonial purposes. Newport was the chief town in the colony with a population twice as large as that of Providence, and there nearly all public business, criminal and other, was accustomed to be transacted. Newport had a jail whose estimated value was one hundred and fifty pounds, within whose walls domestic offenders with privateersmen and pirates from abroad had been hitherto confined, the latter not always securely confined, as we have seen, and this might be made sufficient for the

purposes of a colonial prison. Accordingly it was voted by the general assembly at its May session in 1702 that the "Governor and Council, or any four of these, shall have power to cause to be erected in the town of Newport a good and sufficient jail, and cause the same to be fully completed and finished as in their wisdom shall seem meet"; and instead of laying the expense upon the town treasury as had been in so many instances fruitlessly attempted when it was desired to build prisons, or of resorting to the absurd expedient of catching wild horses as the royal commissioners wished to do at Kingstown, the Governor and council were directed "to take and receive from the general treasury of the Colony so much as should be sufficient to finish and complete said jail." Afterwards the sum of one hundred and fifty pounds was appropriated for the purpose. At a later date the work done with this money is spoken of as repairs made to the jail; from which we may infer that upon consideration it seemed wiser to improve the old than to build a new structure. Evidently all that was done was less than the needs of the case. Probably the required funds were not to be had easily. We know that at that time money for any public enterprise was not easily secured. So the work dragged along from year to year, only so much being done at any one time as could be no longer deferred, and the jail continue in use even as a very inadequate and unsatisfactory place of confinement for the criminals of every class who must be held within its walls.

At last the sheriff protested to the general assembly against its condition, and the matter was referred to Deputy-Governor Sheffield, with power to decide what should be done. The following year when the subject was again called up the jail was reported to be in a ruinous condition and daily growing worse; there was no such thing as holding secure any person committed to its keeping, "the which might prove to the unspeakable loss of creditors," and surely would "greatly encourage malefactors." We should remember that a jail in those days was quite as much for the imprisonment of poor debtors as for the restraint of law breakers; and the escape of the former was regarded as a public calamity at least equal to the escape of the latter. Between an unfortunate who could not pay and a knave who would steal, but little difference was made. It was therefore ordered that Lieut.-Col. John Wanton and Mr. John Odlin be a committee "to repair, rebuild, augment and enlarge the house and jail aforesaid, so as to make it substantial and firm, and fit for the use intended." This order was understood to include the repairing of the keeper's house, which had become so dilapidated as to be "not tenantable." The committee was also "to build or cause to be built a good and sufficient yard, adjoining and contiguous" to the jail. The cost was again to be paid out of the general treasury. The necessary funds were obtainable, as an act was passed this year to issue bills of credit

to the amount of £30,000; paper money being easy to print and as valuable as any other money so long as it was received at its face value in exchange for merchandise and labor. Two years later the committee presented its account to the general assembly when the cost of all that had been done was found to be £426 19s. 5d. The members of the committee were allowed £3 each for their services. It appears that the addition to the jail yard ordered was not made at this time, as it was not until eleven years later that the sum of £20 was appropriated to pay for the same. The metropolis of the colony now had a jail commensurate with her importance; and though it was permitted each town on the mainland so disposed to build a house of correction and even a small jail within its boundaries, the statute expressly forbade the keeping of offenders who might be waiting trial in these places "longer than till they could be conveniently transported to Newport jail."

When the colony was divided into counties in 1729, each must have its own county seat, with a court house and a jail. It was ordered that in Kings county, these "be set upon the hill, near Robert Case's dwelling house in South Kingstown." The hill thus described has been known for many years as Tower Hill. They were miserably built, at the best scarcely fit for use, besides being most inconveniently located, and a constant tax upon the public funds. The people of South Kingstown and prominent citizens in different parts of the county at length decided that new buildings were imperatively needed. Three gentlemen, wealthy landholders, Messrs. Elisha Reynolds, William Potter, and Latham Clark, proposed to give all the land that should be required and to erect the necessary buildings at their own expense, provided only that the location should be changed to Little Rest Hill. This was some miles nearer the middle of the county than the old site, and in every way more convenient to reach for a large majority of the people. Such a generous offer could not be rejected, though the protest was vigorous and emphatic from dwellers in the vicinity of Tower Hill. The gentlemen named gave a bond in the sum of £20,000 for the faithful performance of the conditions which they had themselves proposed; and before the year ended the court house and jail were completed and ready for use, in the place agreed upon. This was not the jail from which a number of prisoners escaped forty years later by the help of masked friends, and fleet-footed Narragansett horses on which they rode away to safety.¹ When it had been used twenty-five years complaint began to be made that it was sadly out of repair. This complaint was repeated annually till the Revolution being an accomplished fact, and Kings county hav-

¹But it is a curious and unexplained coincidence that one of these fugitives bore the name of Elisha Reynolds, the rich and public-spirited landholder, who contributed to build the first jail on Little Rest Hill.

ing become Washington county, it was declared that nothing less than a new jail would suffice to meet the needs of the case. Complaint was also made against the lot on which the jail stood. However, nearly ten years passed, with nothing of importance in the way of repairs and no steps taken toward new buildings, when a committee was raised by the general assembly to secure a lot of land more eligibly situated than the one heretofore occupied, but like this located on Little Rest Hill, and to prepare plans with estimates of the probable cost of the required buildings. This committee reported without unnecessary delay that a contract had been entered into for a suitable piece of ground on the south side of the road; at the same time plans were submitted for a structure forty feet long, thirty-two feet wide, and two stories high. This report with accompanying plans was promptly adopted and the sum of £2,100 in bills of credit was appropriated to carry the action taken into effect. The work occupied two full years, and cost £694 7s. 5d.; the expense for superintendence was £90 additional.

In the meantime a court house and jail had been built in the city of Providence, at a cost of £664 9s. The jail must have been a very poor affair; for only four years later, January, 1733, a new jail was required, and it was decided that the old one with the land on which it stood should be sold and the proceeds applied to the cost of the new structure. The hope was expressed that some public-spirited person would give a lot on which it might be built. In any case a new jail was to be erected "in some suitable and convenient place in Providence, of the same bigness as that in Kings county." The matter was entrusted to Mr. Daniel Abbott, the sheriff of the county, with two other gentlemen, who purchased land on the north side of a road leading to the ferry at what was known as Narrow Passage, long after known as Jail Lane, and now for many years called Meeting street,¹ near the northwest corner of Benefit street. The building here erected, like its predecessor, proved but a temporary structure; but the Spanish War, the French War, the invasion of Canada, and other public matters at a distance so engrossed attention that nothing further was attempted for twenty years. By this time the volume of paper money had enormously increased. It was an era of fictitious prosperity. Everybody thought the colony rich, and the general assembly, willing to encourage such a delusion, was at last prepared to act vigorously in the matter of a new jail. Appropriations were made amounting to £2,000. The old jail and jail lot were sold. The new jail was built on land given by the proprietors of Providence and located on the borders of the Cove, partly over the water, where Canal street now is.

Bristol county, composed of territory hitherto within the bounds of

¹Staples's Annals, 180.

Massachusetts, was incorporated in 1747, with the town of Bristol for its shire town. A court house and jail were at once provided; and in 1793 a second jail was built at an expense of about one hundred and ten pounds.

In 1750 Kent county was incorporated, being composed of the towns of East Greenwich, West Greenwich, Warwick, and Coventry, which were taken from Providence county, and having East Greenwich as its shire town. The citizens of the new county were required to provide themselves with the necessary county buildings. Having agreed to this condition and when the buildings were nearly complete, upon their petition the general assembly voted them a grant for a lottery, the proceeds of which were to be used in finishing and furnishing the court house and jail. In 1779 and again fifteen years later extensive repairs were made.

After the War of Independence, and when the state government had been fully established, the need of a state prison was apparent. Up to the date of the occupation of Newport by British forces the jail in that town had continued to be used as a colony prison; and when a change became necessary the jail in Providence was turned to the same use. We have seen how unsuited it was from the beginning to its purpose; yet it was not until far into the last decade of the century that a movement was started to improve its condition. A committee of three was appointed, and instructed to become acquainted with the needs of the case and to consider whether thirty pounds might not be sufficient to cover all necessary expense. This committee reported that the building was not worth repairing, and recommended that the lot on which it stood, which for the most part was under water twice every twenty-four hours, be filled as far out as the channel, and that on this a new jail be built. The thought of the committee was to combine a state prison with the Providence county jail, and to administer the two with a single corps of officers, so that both state and county prisoners might be able by their labor to contribute at least a portion of the cost of their maintenance. This project gained for itself so much favor and support that the general assembly in June, 1794, was induced to appoint a committee with instructions to erect a building fifty-three feet long by forty-two feet wide and three stories high. The sum of two thousand pounds was voted for the purpose, and directions given to proceed at once with the work.

But opposition to the plan adopted at once appeared. The feeling against it was strong, and was not confined to any small number of persons. It was active and stubborn. The proposed connection between county jail and state prison was by many regarded as inexpedient. These urged that each of the institutions named should be independent of the other and under a separate management. On the other hand it was urged that a separate state prison would involve very

great expense, much greater than the few criminals of the grade for which it was designed would warrant. It was further claimed that the plans offered were not fully matured; and without doubt these were open to well-founded criticism. Nothing was done at this time, and in January, 1795, all action that had been taken by the general assembly in the matter was revoked. The appropriation was not, however, annulled; and a committee was appointed to build upon such a plan as might be agreed upon by the representatives from the town of Providence. An additional appropriation of two hundred pounds was made in the following June; and now the whole matter was again permitted to rest for a period of nearly two years. A policy of obstruction and delay was pursued by those who would have nothing done that would involve an expenditure of the public funds. In a matter of so great importance it was well that hasty action should be avoided; but no sufficient reason appears for such delay and inactivity as attended every effort to improve the penal institutions of the state.

A disposition to advance once more manifested itself when the general assembly ordered in October, 1796, a committee of five of its members to prepare a plan for a jail in Providence, "together with a plan for the confinement of criminals to labor, to be connected therewith, and also a plan of discipline." Seven months later these reported a plan for a building to cost \$12,000, incorporating into their report the rules and regulations which had been adopted at the Walnut street jail in Philadelphia. An utter failure to grasp the subject intrusted to them appears in the appropriation asked for by this committee. No well-informed person could think it sufficient for such a structure as was contemplated by the system proposed. It was next ordered that the jail lot be filled and made ready for the foundations; this work to be done under the direction of three gentlemen who some years earlier had been constituted a committee with power to build according to a plan which since that time had been permitted to drop out of sight. The jail lot was filled and another period of inactivity followed. It was then ordered that foundations be laid, and \$1,000 was appropriated to meet the expense. Something had been done; but the same adverse influences that had hitherto frustrated each advance movement were still powerful enough to prevent the erection of a state prison. The foundations were in place, but that institution which the general assembly had so many times approved could not be builded upon them.

