

RHODE ISLAND HISTORY



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Some 1723 Newport inns provided bowling and skittle alleys for their patrons (page 9). A needleworker of a later date created this scene that might have occurred in such a place.



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Massachusetts Bay authorities regarded Captain Partridge's views much as a contemporary artist portrayed this believer in similar ideas.



Detail from frontispiece, *The Dipper Dipt — or the Anabaptists Duck'd and Plung'd over Head and Ears . . .* by Dr. Daniel Featly (London, 1647). Courtesy John Carter Brown Library, Brown University.

Frontier Justice in Newport -- 1652

Captain Alexander Partridge had got himself into trouble even before he set foot on American soil in October 1645. It seems that he had "broached and zealously maintained" antinomian and familist views during the long sea voyage and someone reported this to the magistrates when the vessel reached Boston. When he was called to account, he refused to answer the charges.

The cure was the usual one — Reverend John Cotton was called upon to reason with him. In due course Mr. Cotton was able to report some progress and even "had good hope to reclaim him wholly." But when the captain was called upon to set his hand to a renunciation of *all* his opinions, he refused to do so. For the Massachusetts Bay authorities banishment was the only recourse under these circumstances. Some of the magistrates felt that since he had made "a hopeful beginning" and with winter coming on it would be a hardship on his wife and family, Partridge should be allowed to stay until spring. But when it was put to a vote the decision to banish him at once was carried by a narrow margin, one or two votes. "He was forced to depart," Governor John Winthrop wrote, "and so went to Rhode Island."¹

Winthrop had noted that Captain Partridge "had served the Parliament," and his title seems to have been military rather than sea-going. What little we know of Partridge's character can be summed up in that adjective *doughty*, applied to other military men of the time and place like Standish, Underhill and Endicott. It apparently was synonymous with a sort of hot-headed bravery and bluster.

by Bradford F. Swan*

The captain allied himself with William Coddington on Rhode Island and thereby began his progress in unpopularity. Elected to public office just once, he was chosen general sergeant on May 16, 1648, at a General Court held at Providence, the second election held under the government formed in 1647. Coddington too was elected at this court, but there is no evidence that either he or Partridge was ever engaged or took office.²

Instead, Coddington and Partridge were busy trying to get the Island settlements taken under the wing of the United Colonies — an organization most inimical to Providence Plantations — whose commissioners at their meeting on September 7, 1648, received a letter from Coddington and Partridge asking that the island of Rhode Island be taken into the United Colonies, claiming that their move had "the consent of the major part of the Island." The commissioners replied that since the Island was within Plymouth's patent the islanders could be accepted only by subjecting themselves to that colony.³

Coddington and Partridge lost no time in trying to reach some arrangement with Plymouth. On September 23, Roger Williams wrote to John Winthrop Jr. in Connecticut that Coddington and Partridge had returned ten days earlier from Plymouth "with propositions for Rhode Island to subject to Plymouth, to which himself and Portsmouth incline." Williams reported that the other three towns — Newport, Providence, and Warwick — were against it, and Warwick had sent Randall Holden and John Warner to Plymouth to explain

*Author of *Gregory Dexter of London and New England 1610-1700* (1949), president of this Society 1968-1970, theater/arts editor *Providence Journal-Bulletin*, Mr. Swan has a volume long in progress near conclusion — "Complete Letters of Roger Williams."

1 James Kendall Hosmer, ed. *Winthrop's Journal*, 2v. (New York: Scribner's, 1908) 2:260.

2 John Russell Bartlett, ed. *Records of the Colony of Rhode Island*, 10v. (Providence, 1856-1865) 1: 208-9.

3 David Pulsifer, ed. *Acts of Commissioners of United Colonies of New England*, 2v. (Boston, 1859) 1:110 [*Records of Colony of New Plymouth in New England*, vols. 9 & 10].

Potential peace-maker John Winthrop Jr. was the trusted correspondent of both William Coddington and Roger Williams.



Dictionary of American Portraits, (New York: Dover, 1967).

to authorities there that they felt to do so would "depart" from their charter. Williams went on to say that the younger Winthrop might be called in as peace-maker "in this division of our neighbors."⁴

Partridge had been steadily building a body of ill will from his fellow colonists. Even back in May, a few days after Partridge was elected general sergeant, Coddington — writing to John Winthrop in Boston — confided that Partridge was one of several "in disgrace" with people in Providence and Warwick and with Samuel Gorton's adherents

on the island. Coddington explained that this was because "we will not interpose or meddle at all in their quarrels with the Massachusetts and the rest of the colonies."⁵

By January 1649 Captain Partridge had been definitely identified by Roger Williams as leader, with Coddington, of one of the factions on the Island. The other was led by Captain Jeremiah Clarke and Nicholas Easton. Then on January 29 Williams reported to John Winthrop Jr. that Coddington had gone to the Bay with his daughter, to sail for England, "and left Captain Partridge in trust withall the last week at Newport."⁶

Despite Coddington's absence his followers tried to keep him at least nominally in office as president of the colony. Williams advised the younger Winthrop that the four towns had each sent six deputies to a meeting in March and that he had been informed that he was chosen deputy president "in the absence of the president, who, whether they have fixed on yourself, or Mr. Coddington's faction prevail to keep his name in (now gone for England) I can not yet learn." Acutely aware of the divisions which had riven the colony, Williams declined the office "for some reasons" and suggested that the deputies pass "an Act of Oblivion," which they did, but it does not seem to have done much for the cause of peace.⁷

In April 1651, Coddington received a commission from the authorities in England to rule the Island for life, with the aid of six men to be chosen by the people, subject to his approval. He returned to New England with this commission in August 1651. Reaction in the colony was immediate — the mainland towns urged Roger Williams to go to England to make sure that the patent of 1643 would not be nullified in some way or their territorial claims weakened, and on the Island forty-one of Portsmouth's and sixty-five — almost all —

4 Allyn B. Forbes, ed. *Winthrop Papers*, v. 5 (Boston: Massachusetts Historical Society, 1947) 258-9.

5 *Winthrop Papers* 224.

6 *Winthrop Papers* 297-8, 308-9.

7 *Winthrop Papers* 313-4. Williams dates it only first month but Winthrop has docketed it "recd. Mar: 23."

of Newport's free inhabitants joined to persuade Dr. John Clarke to go to England to obtain a repeal of Coddington's commission.⁸

Coddington wrote to John Winthrop Jr. on February 19, 1652 that people weren't paying much attention to his commission, that William Dyer had sailed for England, and he implies that the situation was getting very tense.

That day the Court was held for the Dutch Governor's agents, there was a meeting of divers disorderly persons such as hath fled from other colonies for misdemeanors since my going for England, and some others, at Capt. Clarke's, the Court being held in my town house. Capt. Morice⁹ was the head of them. They came in to the Court, and did forbid that any Courts should be held in a tumultuous way, countermanding the authority of the State of England. I have sent over my agent for England, to the Council of State, who, I doubt not, will take order herein. After this Mr. Easton delivered a prophecy against myself, Capt. Partridge, and the Dutch Governor's agents. . . .

Just what Easton's prophecy was, we do not know, but if it was dire it was not long in coming to pass. Again we let Coddington himself tell the story, as he continued it on March 18, 1652:

I am not a little sorry that such sad occasions causeth me at this time to present you with a few lines, earnestly entreating you to come over unto me, and to bring some friend of yours with you. For so it is that last Friday, about sunrising, the officer gave Captain Partridge quiet possession of a house that one Dickens kept from him. Whereupon the people, to above 20, came, some with guns and some with swords and staffs, to dispossess Captain Partridge. He forewarning them to keep off his land, but they pressing still on, he shot off a gun with nothing but powder in it. They shot at the house. Thereupon in defence of themselves and house there is one of the tumultuous crew slain and another wounded.

Whereupon they planted a great gun to batter down the house. Which sad news of the death of one and the wounding of another, when I heard of [it], caused me presently to go up into the town where, for the prevention of more blood, I desired the Captain to leave his house, which he did, and some four or five that were with him. When he was come forth, as aforesaid, they came all about me, and would have the murderers was their cry. Bail they would not suffer me to take, so that I was necessitated to deliver them up into their hands, who having of them clapt into chains, their resolutions are the death of the man and his son, and one more that was in the house with him. They have sent for the Council, and say if they will not try them, they will try them, and hang them too, and nothing but their deaths, especially the Captain's, will content them. Which sad accidents being fallen out, I most earnestly desire and entreat you, by our ancient friendship and love, that you would be pleased to come unto me. Their malicious thirsting after blood, and their resolution speedily to execute it, at farthest eight days hence, doth thus earnestly cause me to desire your present counsel and presence, to which end I have also sent for Mr. Browne, and this now to you, by two Indians; whereby you will not only (I hope) prevent the effusion of blood, and settle peace, but also you will exceedingly oblige me to remain your assured loving friend.

Coddington's very real concern can be seen in the postscript he added:

I do hope God hath reserved you to be a friend to me in this needful time of trouble. Sir, be pleased to come before this day sennit [seven-night], the sooner the better. Vale.¹⁰

Coddington's worst fears soon came to pass — some sort of court was assembled, Partridge was tried, condemned to death, and shot. This we learn from a petition drawn up by his son Thomas many

8 William R. Staples, *Annals of the Town of Providence* (Providence, 1843) 82. Isaac Backus, *History of New-England, with Particular Reference to the Denomination of Christians called Baptists* (Boston, 1777) 1:274n.

9 Captain Richard Morris.

10 *Massachusetts Historical Society Collections*, 4th series, 7:280-85.

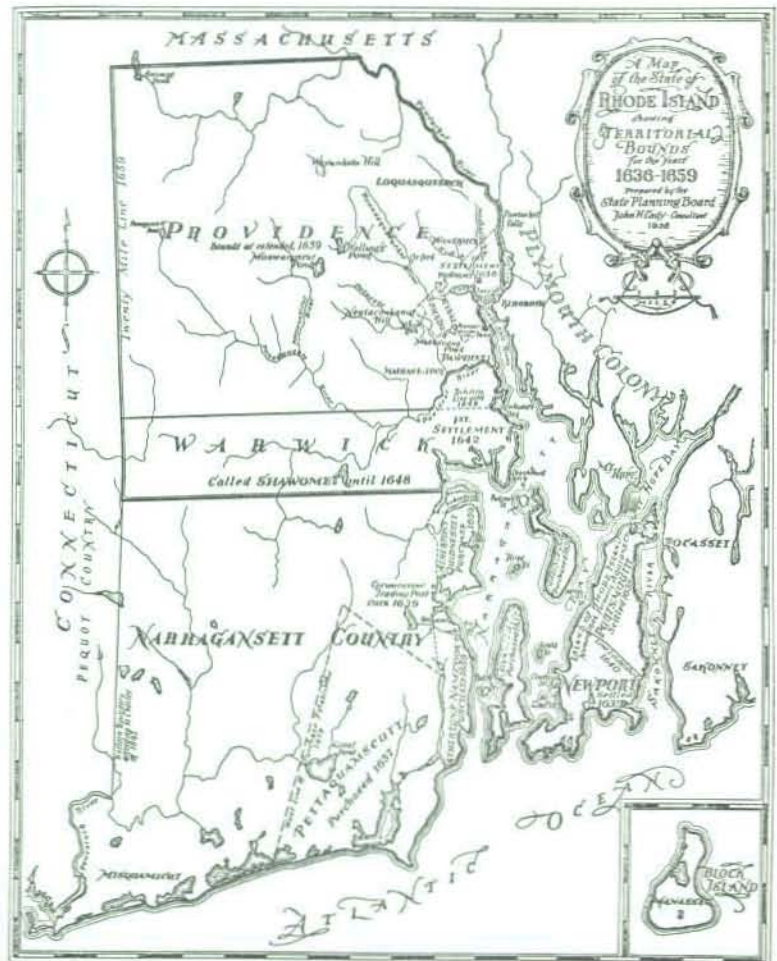
years after the event, on 15 September 1683, and given to Governor Edward Cranfield of New Hampshire, who forwarded it to England along with a letter to the Board of Trade reporting on the activity of the commission, of which he was head, which had been sent to Rhode Island to try to settle disputes over the Narragansett country or King's Province. Thomas Partridge stated —

My father, Alexander, was an inhabitant of Rhode Island in 1651, and was wrongfully kept out of his house and habitation by one Nathaniel Dickens. My father brought an action against Dickens and recovered the house, but Dickens, being ill-content, resorted to force and tried to break into the house while my father defended it. In the fight that ensued a man was killed, and the Governor, who lived close by, endeavoured to disperse the people, promising that Alexander Part-

ridge should be brought to legal trial. But in their rage, they formed a Court of his enemies, condemned him to die, shot him, and put Dickens in possession of the house and land. I was reduced to great straits but managed to live, and last year I sued in the Courts of Rhode Island for my father's house, but could not get a hearing. I beg your Majesty's interference. I can prove my right and the truth of this petition.¹¹

Apparently, once frontier justice had been dispensed a few cooler heads did a little worrying for, after all, William Dyer did not return to Rhode Island with word of the rescinding of Coddington's commission until the following February and hence Coddington was still in power when the court which tried and condemned Partridge was assembled. It was clearly an illegal proceeding, and apparently it made the mainland

Did the Partridge affair contribute to the delay of union of the colony's four towns — Providence, Warwick, Portsmouth and Newport?



towns wary of rejoining the Island towns in a form of government under the original patent of 1643. In a long letter to Roger Williams, the town of Providence explained that Dyer had never shown them the papers upsetting Coddington's commission, and the best they could get to read were "only copies of them under the town clerk's hand, of Newport." There was dissension and quarreling in the mainland towns, and no one seems to have known what to do, except Providence was going to cling to its old, original patent and form of government. They were not prepared to join with the island towns for two reasons, first and foremost their fear of becoming embroiled in the Partridge affair.

*But we being still in the same order you left us, as also observing two great evils, such a course would bring upon us, first the hazard of involving all in the disorder and bloodshed which had been committed on Rhode-Island since their separation from us; secondly, the evading and frustrating of justice in divers weighty causes, then orderly depending in our court.*¹²

Quoting from this letter, Backus states in a footnote:

*The main instance of blood-shed referred to, was of a principle [sic] inhabitant of Newport, who was charged with a capital crime before a town-meeting, and was condemned by them, and carried forth and shot to death in their presence.*¹³

Historians like Staples have wondered at the reluctance of the mainland towns to form a new government or to re-establish the old after the rescinding of Coddington's commission. Others have noted in passing the execution of Captain Partridge but have, like Staples, ignored its significance in prolonging the governmental vacuum following the revocation of Coddington's commission.

Staples wrote that the mainland towns deserved the rebukes they received from Sir Henry Vane for

perpetuating dissension between mainland towns and those of the Island. He says they took the only course they could when Coddington's commission was in force, but:

*After the arrival of the orders of the council of State by Mr. Dyre, their course cannot be so easily defended. . . . And the refusal of the mainland towns to attend the General Assembly of all the freemen of the colony, before whom the letters and orders were to be read, cannot be fully justified. There must have been some other cause not entered in their records, which influenced them.*¹⁴

Could that cause have been the Partridge affair?

The writer submits that this tumultuous disturbance, so clearly illegal when Coddington's commission was in force, may have been far more important than hitherto considered in delaying union of the four towns of the colony, which finally took place in August 1654. Even then the Court of Commissioners was careful to exclude the mainland towns from any responsibility for transactions on the Island during Coddington's commission. In the articles on which commissioners from the four towns agreed, the first refers to these matters:

*First. That all transactions done by the authority of the inhabitants of the two towns of Rhode-Island, from the time of Mr. Coddington's commission's taking place there, until Mr. Dyre brought over further orders from the Honorable Council of state, in the year 1652, shall remain on the account of the two towns of the above said island; and all the transactions of Providence and Warwick in that space, to remain on their own account. . . .*¹⁵

For nearly thirty years after the towns re-united the Partridge affair was apparently forgotten,¹⁶ probably quite gladly, by all except the captain's son Thomas. Historians too have seemed willing that it be forgotten, as an episode clearly not to the credit of the early colony of Rhode Island.

11 *Publications of The Rhode Island Historical Society* 7:3 (October 1899) 197-8, quoting the petition from *Calendars of State Papers, Colonial, America and West Indies* (1681-1685) 524.

12 Staples, 89-90.

13 Backus, 280-81.

14 Staples, 103-4.

15 Staples, 100-101.

16 The General Assembly of Providence Plantations passed an act on May 18, 1654 (Bartlett 1:275-6) "That Edward Smith, Joseph Torrey and James Rogers have power to examine the disposal of Captaine Partreges estate, both the reserve and the disposal by William Lytherland and Richard Knight, and their right in what they either have reserved or disposed of, and what the said three shall do therein shall be authenticque." The name "Alexander Partridge" is in the list of freemen of the colony in 1655, but this was probably his "right," recorded for the benefit of his survivors, although it may be the name of a son of whom there is no other mention in the records.

"Card games were so popular that cards were of significant import quantity." Cards were an exportable pastime too, as suggested by this scene in a Surinam inn visited by Rhode Island voyagers.



Detail, John Greenwood's painting, Sea Captains Carousing in Surinam (1758) courtesy The Saint Louis Art Museum.