The general assembly in 1798 voted that "a County Prison should be built in Providence on the foundations laid for the erection of a State Prison and Penitentiary House," with "such alterations in the prison and apartments from those contained in the plan for building a State Prison and Penitentiary House, reported to the Assembly in June, 1797, as are necessary, in consequence of the rejection of that part of said plan which related to the state prison." Arrangements were

made to receive proposals for building. The old plans were still in the hands of the architect who had prepared them, and when a portion of them was rejected, he declined to permit the use of any other portion. A contractor now presented plans agreeable to himself at least, and was authorized to build a brick structure in harmony with their requirements. From time to time during the year various sums were appropriated aggregating \$7,700. A committee was now raised to inspect the work and to settle with the contractors, by whom it was agreed that when some slight changes had been made they would accept and declare the building finished. The contractors still had a claim of \$1,200 which the assembly allowed; later on they were paid an additional sum of \$226. A Mr. Smith of the building committee, for services rendered as superintendent, received \$200. The whole cost of the building was a little more than \$9,000.

As might have been expected, in view of the circumstances under which it was erected it was never satisfactory and it was always in need of repairs. An appropriation was for thirty years annually made to keep it in condition to be used. Largely the money thus voted was poorly expended. It steadily grew less and less suited to the purpose for which it was designed. Every sort of abuse and irregularity existed in its administration. Illicit communications between prisoners and the outside world were easy. Traffic in forbidden articles was carried on with little effort at concealment. It became a horrible place and was for years "a disgrace to the state and a nuisance to the town." Meanwhile the project for a state prison was not dealt; it only slumbered.

Since the beginning of the century the subject of prison discipline had attracted a good deal of public attention. Some dared to hope that even an incarcerated lawbreaker might be reformed and made a law-abiding citizen; but it was declared that in order to do this there must be a reformation in the character of the jails and prisons in which offenders were confined. Everywhere these were in wretched condition. It does not appear that the jail in Providence with all its horrors was worse than many others. Generally the buildings were comfortless and insecure. Scarcely any attention was paid to sanitary conditions. Numbers were crowded into a single cell. A short period of confinement was usually enough to undermine the strongest physical constitution; the time was spent in idleness. Jails and prisons were schools of vice and crime. If their design had been to make each prisoner at the expiration of his sentence worse than he was at its beginning, this result could not have been made surer than it was. But reform was in the air. Men of broad minds and generous impulses were determined to

¹Staples's Annals, 181.

find a better way. What should be the object of imprisonment was a question carefully considered. Soon it was discovered that this must be something more than to punish crime. The welfare of the wrong-doer must not be forgotten. That he had rights which society was bound to respect must be recognized, and of these rights he must not be deprived. Several things must be provided for, safe keeping, moderate expense, the restraint of crime, maintenance of health, the moral and intellectual improvement of criminals, and that these be occupied with some useful employment. Some believed that such ends would be best served by completely isolating the prisoner from his fellow prisoners, confining him in a cell by himself, where he should work and live, eat and sleep, never seeing a fellow prisoner, rarely if ever having a visitor, known to his keeper by number only, the number of his committal or of the cell which was his living grave. This plan may now be studied in the Eastern Penitentiary at Philadelphia, where it still exists somewhat modified, but with all its merits and all its defects plainly discernible. Another plan preferred by others, and first successfully administered at Auburn Prison in the State of New York, has since been so generally introduced that it may be regarded as the American System. Its salient features are a separate cell for each convict at night, congregate workshops by day, silence except at certain designated brief periods, the privilege of conversing with the inspectors and prison officers, and also with visitors in the presence of an officer, religious exercises in a chapel constructed for the purpose, and in a few cases eating together in a mess room. When the subject of a state prison next came before the general assembly of Rhode Island, these two systems were being carefully weighed against each other by many intelligent and thoughtful persons in public and private life.

A committee was appointed in 1825 to examine the Providence county jail, and to learn how this could be disposed of to the best advantage and a new one built. This committee was given power to report plans and estimates. The opposition was still alert, and immediately took alarm. The subject must, however, receive attention. As in former cases a policy of obstruction and delay was immediately inaugurated. Another committee was raised and instructed to report on state prisons in different states. Very naturally the gentlemen composing this committee desired authority to visit the other prisons and to make themselves acquainted with the matters concerning which they were ordered to report; but this would involve an expense to meet which no provision was made. Eight months later another committee was directed to visit the prison at Auburn, New York, and other prisons as the committee should think proper. Perhaps it was not expected that any work would be done; at any rate there is no evidence that visits were made or a report rendered. The result achieved was that intended by the opposition. Nothing was done.

Two years later, in 1827, the general assembly was again compelled to give the matter consideration; a committee was appointed to examine the jail and the lot on which the jail was located. A prompt report was made that a new jail was urgently needed, with a recommendation that four or five acres of land be purchased at Great Point on the north side of the Cove in Providence, on which it should be placed. This committee was continued and one added to its number. No action was taken on its report, however; and again the subject was permitted to lapse into a state of suspended animation. It was clear that nothing would be done by the general assembly till there should be brought to bear upon that body a pressure which it could not well resist; and it was resolved by the people that the general assembly should feel such a pressure. A petition was circulated for signatures, and presented, numerously signed, to the general assembly, asking that a state prison be at once built. The necessity of taking the matter seriously in hand and arriving at some definite conclusion was now manifest. Such a petition must have respectful treatment. A committee made up of men among the most prominent in state affairs was instructed to consider the subject and to report the best form of reply to the petitioners. It was the judgment of these gentlemen that the question "shall a State Prison be built, to be paid for by a tax on the ratable polls and estates," be referred to the freemen of the state and decided by their vote. This report was adopted and a day was fixed for voting upon the question. The result was that 4,433 votes were cast in favor of building and only 502 against building. The will of the taxpayers was not to be mistaken. Their wish thus expressed must be granted. It had come in the way of a demand and at last something would be done. Really the legislature acted only when forced to do so.

At the June session in 1834 a representative committee was raised with instructions to select a site, to make an estimate of the cost, and to secure all information that might be necessary preliminary to entering upon a work whose prosecution was now actually contemplated. Without unnecessary delay this committee reported that Great Point seemed the most eligible site of all that had been suggested. Their view was accepted and it was decided to purchase as much land as might be required, at a cost of not more than five hundred dollars; only two hundred dollars, however, were expended under this order. A committee was now appointed to receive proposals for the erection of the building. Commissioners were chosen and directed to begin operations at once on the Philadelphia plan of separate and solitary confinement. It was found that the committee had not purchased enough land and two acres more were secured. The contract already made was now set aside, serious mistakes being discovered in its estimates. A new agreement was entered into with responsible parties, and a practical builder was engaged to superintend the work. For some

reason the recently appointed commission was now discharged and another differently constituted was appointed. The superintendent was allowed the sum of three dollars per day as compensation for his services, and was required to be at all times upon the grounds when work was going on. Some member of the commission was selected who should be on the grounds at least one day in each week, and who was to be paid a reasonable sum for such service. After nearly three years of preparation, the work began to be prosecuted with considerable vigor, but the opposition was not yet dead. Great dissatisfaction was by some expressed with the place selected for the prison; these would have a location further from the water and on higher ground, and they did not fail to make themselves heard in the general assembly. At their instance a committee was raised to consider the advisability of going on with the work begun, and with power to convert what had already been done into a county jail, or to stop at once all operations then in progress, if they should think proper so to do. The result of this action must have been a bitter disappointment to those whose purpose it was intended to serve; for the decision of the committee was that the enterprise should go forward to its completion at the place chosen and upon the plan thus far pursued. In due time the prison was finished, and on November 16th, 1838, the first convicts, four in number, were committed to it for restraint and punishment.

The plan included a keeper's house forty-eight feet square two stories in height, and facing the water. Adjoining the keeper's house on the north was a small building which connected it with the prison proper. This was ninety-three feet long, forty-eight feet wide, and two stories high. Extending through its entire length was a corridor ten and one-half feet wide, with cells on either side, forty in number, arranged in two tiers, twenty cells in each tier. In the lower tier each cell was eight feet wide, fifteen feet long, and nine feet high; while those in the upper tier were three feet shorter and reached to the roof. A little light, enough to reveal the gloom, was admitted into each cell from the corridor through two small pieces of window glass, each five inches in width by fourteen inches in length, and placed at the top of the solid door. A feeble attempt at ventilation was made through a very narrow opening into the corridor at the bottom of the door; no provision whatever being made for a circulation of air. There were no adequate means of heating the building, whose granite walls, bare and grey, were without lining of any sort; so that when the temperature was low on the outside frost gathered thick on the inside, and could be scraped from the wall in handfuls. When the convict had escaped suffocation in the summer it is difficult to understand why he did not freeze to death in the winter. It will be remembered that in one of the cells described a prisoner would, according to the system adopted, remain day and night, eating,

sleeping, working; never passing its door into the corridor, never seeing the face of man save that of his keeper and his instructor, required to maintain utter silence, except when it might become absolutely necessary to address keeper, instructor, or physician, and then commanded to use as few words as possible; never hearing his name spoken, known even to his keeper by his number only, his personality wholly lost and almost forgotten, dead to the world and to all its conditions, hid in a living tomb; and this without respite or interval or change of any sort, during all the period of his incarceration. It was a prolonged and horrible torture. And this was that separate system of prison management and discipline so much praised and so enthusiastically introduced here and in other states at a date not yet seventy-five years in the past.

We wonder that such a scheme could meet the approval of intelligent and representative men in a civilized and christian community toward the middle of the nineteenth century. But the general assembly and their commissioners were misled by the teachings of unpractical theorists in penology; influenced by whom they accepted without challenge glowing accounts of a success which was said to attend its working in Philadelphia, and they built a structure of huge, rough blocks of granite, clamped together with iron rods, the only conceivable merit of which was that it seemed so nearly "impregnable from within,"¹ and which soon showed itself in every respect unfitted for its purpose, remaining thereafter for thirty-five years or more a monument of shame and disgrace to the state. The cost of these buildings was about \$51,500, or in the neighborhood of \$1,300 per cell.