Colonials at Play: Leisure in Newport 1723

by L. Douglas Good*

Seventeenth-century Newport was the quietest, most moral of colonial towns, despite the abuse it received in reputation as a refuge for pirates and religious factions. As a Rhode Island community, it retained a large degree of independence and democracy, and was not so religiously straightlaced as other parts of New England. Though a seaport of bustling activity, Newport had attained a population of only about 4,000 in the first quarter of the eighteenth century. It was still basically a one main street town in a rural setting. One traveler described its island as "the most delightful spot of ground I have seen in America."¹ A pleasant place to live in 1723.

However primitive his culture, man must have diversions and when the Newport colonial had moments of leisure, the town, despite its size, provided ample options for amusement. The tavern — a public house providing numerous services — was the most likely place to find entertainment or relaxation. In 1723 seventeen to twenty such establishments were licensed by the town council. Such a large number for so small a community is not anachronistic when one realizes that "tavern" was a catch-all term for public houses of different description and purpose. Sundry names used give us a hint of their variety — inn, ordinary, hostelry, coffee house, dram shop, ale house, victualling house, brew house, lodging house, boarding house, rooming house.²

A tavern was most commonly a place where a traveling person could stop for refreshment and rest, both for himself and his horse. It was just as well that one had a choice of several lodging places in town, for they were not of equal quality. Sarah Knight, who kept a journal of her trip from Boston

to New York, mentioned that one night her room at the ordinary was separated from the kitchen only by a thin partition, and she was unable to sleep because of the "Clamor of some of the town tope-ers in the next room, Who were entred into a strong debate."³ Taverns were not specially constructed buildings; most were houses with maybe a room or two added on, which were licensed to sell liquors. A lodger usually expected to share his bed. The traveler could not be particular about the company he shared either. When a physician named Hamilton, traveling from Maryland to Maine, stared extra long at a drunken group dismissing as he arrived, the tavernkeeper apologized because he recognized him as a gentleman. He said he kept a quiet house, but the raucous group "were country people, his neighbors, and it was not prudent to dissoblige them upon slight occasions." Dr. Hamilton was more amused than disconcerted by the demeanor of the drunken group.⁴

The tavern's second most useful purpose provided a gathering place for townfolk to obtain dinner or a round of drinks with friends or to join in more or less serious discussions. Smoking, drinking and gossiping with associates was the most constant form of amusement in colonial towns. Talk was likely to be on any subject — politics, religion, trade — its sensibleness depending on the amount of drink consumed. Often a good healthy debate would make the evening lively. The one that kept Miss Knight awake concerned the origin of the name Narragansett. One theory was propounded by a tippler who emphasized his view "with a thousand Imperfinances not worth notice, which He utter'd with

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1 Carl Bridenbaugh, *Cities in the Wilderness* (New York: Knopf, 1960) 73, 303 and *Gentleman's Progress: Itinerary of Dr. Alexander Hamilton 1744* (Chapel Hill: University of North Carolina Press, 1948) 157.

2 *Cities in Wilderness* 269-70.

3 Sarah Kemble Knight, *Journal of Madam Knight* (Boston: Small, Maynard, 1920) 17.

4 *Gentleman's Progress* 6-7.

such a Roreing voice and Thundering blows with the fist of wickedness on the Table, that it peirced my very head."⁵

One could benefit from gatherings at public houses by acquiring the latest news. If there were a stranger in lodging, he was expected to have a good store of information to share. One New England traveler was bothered by the "impertinently curious and inquisitive" of the lower class of people in taverns. At one of his stops he noted that each member of the proprietor's family seemed to have a question to ask. Pooling the information thus obtained, they expected to piece his history together. Such questioning, however, went so far as to interfere with his meal. He determined thereafter, upon entering, to call all together and give a short summary of his background that he might eat in peace.⁶ More formal news media were provided by the fact that the tavern was occasionally the place for speeches and public proclamations, notices were posted there, innkeepers subscribed to British or other colonial newspapers, and the post was normally distributed there on an informal basis.

Such diversions as gambling and bowling were provided by many tavernkeepers but will be discussed in connection with "games." Many



The king's arms distinguished an inn patronized by prominent merchants and ship-builders.

activities unrelated to leisure or amusement occurred at taverns but these institutions were "public places" serving any function that phrase might imply according to the means and inclinations of the proprietor. Coffee houses tended to be headquarters for the higher elements — public officials, aristocrats, and British officers. Those houses specified as inns obviously catered to lodgers, and some private lodging houses were distinguished from taverns. The King's Arms catered mostly to prominent merchants and ship-builders who daily discussed business prospects over a glass of rum. Sarah Bright's Exchange Tavern seemed to be the main social center of the town in the period under scrutiny here. Carr's ferry held a license to retail liquor at his place on the Newport side of the bay. People often stayed there who arrived too late to make the crossing to the mainland. The Town Council had regularly met at Mary Nichol's inn. Several small neighborhood shops had tavern licenses, and there were other public houses in Newport not specifically named.⁷

A tavern was not a "bar" in the modern sense. Every citizen felt comfortable entering its door. Indeed, church attenders commonly repaired to it following their morning service in winter. The meeting house often was unheated, and one found warmth for both body and belly at the tavern before returning home or attending afternoon services. On weekdays the public house was a place where an individual could spend idle moments in gossip or imbibing, but unsurprisingly cliques formed official social clubs. These would adopt some appropriate names, as the Tuesday Club or the Convivial Club. The Philosophical Club founded in 1730 undoubtedly had its forerunners, but it was typical. This "elite" body met once a week on Mondays ostensibly to discuss matters of philosophy, but the conversation more often than not turned to privateering and shipbuilding. Because talking was dry work, rum was good to have handy. As their meeting and their drinking

5 Knight, 17-18.

6 Rufus Rockwell Wilson, *Burnaby's Travels through North America* (New York: Wessels, 1904) 140.

7 *Cities in Wilderness* 269-70.

progressed, they would become embroiled in local disputes and controversies, "declarations, recantations, letters, advices, remonstrances, and other such damned stuff of so little consequence."⁸ One witness traveling through Rhode Island testified to the weightiness of topics discussed when she noted that three soldiers and a deacon, in "contriving how to bring a triangle into a square . . . kept calling for tother Gill, wch while they were swallowing, was some Intermission; But presently, like Oyle to fire, encreased the flame."⁹ Some clubs met every night, others once a week. The appearance of a stranger always called for courtesy and an invitation "to drink stoutly with [our club], who are all bumper men."¹⁰ Bawdy talk and a talent for punning and wit seemed to be at a premium in these groups. One writer said that these clubs helped create and sharpen "a common consciousness and a new social organ for the formation of common views,"¹¹ but the main ("unconscious") purpose was apparently the downing of much liquor, the best man being the last to sink under the table.

*Not drunk is he who from the floor,
Can rise again and still drink more.
But drunk is he who prostrate lies,
Without the power to drink or rise.*¹²

More sophisticated fraternal groups organized as social distinctions became more pronounced. Freemasonry had been introduced into Rhode Island in 1658. The first fully established lodge in Newport with authority from England was set up in 1749, but the society practiced there in 1723 without a warrant or charter. Members would attend one another's meetings when passing from town to town; this enabled them to avoid being lonely strangers on their journeys.¹³

Theater, concerts, and the fine arts require patronage of the moneyed class. Newport in 1723 was not yet ready for this. A playhouse existed in Boston, and it was within the contemporary generation that a visitor in this more culturally advanced town spoke of "assemblies of the gayer

sort [where] gentlemen and ladies [meet] almost every week at concerts of musick and balls."¹⁴ But Newport had to content itself with an occasional favoring at a tavern by a violinist or flute player who had picked up the instrument somewhere and learned to play a few tunes. It was not unlikely that a fellow would offer after-dinner music. Itinerant Dr. Hamilton was saved this pleasure on one occasion when a man who claimed he "could play by the book" unfortunately had his talent thwarted by the fact that "the two middle strings betwixt the base and treble were broke." Other undiscovered talent found its only audience at taverns. Dr. Hamilton told of another occasion when a local virtuoso stroked some lively tunes on his violin, accompanying with a high tenor voice that had perfected "nice shakings and gracings." Some of the company were so amazed at his abilities that they questioned his masculinity, which probably induced him to move into the other part of his repertoire that included animal mimicry. He "imitated several beasts, as cats, dogs, horses, and cows, with the cackling of poultry, and all to such perfection that nothing but nature could match it." Whitehall House one evening was entertained for half an hour by a man "who sung with such a trumpet note" that the audience was afraid the walls of the house were endangered. Such occurrences were all part of an evening at a tavern.

Enterprising taverns provided primitive forms of a variety of shows and demonstrations. One coffeehouse keeper imagined himself to be learned in such areas as mathematics and geography. He enjoyed giving discourses about his strange ideas to all who would listen. He might have been the type to put on display for a fee such mechanical devices as windmills, water mills, sailing ships, or other curious figures with moving parts that made the rounds in the colonies for viewing. Anyone with a knack for providing entertainment and a desire for self-expression, or who had a novelty that could bring him profit, frequented these

8 *Gentleman's Progress* 151-2.

9 Knight, 18.

10 *Gentleman's Progress* 88.

11 Michael Kraus, *Intercolonial Aspects of American Culture on the Eve of the Revolution* (New York: Octagon, 1964) 48-49.

12 *Cities in Wilderness* 271.

13 Samuel Oppenheim, "Jews and Masonry in the United States before 1810," *Publications American Jewish Historical Society* 19:(1910)3, 13. Kraus, 55-56.

14 Kraus, 50.

public places. Monkeys had been imported into the colonies as pets, and one tavernkeeper had managed to attract to his place the owner of a trained baboon which performed tricks for an audience. This animal "had more attendants and hangers on att her levee than the best person . . . in town."¹⁵ One Miles Burroughs a few years earlier had either proven to be a fraud, or had overstepped the accepted boundaries of occultism, for he was sent out of Newport for having publicly displayed for a fee "his Art of Legerder-maine or Subtle Craft."¹⁶

If you did not have a novelty for display or any special talent, you did the best you could with what you had. One old fellow with a streak of braggadocio had several "antick tricks such as jumping half a foot high upon his bum without touching the floor with any other part of his body. Then he turned and did the same upon his belly. Then he stood upright upon his head. He told us he was 75 years of age and swore damn his old shoes if any man in America could do the like." There seemed always to be a joker in the tavern crowd, hilarious maybe, not so much for his jokes as for his boisterous ridiculousness. As often as not it was the landlord himself. At one inn the host "entertained . . . as he stood waiting with quaint saws and jack pudding speeches."¹⁷

Though many connoisseurs of liquor and tobacco considered drinking and smoking to be serious occupations at times, these practices were more commonly considered enjoyments and pastimes. Tobacco was in general use by every class in all parts of the colonies — even women of the lower class smoked. Tobacco for smoking or chewing — cut and dried or made into "pigtales," small twisted ropes or braids — was smoked in pipes of red pipestone, in wooden and cob pipes in rural areas. Fortunately cigars were not yet introduced.

Snuff, recommended for medicinal use, was also

taken as a matter of social custom and pleasure. To the rich merchant the snuffbox was an item of decoration and its use a matter of etiquette; usually imported, snuff was also made locally.

Occasions for imbibing included "baptisms, weddings, funerals, barn raisings, church raisings, house raisings, ship launchings, ordinations, perambulations." A newly commissioned officer was expected on training day "to wet his commission bountifully."¹⁸ Committee meetings were always occasions for drinking. One reason Newport's town council met regularly at a tavern — their "beans and bear" were at the city's expense.¹⁹

Breweries in town supplied beer, also brewed by wives at home, occasionally imported in bottles. An act of Parliament — in effect in Newport on July 1, 1723 — regulated standards for amounts of liquor in bottles and required that all bottles not containing full quantity stated be forfeited for sale, proceeds going for "the use of the poor of the parish."²⁰ Cider and cider brandy tended to supplant beer among farmers who would lay up ten to thirty barrels ripening for winter. Only Boston rivaled Newport in distilling rum, standard brew of the colony, drunk at home, served on regular allowance to artisans and workmen, traded with Indians and fishermen, exchanged with southern colonies for grain and naval stores, and used in purchase of African slaves. Some taverns might have had on hand some imported claret, or an inferior mix might have been obtainable, home made by Huguenots from wild grapes. Most colonists did not like sweet wines. A lot of brandy was imported but did not become popular.²¹

The tavern was the best place to do one's drinking, for the company there was convivial. Colonial governments recognized the importance of regulating liquor retailing. Rhode Island law in 1723 licensed public houses to sell strong liquor at a fee of forty shillings.²² Such regulation kept taverns in line but not necessarily tavern patrons. Members of drinking clubs were usually the town's

15 *Gentleman's Progress* 7, 84, 154, 11.

16 *Cities in Wilderness* 276-8.

17 *Gentleman's Progress* 42, 92.

18 Charles Andrews, *Colonial Folkways* (New Haven: Yale University Press, 1919) 112-13, 104-5.

19 George Tolman, *Wright's Tavern* (Concord: Antiquarian Society, 1901) 13.

20 *Boston News-Letter* March 7, 15, 1723.

21 Andrews, 105-8.

22 John Russell Bartlett, ed. *Records of the Colony of Rhode Island and Providence Plantations*, 10v. (Providence, 1856-1865) 4:64.

23 *Gentleman's Progress* 9; *Cities in Wilderness* 226.

24 Bartlett, 463.

respected citizens and generally restricted their drunken behavior to tap rooms, but more independent souls were inclined at times to engage in brawling. Curfew set for eight or nine o'clock was the beginning of the night watch — mainly a time for town fires to be doused for public safety — yet often the night watchman had to break up disorders in taverns or come to blows with drunks on the street. Since beating up the watch seems to have been a favorite sport of sailors, in some ports seamen were automatically jailed if not aboard their vessels in harbor at night.

Excessive drinking quite commonly led to sexual irregularities. Prostitutes plied their trade among the respectable as well as the army and on the waterfront. Some taverns were considered fronts for bawdy houses. One owner of a ferryboat performed what may have been a not unusual role. He was "a young fellow, [who] plied his tongue much faster than his oar. He characterized [for his passenger] some of the chief dwellers in the neighborhood, particularly some young merchants . . . for whom he had had the honour to stand pimp in their amours." For irreligious youth the weekend was a time to indulge in illicit relations and, in the words of

a contemporary, to visit the ordinaries to "wash away the remembrance of their Old Sins, and drink down the fear of a Fine, or the dread of a whipping-post."²³

Newporters had their holidays, public demonstrations, and fairs, with New Year — March 25, 1723 — the first of several annual public festivities. Wagonloads of folk rode about town, visiting houses of acquaintances of everyone in the groups. Political bodies called on families of influential town leaders. Target companies formed processions. Done in a festive spirit, all the riding about almost became mob-like. Extra quantities of liquor were available to toast the flagging health of many. Newport found it necessary on several occasions to seek legislation to control the particularly popular firing of guns and other mischief of the day.²⁴

Observed in a fashion similar to New Year, May Day added of course the raising of maypoles. Training Day for militia always included target shooting. One contemporary observer described the target as similar in appearance to a pillory. The individual that hit nearest the white center was presented with "some yards of Red Ribbin" which



Target practice is pictured in needlework wrought, according to family tradition, by Harriet (Gardiner) Day of Newport.

Privately owned.

were tied to his hatband with the ends streaming down his back. He was "led away in Triumph, with great applause, as the winners of the Olympiack Games."²⁵

Other special days included the King's birthday, commemorations of British victories, and Gunpowder Day. Celebration of the last was typical — effigies were burned, cannon discharged, city officials visited, drinks downed. Processions marched, masqueraders thronged streets, singing crowds invaded houses, huge bonfires illuminated the town at night.

Indians around Newport also found occasion for fun, for a few years following 1723 the Rhode Island General Assembly gave town councils authority to regulate Indian dances more effectively. Experience had shown these dances "to be very prejudicial to the adjacent inhabitants, by [the Indians'] excessive drinking and fighting, and wounding each other; and many servants are enticed to outstay their time at such dances, and run away from their masters."²⁶

Newport provided a favorite source of entertainment for all classes — attendance at occasional public trials — in summer 1723 at a sensational arraignment of a number of pirates. Undoubtedly the town had to make special accommodations for crowds attending the executions.

Newporters could attend at least one major fair in 1723 at Portsmouth, a short trip away on the north end of the island.²⁷ Originally established to encourage trade and commerce, such a gala event as the annual fair afforded many opportunities for entertainment — horse races, foot races, organized "cudgeling bouts," bear baiting, gouging, grabbing a staked goose while running past it, catching greased pigs, grinning contests, whistling contests (without laughing), puppet shows, ropewalking, fortune telling, medicine hawking, odd tricks by individuals, and "surprising feats."²⁸ One Newporter displayed his fair trophies a few years after this to a visitor

СЛОВАРИСЬ (1740); ДІКЦІОНАРЬ (1740); ДІКЦІОНАРЬ (1740); ДІКЦІОНАРЬ (1740).
HUSSIF, a case containing thread, needles, and other articles for sewing. (E.) 'Hussif, that is, house-wife; a roll of flannel with a pin-cushion attached, used for the purpose of holding pins, needles, and thread;' Peacock, Gloss. of words used in Manley and Corringham, co. Lincoln. Spelt *husswife* in Garrick, *Miss in her Teens*, Act 2, sc. 1 (1747). The sense is 'housewife's companion.' [It is remarkably like Icel. *húsi*, a case; but this is accidental.] From *House and Wife*. The ME. word was *nedyl-hous*, i.e. needle-house; Voc. 650, 37.