Before the state prison was finished the general assembly had decided to connect with it and adjoining the keeper's house on the east a new jail for Providence county. This was built and ready for use within a year from the date on which the order was passed for its construction. The cost was not quite eight thousand dollars. It was a much smaller building, more compact than the state prison, and upon a different plan, being sixty-five feet long, twenty-seven feet wide, two stories high, and containing eighteen cells, each cell nine feet long by seven feet wide, with four larger rooms designed for persons who should be committed for debt. These cells and rooms were arranged in a single block in the middle of the building, with corridors between them and the outside walls. Water was supplied to both prison and jail from a tank in the upper part of a small building behind the keeper's house; what was the source of supply and how the water was brought to this tank does not appear. Artificial heat was conveyed by means of hot water pipes running through the corridors and cells; the same method was employed to heat the prison, and in either case it was

¹Staples's Annals, 188.

insufficient for the purpose. In the materials of which it was constructed and in the plan of its construction this jail proved as unfit as the prison for the occupancy of human beings. When it had been used but four years, Judge Staples of the Supreme Court declared that it had already "gained for itself anything but an enviable reputation."

To the subject of management and supervision much thought was devoted. There was an act of the legislature providing for the annual election of seven Inspectors in whose hands should be placed the control and oversight of all officers and prisoners, with power to appoint a warden, his several subordinates, and a prison physician. The salaries of these officials were to be determined by the general assembly. The style and the material of the prison garb was left to the discretion of the Inspectors. These were also to arrange for the employment of the prisoners, and to let out their labor on contract as should seem most likely to yield a profit to the state. At this time few doubted that the state prison would be self-supporting, if it were not even a source of revenue to the state. The inspectors would serve without compensation. The first Board of Inspectors consisted of Messrs. Samuel W. King, William R. Staples, William S. Potter, Christopher Rhodes and Henry S. Mumford; of these Mr. King was made chairman and Mr. Potter clerk. They were broad-minded men, experienced in the management of affairs and well qualified to administer successfully the charge committed to them, if this had been possible.

Thomas Cleveland, M. D., was made Warden. He was a man of education and ability, well informed in all matters pertaining to his profession as a physician, actuated by exalted motives, and an enthusiastic believer in the separate system of prison management. Perhaps it would have been impossible to find a man better adapted to his position, but the position was an impossible one. Isaac Hartshorn, M. D., an experienced and successful practitioner of medicine in the city of Providence was appointed Prison Physician. The Warden of the State Prison was made Keeper of the Providence County Jail also, an arrangement that has continued until the present day.

In the first report, and again in the second report of the Board of Inspectors, this separate system is highly commended, and a very favorable opinion is expressed "of the effect of the discipline and regimen of the State Prison upon the convicts;" any question that a doubter might have raised being answered with a declaration that "experience shows it to be beneficial rather than injurious." The cells are described as "commodious, well ventilated, and cleanly," and the prisoners as "anxious for employment, so anxious that to be idle would be reckoned a hardship." It is said of them that "their docility and contentment are remarkable. They have sufficient food, which is simple and healthful; they are treated with all proper kindness; they are instruct-

ed in the value of good conduct and good principles. Perhaps no condition can be imagined in which they could be placed, all circumstances considered, more advantageously for society and for themselves." Doubtless all this was believed by the inspectors; they were sure that all of it ought to be true; unhappily it was scarcely any of it true. The inspectors were so strongly prejudiced in favor of the system which had been adopted, and so confident of finding in its workings only desirable results, that they were blind to the facts of the case. Perhaps too the new order assumed imaginary excellences because of the strong contrast that appeared between it and the state of affairs in the jail. Still it is not easy to see how men whose one office in the matter was to see the things that were and to report the actual state of affairs, could express themselves as they did in their first two reports. At the same time the prison physician reported that the prisoners "complain of a want of sufficient ventilation." He also describes at length a case of serious illness which he ascribed to the foulness of the atmosphere that the patient was compelled to breathe in his cell.

In his second report (1840) the Warden said of the jail that "persons charged and convicted of various crimes have been committed to said jail, comprising all ages, sexes, colors, and conditions, except the moral and the good, comprising sufficient talent and experience, however, to make it a school of the highest order, for qualifying all who may be admitted thereto, to be adepts in every form of vice." He further said of the jail that its walls being "free of access to any one, the inmates are constantly supplied with saws, knives, files, keys, lamps, matches, and the like; and the man who to-day is thoroughly searched, and deprived of everything of the kind, to-morrow finds his cell converted into a well furnished shop." He also mentions as a source of deep degradation "the free and constant communication kept up day and night between males and females therein confined." This evil he declares to be unavoidable under the plan of construction followed in the building of the jail.

In the third report of the Board of Inspectors (1841) a decided change of tone appears. Light had shown into the dark places, revealing that which wrought in them a violent revulsion of feeling. Unqualified disapprobation is now expressed for the things which twelve months since were so highly commended. The inspectors now declare that "the labor in the prison is not a source of profit to the state," that "many of the prisoners are inclined to be idle," that "the cases in which the taking away of labor would be considered a hardship are very rare," that the removal of furniture from the cells and the deprivation of food, the only forms of punishment permitted under the law, were inadequate to secure obedience to the prison rules, that in some cases hunger had been stub-

bornly endured till great weakness had resulted, and recommending that the infliction of corporal punishment be legally authorized; suggesting that "the experiment of solitary confinement has not since the prison was built proved perfectly satisfactory," and that "they fear the effect is to injure strong minds, and to produce imbecility in those that are weak." They declare that it had been impossible using the utmost vigilance to prevent communication between convicts and with friends outside the prison. They also speak of a "well arranged plan of insurrection," which had it not been detected might have been carried into effect. So their third report contradicts the first two in all important particulars; but the Inspectors had now some experience in their office, and being no longer mere theorists, were able to see for themselves what was before unseen. Their enthusiastic endorsement of the solitary system they now admitted to have been premature.

The effect of this report was the appointment of a special committee of the general assembly to examine the prison and jail, with orders to enquire whether there were not abuses calling for legislative action, and to consider whether the expense of supporting these institutions might not be in some way reduced.

Reports presented by the Inspectors in the two years next following were equally unfavorable to the separate system. Six of the thirty-seven convicts in the prison had become hopelessly insane, and several others were mentally unbalanced as the direct result of the conditions of their confinement. There was ground for alarm. The case was urgent and called for immediate action. As a relief from the strain of solitude and silence, it was ordered that the prisoners be permitted to work together in the corridors; but the insufficiency of this concession was soon manifest. A common workshop was now determined upon, to be fifty-four feet long and ten feet high and forty-two feet wide, without windows, being lighted from the top only. To light a prison workshop by windows through which a convict might look into the prison enclosure and see the sunshine, and perhaps himself be seen by some one living in the world, was more than could be permitted. The cost of this workshop was \$2,397. When this had been in use but a single year the warden reported that the health, general appearance and conduct of the prisoners, arising doubtless from the change from solitary confinement to congregated labor, "has been very apparent, reducing the loss of time occasioned by sickness at least three-fourths."

The separate system was fast breaking down under its own weight. It received a finishing stroke in 1844 when Warden Cleveland reported at considerable length and with great vigor "the injurious and alarming effects of solitary confinement upon those who are subjects of it." Dr. Julius of Berlin, a widely known advocate of the separate system,

had charged its failure in Rhode Island to the "mismanagement of those charged with the duty of carrying it into effect." Against this unfounded charge Mr. Cleveland successfully defended the prison authorities, discussing the whole subject with much ability, showing that the causes of failure were inherent in the system, and making plain that it was impossible for one who had studied and observed its practical workings "to hesitate in condemning the penal system of solitary confinement." After five years of fair trial given it in an institution designed and constructed with special reference to its methods, under the management and direction of those who had honestly advocated and secured its introduction as the best scheme of prison administration at the time before the world, it became necessary to abandon it in the interest of humanity and for the well being of society at large.

The Inspectors now reminded the General Assembly that reduced current expenses should not be the first end sought in the administration of prisons and jails. "These," they said, "were to be maintained as places for the confinement of criminals, where under wholesome restraint proper efforts may be made to give them habits of industry, and to those who are to return to society correct ideas of their duties to their fellow men." For the furtherance of these ends a set of rules was framed, which would in our time seem stringent enough to meet any conceivable case, but which in truth were much milder than had hitherto been in force. It was required of each man that he should wake at sunrise each day the year round, begin work fifteen minutes later, and continue work till a half hour before sunset, one hour and a half being allowed him for his meals and for reading. Previous to the adoption of these rules but an hour had been allowed him, thirty minutes at a time for these purposes. Between September 20th and March 20th, when the hours of daylight were few, work was required to continue till 8 o'clock in the evening; and no lights were allowed in the cells except when work was being done. Food was to be furnished twice a day, of such description and in such quantities as the Inspectors and Warden might prescribe. The bill of fare thus provided might be interesting reading, but the writer has been unable to find a copy. No reason appears why we should fancy it to have been a long and varied one. Nine different acts are named as violations of discipline, for which the man was to be deprived of all food and drink for periods of twenty-four hours or longer. It would seem that nothing more than an adequate measure of starvation could be needed to subdue the rebellious spirit of the most refractory prisoner. Some privileges were accorded by these rules: Convicts in good health might enjoy the luxury of a warm bath as frequently as once in three months; and the friends of a convict, "in case of dangerous sickness, might visit and converse with him, having first secured the permission in writing of at least four Inspectors." Such rules have a cruel sound; but they really were in

the line of prison reform and doubtless some good persons reading them remarked that they were less severe than the deserts of those for whom they were made. The danger of making crime easy by treating too well the law breaker was then very keenly felt. Some still question the safety of regarding him as a human being.