An Etymological Dictionary . . . by Rev. Walter W. Skeat (1961 ed., London).

from Maryland — a drawer full of curiosities, "tore fans, fragments of gloves, whims, snuff boxes, girdles, apron strings, laced shoes, and shoe heels, pin cushions, hussifs, and a deal of other such trumpery." It is not certain whether he won these items in honorable contest or not, for the visitor described him as a "man of great gallantry here, being frequently visited by the young ladies in town."

If we are to believe the testimony of a bachelor on an extended pleasure jaunt, Newport was "remarkable for pritty women . . . many of whom one may see sitting in the shops in passing along the street." He described them as frank, airy and frolicsome, and evidently could not resist them, for he described how he and a female friend with two other couples took a walk one evening "a little way out of town to a place called the Little Rock. Our promenade continued two hours, and they entertained us with severall songs. . . . After a parting salute according to the mode of the place, I, with reluctance, bid the ladies farewell."²⁹

Townsmen had their own opportunities for courting. The son of a wealthy merchant might have access to a coach in which to escort his lady on a drive, since the fashion for riding in wicker

25 Knight, 37.

26 Bartlett, 425-426.

27 *Cities in Wilderness*, 195. Bartlett, 32.

28 Andrews, 121.

29 *Gentleman's Progress* 102-3, 155, 157.

and spring carriages, glass coaches and the hackney coach, had spread from England to the provinces. A commoner might round up enough money to rent a coach for public hire. The goal would likely be an excursion in the country. A traveler about this time remarked, on viewing Newport's setting, that he could compare it to "nothing but one entire garden."³⁰ Romanticizing this may be — the same commentator had the promenade with an agreeable companion mentioned above — but another has a similar colonial statement of how eight to ten young people would take a four- or five-mile boat trip, an all-day outing, with picnic materials and baskets to gather the fruits of the season, while the boys might do some hunting or fishing. When winter ended and wild berries ripened, young folk would "arm themselves with bottles of wine, cream, and sugar; . . . everyone [taking] a Female upon his Horse . . . rushing violently into the fields."³¹ Newporters' destination might be Goat Island or some nearby wooded area. It was not unusual for groups on an outing to stop on the way home at houses of acquaintances, where they were entertained briefly and offered light refreshment or drink.

We may assume a similar circumstance as that mentioned of other contemporary towns where the "commons" was a place for "gallants" to walk their females just before sunset, until the nine-o'clock bell rang them home. The foresight of some town councils to stop filling in of lot spaces as towns became increasingly crowded might be considered the beginning of American parks.³² It was not uncommon for families of some settled means to landscape their estates to include a beautiful garden. A Newport resident of a few years later described his visit to a friend's home in a neighboring province, where "besides the beautiful walk, ornamented with evergreens, we saw fruit

An endearingly artless image of a "Female" of the time is this polished wooden doll.



RIHS Collection.

trees with plenty of fruit. . . . Spruce hedges cut into beautiful figures, &c., all forming the most agreeable variety. . . . We then walk thro' a spacious way into the wood behind & adjoining to the gardens, the whole scene most happily accommodated for solitude and rural contemplation."³³

If the wealthy wanted to vary their scenery, despite the beauty of their gardens, they would attend elaborate dinners upon invitation or ride to a country tavern that specialized in their favorite cuisine. Occasionally a "merry dinner" was held for such reasons as a ship's captain bringing a prize into port or the departure of an important official. Newport was possibly not so socially developed as

30 *Cities in Wilderness* 22. *Gentleman's Progress* 157.

31 Alice Morse Earle, *Colonial Days in Old New York* (New York: Scribner's, 1896) 204-207.

32 *Cities in Wilderness* 21.

33 "Diary of Ezra Stiles," *Proceedings Massachusetts Historical Society* 2nd ser., 7 (1891-2) 342.

New York, a town twice its size in 1723, but the description of a feast by a visitor to the latter would not have been unfamiliar to a Newporter: "Thirty or forty gentlemen and ladies meet and dine together, drink tea in the afternoon, fish and amuse themselves till evening, and then return home in Italian chaises . . . a gentleman and lady in each chaise."³⁴

When gentlemen sought sporting activity they turned to hunting and horse racing, good traditions transported from England, with hunting more than a sport because of the danger and nuisance of such animals as bear, wildcats and wolves. Whatever its motive, hunting gained stimulus from General Assembly bounties on animals at intervals. Shooting of wild fowl around Newport was also particularly good.³⁵

A well advertised horse race attracted hundreds of viewers, many traveling from some distance. Races were arranged for scrubs, thoroughbreds, three- or four-year olds, colts, and fillies, with distances from one to five miles. Spectators were charged entrance fees and prizes were offered the winners — silver punch bowls, pint pots and tankards, saddles, bridles, boots, jockey caps. Side betting, of course, was heavy with large crowds on hand. At times it was found expedient to erect grandstands for onlookers. Rhode Island played a significant part in the equestrian business by breeding the particularly speedy Narragansett pacer. Horsemen traveled intercolonially to compete in notable contests and men from as far away as Virginia would visit Newport to advertise animals and purchase stock.³⁶

Animals provided sport in other, more degrading ways. One traveler saw five cockfights on his way from Williamsburg to Port Royal, Virginia, and said he saw a man in Maryland who had spent three successive days in cockfighting.

Champion cocks were known by name and pitted against all comers. Known both north and south of Rhode Island, cockfighting was a sport of long English tradition, and we may assume it had its adherents in Newport.³⁷

"Pulling the goose" — banned at times — required that a goose be hung between two poles and greased. The object was to grab it and pull it loose while passing at a fast pace. Dr. Hamilton observed another sport more humorous and less harmful to the animal called "hawling the fox." He witnessed it in Boston, but any young Newport boy would have wasted little time trying it when he heard it reported, as it must have been. A rope was stretched across a small pond with one end concealed in bushes and held by two or three strong fellows. In front of the bushes a fox was tied to a stump. Across the pond a likely simpleton was inveigled into attempting a tug of war against the fox. Two or three spectators pretended to wager on the contest. For a promised reward, the victim allowed the rope to be tied around his waist and the pulling commenced. The fox sat while the gullible fellow was promptly doused.³⁸

Newport children, particularly boys, usually knew their way around boats and were good swimmers. One charming reminiscence is recorded of seaport lads escaping their mothers' watchful eyes only to be seen "diving from a bowsprit or dropping from a yard arm." As soon as school was out they would run to the wharves, swarm up the rigging of the ships, and shinny up the topmast striving to be first to place a cap on the tip.³⁹

In winter pedestrians had to keep an eye out for sleds, for nearly every boy in town would be out testing his homemade runner. In the evenings nearly the whole community would wrap up warmly and view from the nearest porches the spectacle of scores of sledders setting off from the

34 Earle, 92, 207. Wilson, 118.

35 Bartlett, 491, 591. *Cities in Wilderness* 118.

36 Andrews, 118-20. Kraus, 53.

37 Earle, 191. Andrews, 116.

38 *Gentleman's Progress* 135.

39 Wilfred H. Munro, *Tales of an Old Sea Port* (Princeton: Princeton University Press, 1917) 30-31.

40 Earle, 202-22.

41 Andrews, 129.

42 Andrews, 110. *Gentleman's Progress* 47. Benjamin Franklin, *Autobiographical Writings*, Carl Van Doren, ed. (New York: Viking, 1945) 7. Kraus, 49.

43 *Cities in Wilderness* 227. Andrews, 112.

highest rise. In a neighboring province the legislature had to rule that there be no sledding on the Sabbath or in the week when it should cause accidents.⁴⁰ For the less daring, sleighing was so popular that parties rode three or four miles out of town, perhaps to visit friends, and night sleighing was fun under moonlight serenity, in crisp air.

A list of the more popular youthful games would include quoits, football, stoolball (a forerunner of cricket), ball and bat, cricket, marbles, tag, penny pitching, "Button Button," and "Break the Pope's Neck."⁴¹ For adults many of the taverns provided facilities for skittle alleys, shuffleboards, billiards and bowling. The latter two were popular enough that some were privately constructed. Card tables and cards were available in taverns. Indeed, card games were so popular that cards were of significant import quantity. Dr. Hamilton mentioned taking "a hitt at backgammon" in the coffee houses he visited or looking on while others

played chess. Benjamin Franklin gave an account of playing at the draft board in his stopover at Newport in 1726.⁴²

Where there were cards there would be gambling and, though laws discouraged it, it became increasingly popular. There is record of at least one Newport individual continually in trouble for keeping a gaming table in his house. Gambling was not confined to men of quality. Negroes and street boys throughout the colonies gambled in the streets at "pawpaw" and dice. "Huzzlecap" or pitching pennies was popular to the point of being considered a public nuisance.⁴³

Colonials were not fun-starved people. If you were to arrive in Newport in 1723 for an extended vacation, your choices of entertainment and pleasure would include a wide range of activities presented by this "... most delightful spot of ground ..."