It was during this period in the history of the Rhode Island state prison that Thomas W. Dorr was tried, convicted, and sentenced to life imprisonment for treason, the first and it is to be devoutly hoped the last political offender to be incarcerated within the boundaries of the land of Roger Williams. Rules even more stringent than those just noted were in his case enforced and with unwonted rigor. Extraordinary care was exercised to prevent any communication with his parents and counsel. This singular severity was relaxed only during the last few weeks of his confinement, when it was evident that he would be in a little time released. At the end of a year he was discharged by an act of the legislature granting a complete amnesty to all who had been engaged in "the rebellion," as his movement was termed by its opponents; an act which provided that all such persons then in custody should be at once released, and that no person should ever in the future be prosecuted for treason against the state. During the greater part of his imprisonment Mr. Dorr occupied cell number seventeen, which till the prison was abandoned continued to be an object of curiosity and interest to all visitors to whom it was pointed out. Although he was confined but twelve months the hardships which he experienced in that comparatively short period of time were sufficient to wreck a splendid physical constitution, and after a few years passed in broken health he died prematurely in the home of his childhood at Providence.¹

The prison had not proved "impregnable from within," as at the first it was thought to be. At different times several convicts had found their way to liberty. In a single year there were three escapes. One by one its many defects became obvious. It was at last so crowded that of necessity two men were placed in one cell, a most vicious arrangement, as every person at all familiar with prison life will testify. The time arrived when on all hands it was seen and admitted that whatever of usefulness there may have been in such a structure at the first, there was now every reason why it should cease to curse men with its death-breeding conditions. A new state prison was an immediate necessity. This was built in 1852, as a wing at the west of the keeper's house. It contained eighty-eight cells, each seven and one-half feet long by four feet wide, and seven feet in height. These were situated in the middle of the building, with corridors on either side between them and the outside walls. The cost was a little more than \$18,000, or about \$200 per cell, being much less than was usually spent on prisons built according to the same general plan.

¹Report of Inspectors 1876.

Until this time the prisoners had been employed in the manufacture of goods on state account. This plan was now abandoned, and their labor was let out on contract, at the rate of twenty-five cents per day for each man for the first year, thirty cents per day for the second year and thirty-five cents per day for the third year.

A grant of \$200 was voted by the general assembly to found a prison library, and the Warden was authorized to admit visitors to the prison at his discretion, collecting from each a small fee which was to be used for the purchase of additional books. The prisoners were given access to this library, subject only to such regulations and restrictions as were made necessary by the circumstances of the case. A lamp was placed in each cell, and an opportunity afforded for intellectual improvement out of work hours, of which not a few gladly availed themselves.

It was an era of rapid and wise progress. There was an intelligent purpose on the part of controlling minds "to render the Rhode Island state prison not only a place of confinement and needful labor, but especially a school of reformation." Something was now done to make the prison surroundings less repulsive than they had been from the beginning. An unsightly sand hill just outside the wall was transformed by the well directed labor of jail convicts into a smiling garden. The wall itself was soon covered with vines. A variety of fruit trees were planted. The diet of the prisoners was greatly improved in variety and in wholesomeness by the addition of fruits and vegetables thus produced, with little or no additional expense to the state. Important improvements and additions were made to the industrial equipment. A boiler and engine house was erected. A force pump and much-needed drains or sewers were put in place. The wall was extended and the prison enclosure was considerably enlarged. A new wing containing seventy-two cells and a chapel was built at a cost of twenty-five thousand dollars. The total expense for betterments amounted in a brief period to nearly \$50,000—convict labor having been employed wherever it could be made available, and the expense thereby greatly reduced.

When the Board of Inspectors was created, power had been given it to "license any proper person who would serve without compensation to visit the convicts as a moral and religious instructor." Such persons were expected to do their work in such a way as would not conflict with any rule that might be necessary in administering the separate system then in force. During the next five years eleven persons were found willing to undertake this unpromising and well nigh hopeless service. How long any one of them continued in it does not appear. The results were as a matter of course very unsatisfactory to all concerned, and were many times so reported. What could one do morally and religiously for a man between whom and himself was a solid door

pierced by a small aperture, whom he was not permitted to see and who was not permitted to see him, of whose personality and history he could know nothing, except upon the statement of those who by reason of official relations were not in the nature of the case least of all likely to be unprejudiced witnesses; whose name he had not heard and who was known to him only by the number of the cell which he occupied; who, however depraved he might be when he entered the prison, was quite sure to be yet further embittered and brutalized by the treatment which he had since received in the name of justice? Was ever any good work made more nearly impossible by the conditions imposed than this of a religious instructor in the Rhode Island state prison while the separate system was in operation?

Of all who were licensed to this work, only the Rev. William Douglas persevered, and in spite of all disheartening conditions, found evidence that his self-sacrificing efforts were not wholly fruitless. He continued to fill the office uninterruptedly till after the prison had been removed to Cranston, laying down his work only when the burden of great age was heavy upon him, and after more than forty years of service; the first eighteen of which were without compensation save that of an approving conscience.

When the rigidity of the separate system had been relaxed a little, provision was made for occasional worship and preaching in the corridor of the prison, to which it was expected that prisoners would listen each with his ear pressed against the aperture in his cell door. Somewhat later, to facilitate hearing, it was deemed safe to go so far as to open the cell doors a little way, great care being taken that no opportunity be afforded one prisoner to see another prisoner or to communicate with another prisoner, or for the preacher to see his hearers, or for his hearers to see their preacher. But preaching in a narrow passage between blank stone walls by an invisible preacher to an invisible audience must have been a spiritless performance, and not at all likely to awaken devotional feeling or quicken the moral sense. In time there was a further relaxation of the rules, and at last the prisoners were permitted to gather as a congregation on Sunday in a workshop then recently erected. Ten or twelve years later a chapel was built and in a plain way furnished. The Sunday School which had been for some years in existence was now given a more thorough organization. Singing was introduced, and this soon became an important feature in the service. The library was brought into more general use and its influence for good correspondingly increased. The new chapel was found too small for the accommodation of more than two-thirds of the prisoners at any one time, and the upper story of the workshop was fitted up for chapel uses; ample room was now afforded for all at each service. The last vestige of the old separate system was removed and the personality of each convict frankly recognized when

the name of the man was substituted for the number by which alone he till now had been known.

In the year 1867 General Nelson Viall was made Warden of the State Prison and Keeper of the Providence County Jail. At the date of this writing, after nearly thirty-five years of service, he continues in the discharge of his office with the same vigor, ability and conscientious faithfulness, that have from the first characterized his administration.

The work of reform was now prosecuted with renewed energy. The parti-colored uniform of the prisoners was discarded for a serviceable and decent suit not calculated to degrade a man in his own esteem or in the esteem of others. The system of commutation of imprisonment for good conduct still in use was soon inaugurated, at once demonstrating its worth as an aid to discipline and an encouragement to habits of self-control in those whose great need was to escape the tyranny of an unreasoning impulse. An hour or two of comparative freedom was allowed in the prison yard or in the prison chapel on holidays, when the men were permitted to mingle together to converse among themselves and to engage in a variety of recreations, subject only to such limitations as the exigencies of the case made imperative. Lectures upon topics of current interest were delivered in the chapel by leading citizens of Providence and of the state at large. An evening school was established for the benefit of illiterate convicts who might wish to become acquainted with the primary elements of an English education. This school achieved a degree of usefulness greater than its most sanguine friends had anticipated. In 1876 the prisoners were for the first time permitted to eat their Christmas dinner together from tables spread in the old chapel, instead of taking it in tin plates to their cells, to be eaten there in solitude and silence. Many looked upon this as a hazardous experiment, but it was fully justified in the outcome.

In the meantime the subject of a new prison to be constructed upon a new plan and in a new locality, received thoughtful consideration from some of the broadest and best informed minds in the state. Public sentiment at last demanded the destruction of that which at the beginning was a mistake, which it had always been impossible to adapt to an efficient and humane scheme of prison administration, and which had long since become a scandal and a reproach. The general assembly appointed a commission with instructions to select a site which should be approved by the State Board of Charities and Corrections, and to prepare plans for a prison which should be acceptable to the Board of Prison Inspectors. After much consideration a site was chosen on the State Farm, near the Pontiac road, seven miles from Providence, in the town of Cranston. Plans were adopted embodying the most improved features of prison architecture. A building commission was created, and work began without delay.

This commission, consisting of Messrs. Edwin M. Snow, William B. Lawton, William D. Brayton, and George I. Chace, was both competent and efficient. Foundations were laid in the autumn of 1874, and the building was pushed forward as rapidly as possible. The material used was split boulders, such as abound in the fields of the State Farm, and which were to be had for the gathering; the trimmings were of hewn granite. The prison proper was built facing the east. It is four hundred and fifty feet long, sixty feet wide, and forty feet to the eaves, with a dome in the center one hundred and ten feet in height. In this dome above the guard room, which is over the hall office or reception room, and sixty feet from the ground, is the chapel. In the prison there is no stronger point than the chapel. The cell rooms are in the wings of the building, at the right and left of the dome. The cells are arranged in four blocks placed in the middle of the cell room, three tiers in each block, in all two hundred and fifty cells. These are of different dimensions, the smallest being eight feet long by five feet wide, the next larger eight feet long by six and a half feet wide, and the largest eight feet square, the two larger sizes having each a window in addition to the open grated door. All the cells have either an east or a west frontage, and the arrangement is such that the unobstructed sunlight may fall into each cell on every day of the year. The system of ventilation is all that can be desired. The atmosphere enters the building beneath each heat radiator, while each cell is provided with an independent five-inch flue rising to the roof, insuring at all times a perfect circulation. Cells which face the east are separated in the rear from those which face the west, in the same block and the same tier, by a passage six feet wide; so that two sides of each cell are always accessible to the guard. They are of brick, laid in cement and are floored with concrete. Each cell is furnished with a chair, a table, an iron bedstead and a plenty of bedding. No provision is made for female convicts, and no female convicts have ever been confined in this prison.

The prison yard is spacious—six hundred feet long and four hundred feet wide—and is surrounded by a wall twenty feet high. Within this enclosure are the workshops, boiler-house, kitchen, messroom, hospital, etc.

A large double dwelling-house, outside the wall, but connected by a corridor with the guard room of the prison proper, constructed of the same materials and harmonious in style, is provided for the Warden and Deputy Warden with their respective families.

The whole was completed in the autumn of 1878, and on the twenty-sixth of November was transferred by the Prison Commission to the Board of State Charities and Correction. Later in the same month the inmates of the old prison in Providence were removed to their new quarters. A large number of convicts of every grade and dye were to

be conveyed eight or more miles in the open, and any mistake or slight inattention might be attended with serious results; but such were the skill and the care exercised by Warden Viall and his officers that the affair was accomplished without difficulty or accident of any sort.