A spirited drawing by schoolboy Henry Marchant, later renowned Newport lawyer, reflects Rhode Islanders' interest in fine horses.

Marchant MS, Collection, RIHS Library.



Under the leadership of Governor John Brown Francis, Rhode Island became the first state to abolish public executions.



Portrait by John N. Arnold, in the State House. Photograph by Leo P. Reardon.

"The Result May Be Glorious" — Anti-Gallows Movement in Rhode Island 1838-1852

Of the vigorous anti-gallows campaigns which flourished — along with a host of other reform movements — in virtually all northern states in the antebellum period, only three fully succeeded. Michigan abolished capital punishment in 1846, Rhode Island in 1852 and Wisconsin in 1853. Of the three, most surprising perhaps is Rhode Island, sole state to take the action in a section of the country characterized by intense reform activity.¹

Rhode Island inherited a capital code from colonial times which — far from enlightened by modern standards — was the most lenient in mid-eighteenth-century America. The original code of 1647 had prescribed death for nine crimes — treason, murder, manslaughter, burglary (but not extending to those who "Steale for Hunger nor to Fools"), arson, robbery, witchcraft, rape, and sodomy or buggery.² Already merciful by comparison with laws of neighboring colonies, this code was further modified before the Revolution to omit arson and rape from the list of capital crimes in a revision of 1718 and to drop witchcraft in 1767 or shortly before.³

by Philip English Mackey*

As in most states, independence did not mean rapid change in criminal laws. Not until 1798 did Rhode Island's legislature devise a new code of capital crimes to include first-degree murder, arson, rape, robbery, burglary, and the second offense of sodomy — no longer a model of leniency. Pennsylvania had reduced her capital crimes to one, first-degree murder, in 1794 and other states had abolished the death penalty for all but two or three crimes in the next several years.⁴

Rhode Island's capital code changed little in the next forty years. The legislature abolished division of murder into degrees in 1814 and ended public executions in 1833, with no alterations in number of capital crimes.⁵

The first serious attempt to abolish the death penalty in the state occurred in 1838. New interest in the reform may have been spurred by an increase in executions — no hangings from 1798 to 1831 but three between June 1832 and January 1834. Other influences on the action were reform activities of recently deceased Edward Livingston, author of a famous proposed criminal code for

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1 Rhode Island abolition has heretofore escaped scholarly attention. Information is available on the other two abolition states — Albert Post, "Michigan Abolishes Capital Punishment," *Michigan History Magazine* 29 (Jan. 1945) 44-50 — "Capital Punishment in the States with Special Reference to Wisconsin," *Wisconsin Legislative Reference Library Information Bulletin* 210 (Madison, 1962).

2 The code also prescribed death for petit treason — killing of master by slave or of husband by wife — but only as a special case of murder and not a tenth capital offense. On the leniency of the code of 1647, see James Hill Nutting, "The Poor, the Defective and the Criminal," in Edward Field, ed., *State of Rhode Island and Providence Plantations at the End of the Century: A History*, 3v. (Boston, 1902) 3:432-435.

3 *Acts and Laws of His Majesties Colony of Rhode-Island, and Providence-Plantations in America* (Boston, 1719) 4-6. *Acts and Laws of the English Colony of Rhode-Island and Providence-Plantations in New-England in America* (Newport, 1767) 61. The latter shows the addition of two capital crimes — counterfeiting and the willful spreading of small pox — 33, 240.

4 *Public Laws of the State of Rhode Island and Providence Plantations* (Providence, 1798) 584-586. *Statutes at Large of Pennsylvania, 1786-1809* (Harrisburg, 1906-1915) 15:175.

5 *Acts, Resolves General Assembly* June 1814, 22-23; June 1833, 50-51. Few historians are aware that Rhode Island was the first state to abolish public executions. Credit is usually given Pennsylvania, which ended the practice in 1834. David B. Davis, "Movement to Abolish Capital Punishment in America, 1787-1861," *American Historical Review* 63:1 (Oct. 1957) 33.

Louisiana — Maine's recent restriction of capital punishment which was to become a *de facto* abolition — and imminent completion of Rhode Island's new state prison, begun in 1834.⁶

The subject arose in the legislative session of 1838 when a committee appointed to revise the state's penal code reported in favor of abolition.⁷ Anti-gallows members of the committee — Judge William R. Staples of the Rhode Island Supreme Court and Samuel Y. Atwell, lawyer and member of the legislature from Gloucester — justified their recommendation in a two-page report in early January.

Capital punishment was inexpedient, they argued, because severity of the sanction often prevented punishment of the guilty. No one liked to condemn a fellow human being to death, and jurors frequently acquitted defendants for flimsy reasons merely to avoid sentence of death which would automatically follow a guilty verdict. If the jury did convict, it was "the settled practice" to postpone execution long enough for the prisoner to petition several sessions of the legislature for pardon or commutation. Such petitions were "regularly granted," for legislators, like ordinary citizens, "gladly . . . seize upon every circumstance which seems to justify them in showing mercy." A system of certain, though milder, punishments would obviously be superior to the present system of highly uncertain severity.

Staples and Atwell also argued against the death penalty on grounds that it was irremediable in cases of errors of justice and that it was essentially a means of retaliation which they considered an improper goal of punishment. As directed in the laws of Rhode Island, death was also an unequal punishment since it was decreed for such diverse crimes as murder and burglary. Unequal in another sense in that some criminals wanted to die or at least were indifferent about living — death was no punishment to such men.

Staples and Atwell concluded with an appeal to tradition and patriotism. The state was founded by innovators, they asseverated, and they hoped that none of its citizens would succumb to the claim

Works of Edward Livingston, pioneer in criminal law reform, were reprinted in Providence, 1838.



Dictionary of American Portraits, (New York: Dover, 1967).

that the abolition of hanging would be a dangerous innovation. They trusted rather that Rhode Island would abolish the gallows and "show that she still possesses that independence of feeling, sentiment, and action, which characterized her first settlers."⁸

Spirited exchange between advocates and enemies of capital punishment appeared in the *Providence Journal* prior to legislative debate on the Staples-Atwell report. On January 9, an anti-gallows correspondent — calling himself simply "A Rhode Islander" — rejoiced about the committee report and claimed that the state was particularly well suited to lead the nation in abolishing hanging. "Rhode Islander" detected a "growing dislike amongst all classes of our people" for capital punishment for any crime and ventured to predict that — if a vote were taken — three-quarters of the population would favor

6 *Tenth Annual Report of Prison Discipline Society* (Boston, 1835) 48. *Providence Journal* June 2, 1832; Dec. 28, 1833. Louis Filler, "Movements to Abolish Death Penalty in United States," in Thorsten Sellin, ed., *Capital Punishment* (New York, 1967) 110. Nutting, 459-460. Rhode Islanders had ample opportunity to know of Livingston's work — his

writings had been favorably reviewed by Henry D. Gilpen, "Livingston's System of Penal Law," in the prestigious *North American Review* 43 (Oct. 1836) 297-336 — and his arguments for abolition had been reprinted here, Edward Livingston, *Extracts from Two Reports to General Assembly of Louisiana* (Providence, 1838).

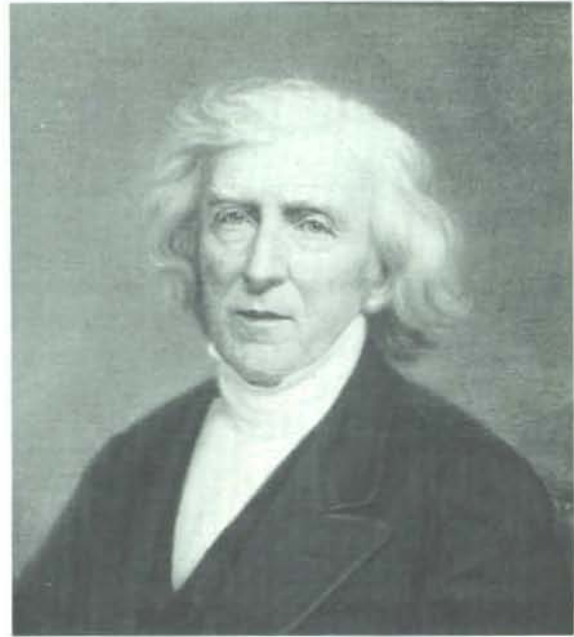
abolition. It was already notorious that in every capital trial about half of the jury panel excused themselves as having conscientious scruples and that those who remained — given any excuse to do so — often acquitted the criminal. “Unless the prisoner, from his color or extraction, is cut off from ordinary sympathy, he is almost sure of an acquittal.” In short, capital punishment was already “practically abolished” in the state. The legislature’s choice would be between imprisonment or no punishment at all.⁹

“Rhode Islander” returned to the *Journal’s* columns on January 10 with an appeal to traditions and pride similar to that of Staples and Atwell. The state had been founded as an experiment of “a great question of human rights.” Revision of the penal code provided an opportune time for trial of another such question. “Let the little republic of Rhode Island then emulate the fame of its founders and fairly test by experience whether its citizens may not be governed without the halter, as well as truly worship God without the sword or faggot. The matter is all within our power — the risk is small, and the result to us and humanity may be glorious.”