A new era was entered upon. Under greatly improved conditions the health and the conduct of the prisoners were at once greatly improved. Discipline has at the same time been strict and wisely humane. It has not been forgotten that even a convicted criminal is still a man, entitled to be treated as a man, and having rights which other men ought to respect. His moral and intellectual well-being have been kept in view. Punishments have been in the form of deprivations, and not of a character to degrade the offender in his own eyes or in the esteem of his fellows. Corporal punishment of every sort has been unknown. Many concessions have been made to men whose good conduct entitled them to special consideration. The best things have been always for the best behaved men. A copy of the following code of rules is framed and hung on the wall of each cell.

“RULES AND REGULATIONS FOR PRISONERS.

1. When the corridor bells first ring in the morning, each prisoner shall rise, dress, make up his bed, put his cell in order, and be ready to leave the cell at the sound of the signal bell. Upon returning to his cell, he is required to close the door, and stand at it until counted.

2. No prisoner shall have in his cell any pen, ink, pencil, or writing material, or tools of any kind, without the permission of the warden.

3. Prisoners shall not write or draw upon, or in any way deface their cells. They shall keep their persons, cells and everything pertaining thereto perfectly neat and clean. They shall not make over, alter, or destroy their clothing. Before leaving their cells at any time they shall first put them in good order.

4. Every prisoner is forbidden to read aloud, talk, sing, or make any unnecessary noise whatever at any time, either in his cell or elsewhere. At half-past eight o'clock in the evening, each and every prisoner shall go to bed and shall not get up therefrom until the ringing of the morning bell, unless compelled to do so by necessity. They shall not put food, clothing, or reading matter in the slop bucket.

5. Prisoners will approach the officers in a respectful manner, and all communications between them and the officers must be as brief as possible.

6. They shall not converse or communicate in any way with one another, nor shall they without the permission of the Warden, upon any pretense whatsoever, speak to or communicate with any person not connected with the institution. In the Sunday School, however, they may converse with their teachers upon religious subjects only; and on one Sunday in each month they may speak in free religious

conference. Those whose behavior is unexceptionable, may, by permission of the Warden, talk with one another at table in the mess room.

7. They shall not leave their work or place where they may be stationed, without permission of the officer having them in charge, nor shall they gaze at visitors, officers, or other persons. Their attention shall be given wholly to their work.

8. They shall work diligently and in silence on week days; they shall pay respectful attention whenever religious services are held, and when entertainments are given for their instruction or amusement; and they shall not deface or in any way injure books or papers which may be given to them to read.

9. The clergy of the Protestant churches and of the Roman Catholic church, have the privilege of imparting religious instruction and of administering their rites and sacraments on Sundays, and the attendance of the inmates at the services to be in no case compulsory.

10. Inmates of the jail may be visited by their relatives and friends once in four weeks, and inmates of the prison once in three months. Visits must be made by the relatives and friends of any one prisoner at the same time. Under special circumstances visits may be made oftener by permission of the Warden. The law relative to the state prison contains this clause, "No convict shall receive anything but the prison allowance, unless by order of the physician."

11. These rules do not apply to persons imprisoned for debt, or awaiting trial, or held as witnesses. The conduct of such persons, however, must be quiet and orderly; they must do nothing to interfere with the discipline of the institution, and must keep their persons and cells always clean and neat.

12. The behavior of every person must always be orderly, quiet, and in strict conformity with the rules of the institution.

13. Every violation of the foregoing rules, and every act detrimental to the maintenance of good order and discipline will be considered a reason for punishment.

14. Prisoners who choose to labor, although not required by law to do so, must when at work, obey the foregoing rules.

Public Statutes, Chapter 254.—Sec. 28. The Warden of the State Prison shall keep a record of the conduct of each convict, and for each month that a convict, not under sentence to imprisonment for life, appears to have observed all the rules and requirements of the prison and not to have been subjected to punishment, there shall with the consent of the governor, upon recommendation to him of a majority of the Board, be deducted from the term or terms of sentence of such convict the same number of days that there are years in the said term of his sentence. Provided, that when the sentence is for a longer term than five years, only five days shall be deducted for one month's good behavior; and provided, further, that for every day a convict shall be shut up or otherwise punished for bad conduct, there shall be deducted one day from the time he shall have gained for good conduct."

A record of the conduct of each inmate is made in the office of the Warden at the close of each day, and the men are graded into five classes, viz.: Excellent, good, tolerably good, unsatisfactory, and bad.

Located on a farm of seventy-five acres of good, tillable land, which can be worked by short term jail prisoners, only such crops being cultivated as can be used in the prison, it becomes easy to provide a bill of fare far more varied and extended than would be possible under different conditions. A specimen bill of fare extending over one week is as follows:

“Sunday—Breakfast: Pork and beans, white bread, brown bread, and coffee. Dinner: Mackerel, potatoes, pickled beets, rice and gravy, and coffee.

Monday: Breakfast: Boiled codfish, white bread, brown bread, and coffee. Dinner: Corned beef and vegetables, white bread, and brown bread. Supper: Bread and tea, or mush and molasses.

Tuesday—Breakfast: Cold corned beef, potatoes, bread and coffee, Dinner: Beef soup with vegetables, white bread and brown bread. Supper: Bread and tea, or mush and molasses.

Wednesday—Breakfast: Beef stew, bread and coffee. Dinner: Corned beef and vegetables, white bread and brown bread. Supper: Bread and tea, or mush and molasses.

Thursday—Breakfast: Meat hash, bread and coffee. Dinner: Pea soup with vegetables, white bread and brown bread. Supper: Bread and tea, or mush and molasses.

Friday—Breakfast: Stewed beans, white bread, brown bread, and coffee. Dinner: Fish hash, with vegetables, white bread and brown bread. Supper: Bread and tea, or mush and molasses.

Saturday—Breakfast: Cold corned beef, white bread, brown bread, coffee. Dinner: Beef soup, vegetables, white bread and brown bread. Supper: Bread and tea, or mush and molasses.”

Vegetables include potatoes, turnips, carrots, parsnips, beets, cabbage, green corn, squash, onions, cucumbers, tomatoes, and whatever else is commonly produced on a New England vegetable farm. Frequent changes are made in the bill of fare, but always there is an abundance of good and wholesome food. Breakfast and dinner are eaten in the mess room, when the men are permitted to converse freely among themselves; supper is eaten in the cells. Special bills of fare are provided on Christmas, Fourth of July, and other holidays.

In its location, its buildings and its administration, the Rhode Island state prison is a model.

In the year 1877 “the custody and charge of the state prison and Providence county jail, with all the property appertaining thereto” was transferred to the Board of State Charities and Corrections. Immediately thereafter the Board of Prison Inspectors went out of existence. It will not be amiss at this point to speak particularly of the

retiring board. The office of prison inspector never was one to be sought by the mere politician. It carried with it not a dollar of pecuniary reward. It did not lift the incumbent into a conspicuous place. It presented no temptation to cupidity or ambition. It could not be used as a reward for partisan service rendered. It was always free from political influences. At the same time it called for qualifications of a high order in the man who should assume its duties. For the wise and faithful discharge of these, there must be a wide acquaintance with men and affairs, a sincere and conscientious regard for the interests of the state, never failing tact, and a strong desire to promote the well being and improvement of criminal and unfortunate men. There must in any case be more than a warm and sympathetic heart; with this must be joined a judicial and well-balanced mind. The best thought of the highest order of intellect is challenged by the philosophy of crime and the problems connected with the proper treatment of criminals. The composition of the Board of Prison Inspectors seems always to have been regarded by the appointing power as a matter of importance, and appointments were made with a view to the profit of the state and the people. The list of those who filled this office during a period of thirty-eight years includes not a few who were eminent in the different professions and callings—clergymen, lawyers, physicians, manufacturers, and merchants. One was Bishop of the Protestant Episcopal Church in the Diocese of Rhode Island; two filled the office of President of Brown University; two were Judges of the Supreme Court; two were Governors; three were Mayors of the city of Providence; and one represented the state in the National Congress. With few exceptions they were otherwise active participants in the affairs of the chief city and of the state. The office of prison inspector was an honorable office, laborious and involving grave responsibilities; and it was uniformly filled by men who served with credit to themselves, though often with small praise from their constituents.¹

It is not an exaggeration to say that no single cause exerted so great an influence in opposition to the early reformatory efforts of our prison authorities as the county jails of the state. No means were provided and no effort was made to reform or otherwise benefit jail convicts. In the administration of the jail, any attempt at classification of the inmates was made impossible by the plan upon which all jails were then constructed. In only one of these was labor required. In all others, criminals of every grade and of all ages were left to brood together over the wrongs, real or fancied, which had been inflicted upon them, and to plan new villainies to be executed upon

¹The writer here acknowledges his very large indebtedness to the Reports of this body in the preparation of this section of this work relating to the Old State Prison, and specially to its last Report, the work of Augustus Woodbury, D.D., for many years Chairman of the Board.

society when they should be released from confinement. No discrimination was made, and communication was free between the gray-haired veteran in crime and the youth who had been committed for the first time, and for what was, perhaps, at its worst, but a boyish indiscretion. The jail was a school of crime to which persons suspected of having violated the law were sent to await trial, unless friends could be found willing to become surety for their good behaviour and for their appearance in court when they should be wanted; and, when discharged, whether because of failure on the part of the prosecution to make cases against them, or at the expiration of sentence imposed on their conviction, they went forth well instructed in the worst sorts of knowledge and in the surest method of evading punishment for future offenses. He was a dull scholar who could not, in a term of four weeks, learn more of iniquitous ways than might be learned elsewhere in a full year.

The majority of those sent to the Providence county jail were under thirty years of age, and a very large part of these were under twenty years of age. Of 2,312 persons, male and female, committed in the five years ending October 1st, 1852, not less than 503 had not yet reached the age of twenty years, while 13 were less than 10 years of age. All these were thrown into a nursery of crime and educated at the expense of the state treasury to fill places in the state prison. Having been confined on brief sentences in the county jail for trifling breaches of peace or for petty thefts, they went out into society strongly impressed by their older associates that they had been the victims of a wicked injustice, and fully determined to avenge themselves by the perpetration of other unlawful deeds. A second conviction followed and, perhaps, a third; and at the expiration of each sentence they were worse than they had been at its beginning.