Anti-gallows advocates did not have the *Journal* to themselves — on January 12 the paper printed a letter from “One of the People” to the legislature. He, too, was interested in Rhode Island’s history and traditions, felt that the state should continue hanging felons as it had “since the days of Roger Williams,” and hoped the legislators would weigh the issue carefully before putting the fate of citizens in jeopardy with an “experiment upon our lives.” If laws were not being enforced, the solution was to see that they were, not to abolish them. God had commanded capital punishment for murderers in Genesis 9:6 — “Whoso sheddeth man’s blood, by man shall his blood be shed.” Unwilling to fly in the face of God’s authority by abrogating his commandment, “One of the People” did agree that murder should be the sole capital crime.

To the religious argument, “Rhode Islander” contributed a quick rejoinder on January 13 — if

Judge William R. Staples, co-author of an 1838 report to the state legislature in favor of abolishing capital punishment.



Detail of portrait, RIHS

God really commanded capital punishment, there could be no argument; in fact, however, Genesis 9:6 was not a command but a prediction, God did not mean it for all time and, even if it were a command to the Hebrews, it had been repealed by the New Testament.

Pro- and anti-gallows articles continued to greet *Journal* readers for another ten days. “One of the People” was soon joined by “Secundus” and “Versum Sat” in attacking the abolition campaign. “Another of the People” came to the aid of “Rhode Islander.” On January 17 focus of the controversy shifted to the state House of Representatives.

The committee to revise the penal code had submitted a bill listing punishments for a number of crimes and omitting the death penalty. Battles in the legislature then took the form of attempts by

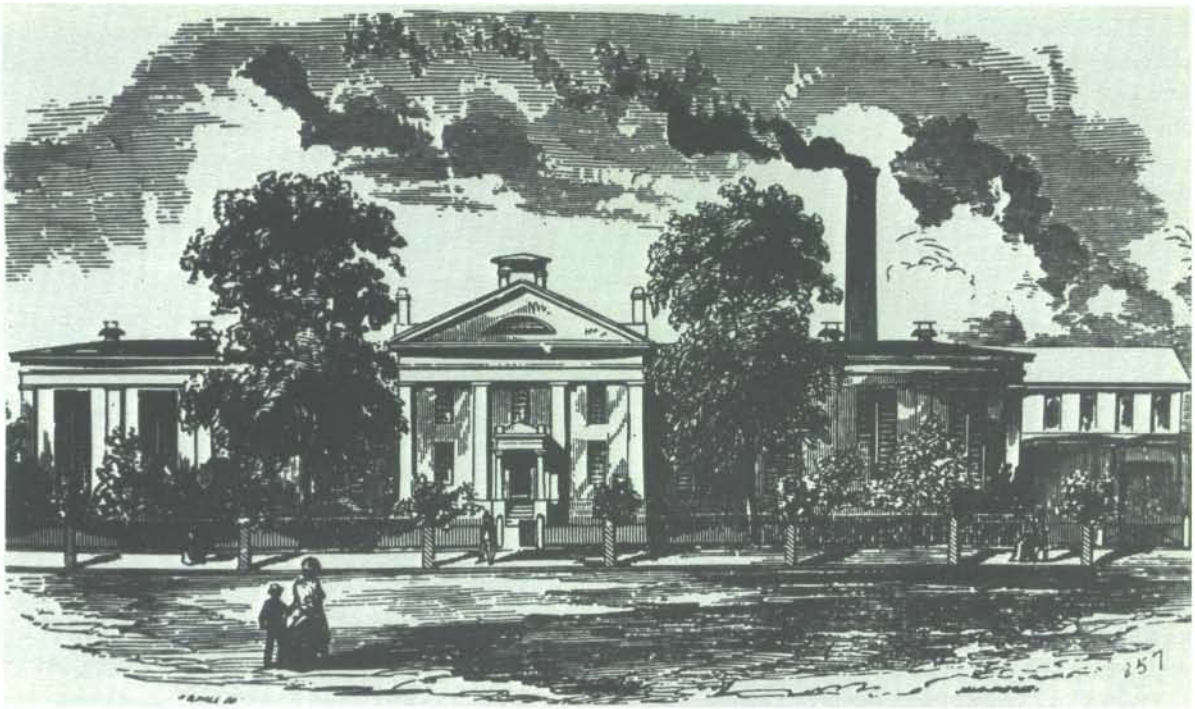
today’s controversy — modern reformers hope to convince legislators that new mandatory capital punishment laws will be self-defeating because jurors will acquit rather than convict, and hence free some criminals however clear their guilt. Moreover, the argument runs, modern jurors — like those “Rhode Islander” describes — will let race and other extraneous factors determine who is convicted and who is spared.

7 Actually the committee split evenly, but the two members who favored the death penalty agreed to submission of a bill which omitted the punishment so the legislature could debate the subject.

8 *Report of Committee on Abolishment of Capital Punishments* [Providence, 1838].

9 “Rhode Islander” presents an argument which figures in

Reformers argued that construction of the state prison had removed need for the death penalty.



RIHS Scrapbook

pro-gallows factions to restore hanging as punishment for certain crimes. The House began discussion of punishment for murder which the committee had recommended be life imprisonment. This was of course the crucial question, for if reformers could persuade the House to vote against hanging for murder, they would have an easy time securing abolition for lesser crimes. Wilmarth N. Aldrich of Scituate proposed the expected amendment to make murder punishable by death, ably supported by Secretary of State Henry Bowen and Attorney General Albert C. Greene. They and their allies argued that abolition

would be too dangerous an experiment, that convicted murderers would be released long before completion of life terms, and that there would be no protection against life prisoners murdering their keepers. They also defended capital punishment on the grounds that God had commanded it, virtually all nations had practiced it, and no other punishment could be so effective in deterring murder.

Anti-gallows advocates responded with energetic speeches. Led by Samuel Y. Atwell and Judge Joseph Childs, reformers cited New Testament contradictions of Genesis 9:6 and argued that there

could be no harm in an experiment. The Assembly met four times a year — they pointed out — and if abolition did not work it would be easy to repeal the act. Practically, reformers insisted, construction of the state prison had removed need for the death penalty. Many representatives remained unconvinced — on January 23, when final voting on the amendment was taken, thirty-one members voted for capital punishment for murder, only twenty-four for life imprisonment.

Reformers were disappointed but the small margin of their defeat encouraged them to believe they could succeed in abolishing hanging for lesser crimes. In five of six cases they were correct. Pro-gallows legislators did not even question the committee's abandonment of capital punishment for rape, robbery, burglary and the second offense of sodomy. Richard K. Randolph of Newport did propose that death be made the punishment for treason, for the first time in forty years, but reformers defeated his motion, thirty-one to twenty-four. In the case of arson, Randolph proposed that an optional death penalty be added to the committee's suggested ten-year-to-life prison term. The vote was a tie broken by pro-gallows Speaker of the House George Curtis. The lower house had overridden the committee and voted capital punishment for two crimes — murder and arson. The Senate concurred on February 3 and Rhode Island again became a leader in leniency toward criminals.¹⁰

The partial anti-gallows victory of 1838, absence of executions in the next few years, and reactionary climate following the Dorr War resulted in a low level of reform activity through the early 1840s. Newspapers published infrequent articles on abolition and Rev. James A. McKenzie — pastor of Roger Williams Baptist Church in Providence — condemned hanging in 1842, but these occasional expressions of reform were probably stimulated more by the high level of

anti-gallows activity in neighboring states than by any occurrences in Rhode Island.¹¹

The situation changed radically in late 1844 with the trial and conviction of John Gordon for the murder of industrialist Amasa Sprague. Gordon aroused interest because evidence against him was circumstantial and rather flimsy, but even more because his execution was set for February 14, 1845, before the trial of his brother Nicholas for the same offense. Massachusetts reformer Charles Spear found a new interest in capital punishment during a trip to Rhode Island in August 1844. By January 1845, the legislature was receiving petitions requesting reprieve for Gordon until after his brother's trial. Considerable support for the petitioners' pleas existed in both houses, some legislators suggesting that Gordon could be guilty only if his brother were also. The Senate voted to appoint a joint commission to consider reprieve but the House was less sympathetic. Representatives rejected the petitions — thirty-six to twenty-seven — then voted down the proposed commission by an even larger margin. The legislature adjourned shortly thereafter and Gordon was hanged on schedule on February 14.¹²

There had been some doubts about Gordon's guilt before his execution. After it — and especially after the Supreme Court's failure to convict Nicholas Gordon — they froze into certainties and made John Gordon a *cause célèbre*. Soon pro- and anti-gallows editors as far away as New York City, Utica, and Boston were decrying the death of an innocent man. One writer felt that Rhode Island had "disgraced herself in the eyes of the whole civilized world." In Providence and Pawtucket, portions of the Irish community were muttering about "judicial murder" and even advocates of capital punishment found the case "deplorable."¹³

Perhaps the most important result of the Gordon execution, at least for the future of reform in Rhode Island, was the series of anti-gallows

10 *Providence Journal* Jan. 13, 15, 16, 17, 18, 19, 22, 24, 25, 26; Feb 5, 1838. *Acts, Resolves General Assembly* January 1838, 3-20.