Then they went to the state's prison, and then the state first bethought itself that something should be done for their reformation. Then the heart of the Christian and of the philanthropist began to yearn over them. And then it was with most of them too late. It would ill become us to speak lightly of any movement looking to the good of any class of convicts, but certainly prevention is better than attempts to cure a disease neglected till it has already become mortal. The twig is easily held in place; the sapling is easily made straight; but to straighten the trunk of a white oak tree that has been growing in a crooked way for half a century would be an impossible task. When a man has reached the age of twenty-five or more years, his habit of life and conduct is pretty firmly established, and he is likely to travel to its end the road over which he has come thus far. It would be more reasonable to expend a larger effort upon the boy; a fact which at last began to be realized in a practical way.

At about the same time, thoughtful and broad-spirited men per-

ceived that many offenders against the criminal laws were, in a large measure, ignorant of the requirement of these laws and of their own duties as members of organized society. It was also noticed that the ignorance of these was not usually the result of choice or of negligence on their own part, but was rather the almost unavoidable consequence of their environment in childhood and in youth. The conditions in which they had been reared were more responsible than they for their lack of knowledge and their lack of purpose to do only right things. They were untaught and without moral culture. The restraints of home had been, with them, few and slight. Of religious training they had none. Their vicious parents had praised them when they developed some adroitness in small pilferings, and when, in a fight, they had by fair or by foul blows got the best of their youthful associates. It began to be suspected that for the criminal acts of such boys and girls, even when grown to be men and women, a society which permitted them to grow up neglected and unshielded might be itself, to a considerable degree, responsible. Ought not society to educate before it punishes? If there were more of education and this of a better sort, would not less of punishment suffice? Had the state and the towns in the state done all they should do? There were good free schools and there were competent teachers, but the young people in question had little to do with either. And, even if they sometimes went to school, the best that the teachers could do was insufficient to overcome the vicious home conditions to which they must return at the close of each day. Again, the education offered by the free school was not all that the case required. A knowledge of writing, reading, arithmetic, geography and grammar only, must be fatally deficient. Moral and religious training, more systematic and constant than could be given by the free school was essential, and so, too, was a habit of industry. A man whose head is improved while his heart is neglected, whose understanding is enlightened and his passions left free of restraint, may easily be a moral monster and guilty of every crime named in the code. Intellectual culture, with an absence of respect for moral sanction, will make a rogue worse than can be tolerated in civilized society.

It began to be seen that there were and must be children not a few whose hope of becoming law-abiding and useful citizens was very small. No opportunity was given them by the conditions in which they lived to become such. And there were those who asked whether the wrong done by these should be punished as that of others who had sinned against brighter light; whether an enlightened humanity could permit these, for slight offenses, to be placed in the county jail, where they, in a little time, would almost certainly be qualified for nothing better than a cell in the state prison. At the same time, it was clear to all that they should not be allowed to go freely from slight misde-

meanor to capital crime till they became the pest and the scourge of the community.

A school of reform for juvenile offenders was suggested. It should be designed for youths of both sexes who might escape the control of their parents or become amenable to the criminal law and liable to imprisonment in the county jail or in the state prison. They should be separated from their old life with all the vicious associations of the same, with no frequent returning at stated times to homes whose character was well fitted to efface from their minds the best instruction of their teachers, and to parents whose examples were all on the side of wrong-doing. Labor, study and recreation should be judiciously mingled under the supervision and in the constant presence of competent officers and instructors.

In May, 1847, the Providence Association of Mechanics and Manufacturers petitioned the city council of Providence for the establishment of such an institution. This association deserves more than a passing mention. It had at different times shown itself to be animated by an enlightened and generous spirit with respect to the well-being and improvement of the rising generation. The public school act passed by the general assembly in the year 1800 originated in this body; and when this act was repealed three years later by its influence a system of public schools was established and sustained in the city of Providence. The memorial asking for a Reform School was favorably received by the city government, and at once a movement was made toward the desired result. Steps were first taken to secure needed information as to the system to be adopted and the regulations which should be necessary to make this successful for the end sought. The General Assembly of 1850 passed an act authorizing the city of Providence to establish a Reform School for the "confinement, instruction and reformation of juvenile offenders and of young persons of idle, vicious or vagrant habits, to be under the direction of seven trustees of whom the Mayor is always one and the remaining six are chosen annually by the City Council." The general control of the school and the appointment of all necessary officers were vested in this board of trustees. By this act and by amendments subsequently made, the trustees were empowered to receive into the school all young people less than eighteen years of age who should be convicted in any court or before any magistrate in the state of criminal acts, and also of such as should in Providence or any town of the state be found to be vagrant or disorderly persons; and in addition to these they might receive any child more than five years of age at the request of its parent or guardian. Such young persons as were admitted to the school should remain subject to its discipline and instruction until they were reformed and discharged, or bound out by the trustees, or found incorrigible; in the latter case, they might be transferred to the county

jail or state prison, according to the alternative of the sentence imposed by the magistrate in whose court the case was heard. No person could be sentenced to the school for a period of less than two years or for a term extending beyond his arrival at majority. His discharge at the expiration of his sentence or on being reformed, or as having reached the age of twenty-one years, released him from all disability under the sentence that had been imposed upon him. Inmates of the school might be bound out as servants or as apprentices to persons who would instruct them in morality and in such branches of useful knowledge as were adapted to their age and capacity. The cost of maintaining those sent to the school for crimes of any



TOCHWOTTON HOUSE, PROVIDENCE.

Formerly standing on the land now occupied by Tochwotton Park. It was a celebrated hotel and was subsequently used as the State Reform School.

sort was to be paid out of the general treasury, and all other expenses, including the cost of grounds, buildings, salaries, etc., were to be paid by the city of Providence.

The Tochwotton House, situated on a hill of the same name in the southeast part of the city and overlooking the harbor, was purchased and fitted up; and in the month of October, 1850, the Providence Reform School was formally declared established and opened for the work for which it was designed. From November 1st, 1850, to October 31st, 1851, forty-eight boys and three girls were received, of whom six were discharged, leaving forty-five in all at the close of the year. During the following year sixty-five were received, and thirty-

one discharged, leaving in the school seventy-nine with which to begin a third year. In this year, ninety-one were received, fifty-five were discharged, and three escaped, ninety boys and eleven girls, one hundred and one in all remaining at its close. The time of the inmates was divided and spent as follows: Seven and one-half hours in labor, five hours in school, two and one-half hours at meals and recreation, one hour in religious exercises and eight hours in sleep.

Such an order of daily life could not fail to benefit those who must otherwise grow up without care or training to lead in maturity a vicious and criminal life, becoming a menace and a disgrace to the society which produced them. They were separated from corrupting influences. Industry was substituted for idleness, regular habits for intemperance and folly, religious and moral training for profanity, intelligence for ignorance, and protection for exposure. The deficiencies of their earlier years were in a measure supplied, and as was said by the association which first memorialized the city council in the matter, they had given them "the benefit of good example and wholesome instruction, the means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral and useful members of society."

The Providence Reform School had been established in the face of strong opposition on the part of some who urged that such an institution was not properly within the functions of a municipal government. The responsibilities of the trustees were new to them, and the duties of officers and instructors were untried by them. There was little of experience elsewhere to guide them. On all hands such schools were regarded as somewhat doubtful experiments. All knowledge on the subject was merely theoretical. The building in which the school was located had been designed for a hotel, and having been remodeled in haste was poorly adapted to its new use. The grounds were very limited in extent. Certainly the estate would not have been selected, but for the fact that it could be purchased at a low price, and the additional fact that it could be quickly made ready for occupancy. The institution labored under many disadvantages. It was the object of much unfriendly criticism. What advance movement ever escaped this? And at the end of three years it was an achieved success. The result had been greater and better than the anticipations of its most sanguine friends.

Great improvement has since been made in the management of such schools and in the methods of instruction and discipline employed. That was a day of beginnings, of untried experiments, and much that now seems very plain and almost self-evident remained to be learned in long years of observation and of effort. It was thought to be of the first importance that such a school should be made to pay its own way; and the superintendent was expected to be always mindful of this necessity. He could not be regarded as a success in

his position unless he should be able to present to the Board of Trustees a good financial return at the end of each year.

Much was done by the boys and girls at shoe making, the manufacture of toys, the cane seating of chairs, and laundry work; preference being given at all times to those branches of industry which were likely to yield most of profit to the institution. In some years as much as \$5,000, and even a larger amount was realized. It would seem as if the real interests of the school must have suffered, and the design for which it was established have been in a measure thwarted by reason of a too great regard for pecuniary results. This appears in the order of the day as it was at one time arranged. The day was a long and busy one, and the most unsuitable of its hours devoted to school room exercises. These began at five o'clock in the morning and continued until seven o'clock, the pupils having fasted since five o'clock the day before. How much profitable study was done by a company of hungry boys and girls just called from their beds an hour or two before sunrise may be a question. Between seven o'clock and eight o'clock was an hour for breakfast and recreation. At eight o'clock all repaired to the several workshops where they were busy till twelve o'clock. Then came an hour for dinner and recreation. Work in the shops was resumed at one o'clock and continued until four o'clock. An hour was now given to supper and recreation. The next two hours, from five to seven o'clock, were passed in the schoolrooms. Again how much real study was possible to be done by growing young people, of a not very studious habit, at the close of a day which began at half-past four in the morning, and whose hours had been so filled with wearisome employ, may be a question. The best hours of the day for study had been given to carrying a support for the school, it being thought that this last must have the precedence. From the close of evening school hours till eight o'clock was an hour for recreation. At eight o'clock all retired for the night.

At the close of its fifth year the superintendent reported that of all who had been honorably discharged from the school, whether at the expiration of their sentences or that they might live in homes which had been secured for them, one-fourth were fully meeting his highest expectations, one-fourth had certainly been much benefited by their stay in the school and were doing tolerably well, while the remaining one-half were none of them doing more than indifferently well. This seems a very conservative statement. It may not be an understatement of the results of reform school methods in the years and under the conditions considered; but he was far more modest in his claims for good done than were some of his successors in office. We should remember that up to this time it had been the custom to send to the school a large number of those who by reason of advanced age and a wide experience in evil ways

could not be expected to derive much benefit from its methods, while many who were younger were permitted to remain only a short period—too brief for any lasting good to be done them. There was a feeling abroad that the school was a sort of jail or place for the punishment of youthful criminals, the length of whose sentences should be determined by the grade of their offenses, and not by the needs of the offenders; a feeling which unfortunately is not yet wholly of the past. Most of good appeared in those who entered at an early age, and who remained for a considerable period under the control of the school. Subsequent experience confirmed this view. It came more and more to be recognized and to be acted upon. And as years passed the number of those who were permanently benefited and saved from lives of vice and crime was greatly increased.

Graduates of the Providence Reform School were numerous in the several regiments of Rhode Island Volunteers during the war for the preservation of the Union. At the close of the year 1862, the then superintendent reported that no less than two hundred and fifty young men, one-fourth of all who had been up to that date inmates of the school, had enlisted for the defense of their country; and a year later he reported that the number of these had been increased to three hundred.

From first to last the Providence Reform School was a success. It achieved the end for which it was designed and established, and at once took high rank among the many institutions of its kind that were at about the same time and soon after founded in other cities and states throughout the country. Its record will ever remain an honorable chapter in the history of the city of Providence and the state of Rhode Island.

The school and its management did not, however, as has been already noted, escape criticism, more or less intelligent, during any year of its existence. There were those who would not have had it established, and who were never prepared to see any good thing come of it. While others being but poorly informed as to the facts and as to the needs of such a school, were prompt to find fault with the thing which they did not trouble themselves to understand; and in addition to these classes were those who discovered that mistakes really were being made and that methods really might be improved, and who spoke of all they saw from a strong desire that what they recognized to be a valuable work might be facilitated and enlarged in its influence for good. Unquestionably there existed sufficient ground of wise criticism. It was a new order of enterprise in which the trustees and other officials were engaged, and it was but natural that mistakes should be made. There was a failure at some points to advance with the times. In some respects the school was not keeping step with simi-

lar schools located in other states. Abuses had crept in which called loud for suppression and removal. That so much was true had been for some time realized by not a few warm friends of the school. Complaints were made to the board of trustees, and something in the way of investigation was done by these; but nothing came of it.

At last a formal bill of charges was presented to the City Council embracing eight counts, and making very serious accusations against the officers in charge. It was claimed that vices against chastity and good morals prevailed in the school, being taught and practiced by teachers and pupils, and that the latter would leave the school in many cases more corrupt than when they entered; that teachers used immodest and disgusting language in the presence of children, addressed females in an immodest manner, calling them vile names and twitting them with their past conduct; that cruel and inhuman punishments, such as knocking down with the fist, kicking, and whipping naked boys and girls, were inflicted for slight offenses; that young women were knocked down, stripped to the waist and lashed, pulled out of bed in their night dresses and in this condition whipped, and dragged about the room by the hair, by male officers; that the names of children were changed so as to make it difficult for their friends to find and identify them; that they were apprenticed at long distances from their homes without regard to the wishes and feelings of their parents; that the goods of the school had been used dishonestly, and fraudulent charges made for the board of inmates; that proselytism and religious intolerance were practiced. These charges were certainly grave enough to call for a most searching inquiry into the facts.

The City Council promptly resolved that a joint committee of investigation should be appointed, to consist of two Aldermen and five Councilmen. This resolution was as promptly vetoed by the Mayor, with a suggestion that the City Council itself investigate or that it request the Board of Aldermen to do so. In response such a request was made. An exhaustive investigation followed, conducted on either side by eminent legal talent; and prolonged through twenty or more sessions. At its close a diversity of sentiment existed. The gravest charges which had been made were not clearly proved, except perhaps that of cruel and improper punishment and that of religious intolerance. Four reports were presented, neither of which was signed by a majority of the Aldermen; or by the Mayor, who was chairman of the Board of Trustees, or by the Alderman who was a member of that Board, though the former of these gentlemen had presided and the latter had assisted at the investigation, being themselves at the same time among the defendants in the case. It can hardly be supposed that the result was uninfluenced by them. One report to which there were four signers declared the charges not sustained and exonerated the school officials from all blame; each of the other reports, signed by a

single individual, noted what were believed to be serious faults, and one censured the administration much more severely than did any other.

Although no radical change in officials followed this investigation, its effect upon the school certainly was beneficial. Changes for the better were at once made in the methods employed. Milder forms of punishment were substituted for those formerly in use: and better work was done than ever before in the history of the school. An improved order obtained while the institution continued to exist as the Providence Reform School.

In 1879 when the school had become in all but name a state institution, and the trustees had decided largely in view of financial considerations that it would be impossible to continue longer upon the present basis, an offer was made to transfer it to the state under whose control it properly should be. This proposition was accepted, and in the following April an act was passed by the general assembly changing the name to the State Reform School, vesting its management in the Board of State Charities and Corrections, authorizing this board to lease temporarily the Tockwotton House property, directing that the school be removed at an early day to the town of Cranston, ordering the construction of all necessary buildings and appurtenances, providing that such buildings be erected upon what is known as the cottage plan, and appropriating the sum of \$25,000 to meet the cost of the same. The real estate of the Providence Reform School was leased at a rental of \$5,000 per annum, the furniture and other movable property being purchased for the sum of \$7,500.

The official transfer of the school was made on the first day of July, 1880. The superintendent and other officers were immediately re-engaged by the Board of State Charities and Corrections, and things moved on without a break.

It had been decided that the boys and girls should be separated and each placed in a school by themselves. Attention was turned first to finding a suitable location for the girls' school. A site containing 18 acres was selected at the corner of New London turnpike and the road leading to the village of Oaklawn, to which was added a strip of land about nine acres in extent that opened up an unobstructed view of the western hills across the valley. The distance from this point to the boys' school measured in a straight line would be a full mile, to the State Prison three-quarters of a mile, and to the House of Correction a half mile, while higher ground and a thick belt of woods concealed each of these institutions from view. Separation from all other institutions would be as complete as if they were in different towns.

It was decided to erect a single building, eighty-six feet long, forty-eight feet wide, and from the ground to the roof fifty-two feet in height; being the equivalent of three stories and a basement. As con-

structed there is in the basement a boiler-room, store-rooms, laundry, bath-room, and a large play-room, with four windows four feet above ground, for stormy weather. On the first floor is a sewing-room, girls' dining-room, kitchen, teachers' dining-room, reception-room, and matron's room, with store-rooms and closets. On the second floor is the school room, with two recitation rooms, a room which in case of need can be used for a hospital, two teachers' rooms, and eight rooms each designed to be the sleeping-room of a single girl, with bath-room, wash-room, closets, etc. On the third floor are fifteen single rooms and a dormitory which will accommodate twenty-four girls, each with a separate bed. Provision is thus made for between fifty and sixty girls.

The material used in this building is stone taken from the neighboring fields, with granite trimmings. The whole effect is tasteful and pleasing. It is heated by steam, and supplied with water from a well one hundred and sixty feet in depth. The total cost of building, furniture and improvements previous to January first, 1883, was about \$25,000.

The boys' school was located at the corner of the New London turnpike and the Sockanosset cross road, being the extreme northern point of land owned by the state, and isolated from all other institutions as completely as is the site of the girls' school described above. It was decided to begin with the construction of a superintendent's residence, two cottages or homes for the boys large enough to accommodate about sixty each, a boiler house, a stable, and a large central building to contain the chapel, school rooms and workshops; the material and the style to be in a general way like those of the girls' school. These were finished essentially as planned. Changes, however, were made at later dates, and other buildings were added, until since 1895 these have numbered not less than twelve separate and distinct structures. The growth of the school was rapid, and in 1884 it became necessary to build a third home for the boys, differing somewhat in plan from the older ones, and affording ampler accommodations. A fourth house was erected in 1887, and a fifth was added in 1895. A chapel and hospital were built in 1891 at a cost of about \$20,000. Three years later a structure of brick and wood was erected, much of the work being done by the boys of the school; the first story to be used for workshops and the second story for a drill room. All buildings here as at the girls' school were without bars at the windows or fastenings on the doors other than such as are usually found in an ordinary dwelling, and the grounds were not enclosed by either high walls or fences.

On the fourth of March, 1881, a superintendent, Mr. Frank M. Howe, who had had much experience in the conduct of reform schools organized upon the cottage and open plan, was appointed; he entered upon the duties of his office on the first day of June next following. At once he began to pre-

pare the boys and girls in his charge for the new order and for their new homes. Gradually, one by one, unnecessary restraints were removed. The doors of sleeping rooms which had until now been carefully locked at night, were thrown wide open or wholly removed. On Sundays the boys were taken in turn to one and another of the city churches. Roger Williams' Park was visited at different times; and after a sail down the river a clam dinner was enjoyed by all the boys together at Field's Point. And to the surprise of the skeptical no attempt was made to escape by any individual and no case of misconduct occurred on these occasions.

On the thirteenth of July, 1882, the girls, twenty in number, were removed by Mr. Howe without mishap of any sort to the new building at Oaklawn, and placed in the care of Mrs. R. S. Butterworth, who had been appointed in June superintendent of what was thereafter to be known as the Oaklawn School for Girls. The record of this school, though uneventful, has been one of unbroken success.

On the twenty-eighth day of December, 1882, following the boys, one hundred and thirty-eight in number, were removed to the new Sockanosset school buildings, going by rail to the Sockanosset station on the Pawtuxet Valley Railroad, and from this point walking a third of a mile to their destination. It was no small achievement to make these transfers. Over forty large wagon loads of furniture and other property must be transported ten miles or more and in the meantime provision must be made for eating, sleeping, and working as well as for the maintenance of discipline; and again the new home must be ready for the same exercises on the arrival of the boys, and all this was to be done without a double set of apparatus. It is praise enough to say that the whole was successfully accomplished.

With the exception of a few weeks when Mr. Howe was seriously ill and absent, and the boys were practically without a superintendent, the discipline and the success of the school in its new quarters and unaccustomed freedom from restraint was all that the most sanguine advocate of the new order had anticipated. In December of the following year, 1883, several members of a joint special committee of the legislature of Massachusetts visited the Rhode Island state institutions; one duty assigned this committee being to ascertain and report "what changes if any shall be made either in the inmates or buildings of the State Primary and Reform Schools to the end that they may most fully do the work for which they were established." In their report this committee commended highly the system which they saw in operation at Sockanosset school, and strongly recommended that the same be adopted in Massachusetts.

At this time brass bands, now become so common in reform schools, were a very great novelty, being almost an untried experiment; but there was a determination that Sockanosset school should lack nothing

calculated to increase its working efficiency. At the suggestion of Professor George I. Chace, chairman of the Board of State Charities, the sum of \$500 was contributed in equal shares by twenty generous friends, for the purchase of instruments. These were procured and a company of boy musicians was organized which, under the leadership of competent instructors, soon acquired a good measure of skill in their use.

The resignation of Mr. Howe as superintendent, tendered August 1st, 1883, was accepted two weeks later, to take effect on September 1st, and, on the same day, Mr. James H. Eastman, who had been for many years at the head of the New Jersey Reform School, was selected to serve as his successor. On the day of Mr. Howe's retirement, Mr. Eastman assumed the management of the school. Having learned that his doing so might be attended by some unpleasant and regrettable experiences, he had come in haste from New Jersey, arriving just in time to see more than one-half of the boys rush in a body off the grounds. It was evidently a preconcerted and not unexpected event, occasioning no surprise in the outgoing management. The boys seemed to be moved by a fear of what the new management might bring them; by whom they were inspired with this fear must be a matter of inference. At the same time, as if animated by the same spirit, nearly all the officers and matrons took an equally hurried departure, having previously placed their resignations in the hands of Mr. Howe, to take effect at the hour of his retirement. Such harmony of action was significant and not liable to be misinterpreted. However, in a short time, most of the boys who ran away were back again in their old quarters, many of them returning of their own accord, and others being returned by those who had been sent after them. It need not be inferred that the absconding officers returned to their positions either sooner or later. But to restore the school to its normal condition, undoing the mischief thus accomplished, was a task calling for tact and skill in the superintendent and his assistants. They proved equal to the emergency and, in a few weeks, matters were progressing smoothly as ever they had done. Eight ringleaders in the stampede, who were older and more vicious than the majority, and who had by their persistent misconduct always impaired the discipline and usefulness of the school, it was found necessary to transfer to the State Workhouse and House of Correction.

At the May session of the legislature in 1884, an act was passed directing the Board of State Charities and Corrections to procure "such machinery, mechanical tools and apparatus and materials for the use of the State Reform School as in their judgment they may deem suitable and necessary for the instruction of the inmates thereof in such of the ordinary and useful arts, crafts and trades as they may show a taste or capacity for." A special committee was appointed to consider

this action, which recommended printing, shoe making, and carpentry, in the order named, as trades which could be made profitable to the boys and to the institution. The same committee was authorized to make the necessary arrangements for carrying into effect its recommendations. This was done by equipping first a small printing office at an expense of a little more than \$1,400. A practical printer, who had also the qualifications of a teacher, was secured to instruct the boys, and ten were put in his care. Two of these proved but poor learners; at the end of the year, of the remaining eight the superintendent was able to report that six could set from six hundred to a thousand ems per hour. A newspaper called the Howard Times, printed by the boys and edited in the school, was issued fortnightly, having a paid subscription list which entitled it to be entered as second class matter at the postoffice. This subscription list soon after numbered five hundred and fifty actual mail subscribers. In the first year of its existence the office reprinted the first report of the Board, and the first report of the Trustees of the Providence Reform School; considerable printing besides was done in the way of blanks, etc., for the several institutions and for the office of the Board, and upon the report of the Secretary. Next year the office was earning enough to pay all its expenses, including the salary of the instructor. Some of those who had been instructed were now earning a support at the business in Providence and elsewhere. The equipment of the office was enlarged by the addition of another press and a further supply of type.

A contract covering five years from July, 1886, was entered into with the Herbert Brush Company of New York, for the employ of from fifty to one hundred boys, as the school might be able to furnish them at the rate of twenty cents each for six and one-half hours work. Other boys were employed upon the land at planting, grading, and other improvements.

It was in this year, 1886, that Mr. J. H. Eastman retired from the office of Superintendent to take another position under the Board, and Mr. F. H. Nibecker, who had been for some time in charge of Cottage No. 3, was appointed to fill the position thus vacated. During Mr. Nibecker's incumbency, at the May session of the general assembly, 1890, an appropriation of \$25,000 was voted for the purpose of introducing additional branches of industrial teaching, "by constructing other chapel and hospital accommodations, so that the present main building, within which said accommodations now are, may be used more largely for workshops, and by making such changes in said main building, erecting such new buildings and providing such tools and apparatus as may be necessary."

Plans for a building to be used in part as a chapel and in part as

a hospital, prepared by Messrs. Stone, Carpenter and Wilson, were accepted. These called for an ornate edifice, irregular in its outline, its longest axis measuring 103 feet, and having a floor area on the main story of 3,405 square feet, 2,427 of which should be given to the chapel and its ante-rooms, and 978 to the hospital. Provision was made in this hospital for fifteen beds on the ground floor, with a piazza on the east and on the west sides, the one sunny in the morning, the other sunny in the afternoon; so that a convalescent patient might sit out of doors in the sun at all hours of the day. The south end was to be unobstructed, having large windows on either side of a broad open fire place. The second story was assigned for the severer cases of sickness, with accommodations for six beds and a separate room, for patients who might be expected soon to die. Here also was a room for the nurse in charge. An open fire place was provided similar to that in the lower ward. The chapel would seat three hundred persons on the floor, and on each side was a gallery intended to accommodate fifty more. The architect's estimate of cost was \$13,000; the actual cost proved to be several thousands of dollars more than this estimate.

This year about ninety-five boys earned \$5,257.89, making brushes under the contract with the Herbert Brush Company. Fourteen boys were employed in the printing office.

Out of doors the boys did all the gardening and farming, raising large quantities of vegetables for home consumption; excavated for a conduit, the trench being ten feet wide, ten feet deep, and three hundred and thirty-five long, forty feet of which was through rock four feet in depth; excavated for the cellar of the chapel and hospital four hundred cubic yards of very hard soil; helped to build 150 cubic feet of foundation wall, working under hired masons as apprentices might be expected to work; excavated for an ice-pond three-fourths of an acre in area; cleared the stony lot to the east of the boiler house of the school; quarried and prepared stone for the chapel and hospital; graded the play ground of Cottage No. 2; assisted to place steam pipes in the conduit, and in covering these with a non-conducting material; and helped the hired masons to build the conduit.

Lest some one should suspect that while so much work was being done the study of books must have been neglected, it may be said that each boy spent three hours per day in some one of the school rooms, five days in each week, excepting legal holidays, during fifty weeks of the year.

The contract for labor with the Herbert Brush Company expired in July, 1891. The earnings for the six months then closing were about \$1,550. Since that date there has been no attempt to secure remunerative labor for the boys. An income has not been sought, but to make the school in the largest sense profitable to those committed to its care

has been had at all times in view. That such an institution must be expensive has been well understood, and the results have been esteemed worth all their cost.

The work of preparation for industrial education was progressing rapidly, machinery for the work shops had been purchased, and was partly in place, when Superintendent Nibecker resigned to take charge of the Philadelphia House of Refuge. A considerable period intervened before a successor was appointed, and there was a consequent delay in the work. After Mr. W. W. Murray, formerly of New York State Industrial School, took charge this was resumed with energy and skill.

A forty horse-power horizontal steam engine was placed in the basement of the main building.

A machine shop was started, equipped with tools and vises for bench work, drill press, lathes, planer, milling machine, etc. Instruction was given with practice in bench and vise work, in plain and taper turning, in inside and outside screw cutting, in fitting upon the lathes, in hand turning, and in varied work upon the planer, milling machine, and drilling machine. The result appeared a year or two later when the work accomplished included an upright four-horse-power steam engine, a speed lathe, a lathe center grinder, and the machine work on one hundred and twenty-four iron window gratings, in addition to all the machine repairing for the school and much for the other institutions at Cranston. A carpenter shop was furnished with eight benches, each furnished with a set of tools necessary for ordinary bench work; besides these, there were an adjustable saw-table, planes, and a wood-turning lathe. A carefully graded course of instruction was prepared and as fast as they acquired the use of tools the young workmen were employed upon necessary repairs and improvements about the school buildings and premises.

A blacksmith's shop was fitted up with eight forges and as many anvils, hammers, and sets of tools. Additional hammers and tools were afterwards made by the boys. These during the next year forged the iron and steel parts of the engine, and of the window gratings mentioned above, all the tools called for in the machine shop, with all the drills and other tools used in clearing up the school grounds. They did all the horse-shoeing and ox-shoeing, sharpened more than three hundred drills, and made thirteen hundred "grapples."

A class was taught by a well qualified instructor in bricklaying, stonecutting, and plastering.

A shoe shop was started, in which all repairing for the school has since been done.

These, with the laundry, sewing-room, farm, and printing office, are the various branches of industry taught and pursued in the Sockan-

nosset School. Of the different trade schools, the printing office, started in 1884, is much the oldest. Continuing till the date of this writing, 1901, under the care of Mr. H. A. Barnes, its first instructor, it has lost none of its efficiency and ability to earn money with the lapse of years, the money value of its work during the year of 1900 being upward of \$2,000.

A system of military training was introduced several years since; a battalion of four companies being organized, each company including the boys of a single cottage. These were instructed in setting up exercises, squad drill, the school for the company and battalion drill. The equipment consisted of rifles, belts, bayonets, scabbard, and cartridge boxes, for the privates, with the appropriate insignia, swords, belts, etc., for the officers.

The school band was reorganized with a view to greater efficiency, and the sound of the steam whistle was superseded by bugle and drum calls as signals for all general movements of the boys. The following daily schedule of calls was adopted: Reveille, cadets arise, 5:45 a. m.; assembly, setting up exercises, 6:05 a. m.; mess call, breakfast, 6:15 a. m.; assembly, assemble for work, 7:00 a. m.; recall, cease work for recess, 9:10 a. m.; assembly, assemble for work, 9:20 a. m.; recall, cease work, 11:55 a. m.; mess call, dinner, 12:05 a. m.; assembly, assemble for work, 1:05 p. m.; recall, cease work, 2:10 p. m.; school call, assemble for school, 2:25 p. m.; mess call, supper, 5:40 p. m.; retreat, 7:00 p. m.; tattoo, retire, 7:45 p. m.; taps, lights out, 8:30 p. m. On Saturdays, mess-call (supper) is at 5:00 p. m.; tattoo, at 7:30 p. m., and taps at 8:15 p. m. In winter the time of rising is half an hour later.

Early in the year of 1895, after a little more than three years of service as superintendent, Mr. Murray suddenly resigned. His place was immediately filled by the reappointment of Mr. J. H. Eastman, with Mr. Elmer Butterfield, an officer of long and high standing in the school, as deputy superintendent, to whom the details of administration were and still are committed. It does not detract in the least from the credit due any who went before to say that the prosperity and usefulness of the school during the seven years which have since elapsed was never equaled in any similar period of its history. Certainly the Sockanosset Reform School for Boys has no superior among schools of its class in the United States.

James H. Dutton