11 McKenzie, *Discourse Against Life-Taking*, 2nd ed. (Providence, 1842).

12 Thomas M. McDade, *Annals of Murder* (Norman, Okla., 1961) 109-110. Charles Spear, *Manuscript Diary*, Aug. 11,

1844, Boston Public Library. *Providence Journal* Jan. 15, 20, 1845. *Hangman* Jan. 29, 1845. *Manufacturers' and Farmers' Journal* (Providence) Feb. 17, 1845.

13 *Hangman* Feb. 5, 12, 19, 26, Mar. 12, Apr. 30, May 7, 1845. *Evangelical Magazine and Gospel Advocate* 16 (May 23, 1845) 165-166. *Universalist Union* 10 (Feb. 22, 1845) 240. For details of Gordon's arrest, trial and execution, see George Potter, *To the Golden Door* (Boston: Little, Brown, 1960) 441-446.

David R. Whittemore, secretary of the first anti-gallows meeting that followed Gordon's execution.



RIHS Scrapbook.

meetings which began only a few days after the event. The first — on February 18, 1845 — seems to have been organized by Samuel W. Wheeler, Providence grocer who called the crowd of three hundred to order and conducted elections in which William Chace, Providence merchant, was chosen chairman and Rev. David R. Whittemore, pastor of the Free Baptist Church in North Providence, secretary. A debate ensued on the question, "Is the death penalty in accordance with God's law and Christ's precepts; and is it necessary for the welfare of the community?" Only a few speakers — all of them arguing the negative — had an opportunity to address the question before time ran out, but another gathering was scheduled for the following week. Meetings went on in this fashion at the rate of more than one a week for over three months, seventeen sessions in all. Anti-gallows speakers included out-of-state reformers Galen Foster from

Watchmaker Samuel H. Wales.



RIHS Scrapbook.

Pennsylvania, Cyrus Burleigh from Connecticut and C. W. Philleo from Massachusetts. They were joined by such native allies as Rev. Henry Bacon of the First Universalist Church of Providence, Rev. Martin Cheney, a Free-Will Baptist minister from Olneyville, and dentist N. W. Chevalier, schoolteacher Samuel S. Ashley and watchmaker Samuel H. Wales, all of Providence. Reformers wanted speeches in favor of hanging at every meeting, but could not find many pro-gallows advocates willing to face hostile audiences. Two who accepted the challenge were Massachusetts minister Origen Bachelor and Rev. William H. Brewster, pastor of Providence's Fountain Street Wesleyan Church.

Rev. Martin Cheney.



RIHS Graphics Collection.

Wheeler was pessimistic about the meetings when he began them. Reformers “barely exist as lambs among wolves,” he wrote a friend, and they could only trust that the pro-gallows forces “will not ill treat us.” “It won’t do to say any thing in this community,” he warned, “which may be tortured to mean any thing against the ‘Powers that be.’” Wheeler’s fears proved groundless — there was no interference by pro-gallows forces or “Powers that be” and the meetings were well attended and apparently effective. Hundreds of Rhode Islanders heard able anti-gallows arguments; thousands more read about them in newspapers. When the last regular meeting adjourned on May 26, 1845, reformers could realistically hope that a significant number of citizens joined in their belief that capital punishment was immoral and “entirely inoperative

Edward B. Hall.



Biographical Cyclopaedia of Representative Men of Rhode Island (Providence, 1886).

for the prevention of Crime, and therefore, ought to be immediately abolished.”¹⁴

Reform gained further ground and a new Rhode Island reformer won overnight renown with the appearance early in 1846 of Edward B. Hall’s “Punishment of Death” in the influential *North American Review*. Pastor of Providence’s First Unitarian Church, Hall presented a catalog of terse assertions and sought to prove each. “Capital punishment has not prevented murder” and has “never been sure or equal.” It “fails to protect society,” and “has caused immense evil.” Capital punishment had already been abolished “with safety and advantage” in some European states. “The most depraved and guilty are still men,” he concluded, “God requires that they be treated as men.”¹⁵

The anti-gallows message in speeches and articles was unquestionably reaching a growing

14 *Hangman* Mar. 5, Apr. 16, May 7, 28, June 11, 1845.

15 *North American Review* 62 (Jan. 1846) 40-70.

number of the state's citizens. Rhode Island legislators, however, were apparently feeling little pressure from their constituents on the subject as reformers discovered to their dismay in the 1846 session. Judge Thomas Buffum — a Quaker from Smithfield — introduced a new abolition bill in the House in January. A handful of his colleagues supported the measure but could not prevent its temporary tabling. Buffum and his allies distributed anti-gallows literature to the legislators in an effort to arouse more interest, but to no avail. Brought up again on the last day of the session, the bill was again ordered tabled by a vote of fifty-three to nine. One reformer wrote that petitions would have to be presented to encourage the legislators on the subject and even that might not move these men of "no humanity."¹⁶

No extensive petition campaign followed legislative failure in 1846. It is probable that the nation's imbroglia with Mexico and subsequent sectional crises diverted attention of reformers and temporarily crippled anti-gallows efforts in Rhode Island as in other states in the late 1840s. Even the sentencing to death of convicted murderer Simeon T. Hicks in 1847 failed to stir any excitement among the citizenry. Samuel Wheeler circulated petitions calling on the legislature to spare the felon's life in June of that year but was unable to obtain a single legitimate signature. Hicks avoided the gallows at last but not because of any reform activity — he escaped in November and was never seen again.¹⁷

If reformers were inactive some of their clerical opponents were not. Rev. James M. Davis, pastor of the Congregational Church of Woonsocket, published a blistering attack on the cause in 1848. Disregard for human life was already rampant in the nation, he complained, and if reformers

insisted on abrogating God's law, "ghastly victims would be found in every house." As for reformers, they were members of "one or two dying sects" and were "radically defective in christian doctrine." Those who petition for the abolition of capital punishment "share with the murderer the curse of blood which clings to his soul." Rev. Timothy Alden Taylor of Slatersville engaged in similar *ad hominem* arguments in 1850 — "infidels and atheists" opposed capital punishment and reform leaders "have resolved to follow the Devil. . . . On a more noxious set of human beings the sun never shines." Taylor wanted nothing to do with "unscriptural schemes" for reforming the world. Imprisonment for murder was unthinkable because the "Scriptures furnish us with no instructions of this nature." Public execution was the sole authorized means of inflicting God's "divine vengeance," and it was just the kind of "display of the majesty of the law, as should rejoice all good citizens."¹⁸

Davis, Taylor and other champions of the gallows must have been amazed and appalled only a few years after publication of these diatribes. With little warning, reformers reappeared in 1852, stronger than before and — with comparative ease — persuaded the legislature to abolish capital punishment completely in a scant four weeks. On January 14, Seth Macy of Newport presented to the state senate an abolition petition referred, surprisingly enough, to the committee on education which reported favorably on January 23. Chaired by Dr. Ariel Ballou of Cumberland, the committee presented a forty-three page document and added a proposed bill for abolition of capital punishment. Remarkable in two ways, the report first totally ignored scriptural arguments for the death penalty and stressed instead its inefficacy.

16 *Prisoner's Friend* Jan. 14, Feb. 18, 1846.

17 *Prisoner's Friend* Apr. 28, May 5, July 14, Nov. 17, 1847. For the effect of the Mexican War and subsequent events upon New York, see Philip English Mackey, "Anti-Gallows Activity in New York State, 1776-1861," unpublished dissertation (University of Pennsylvania, 1969) 267-274.

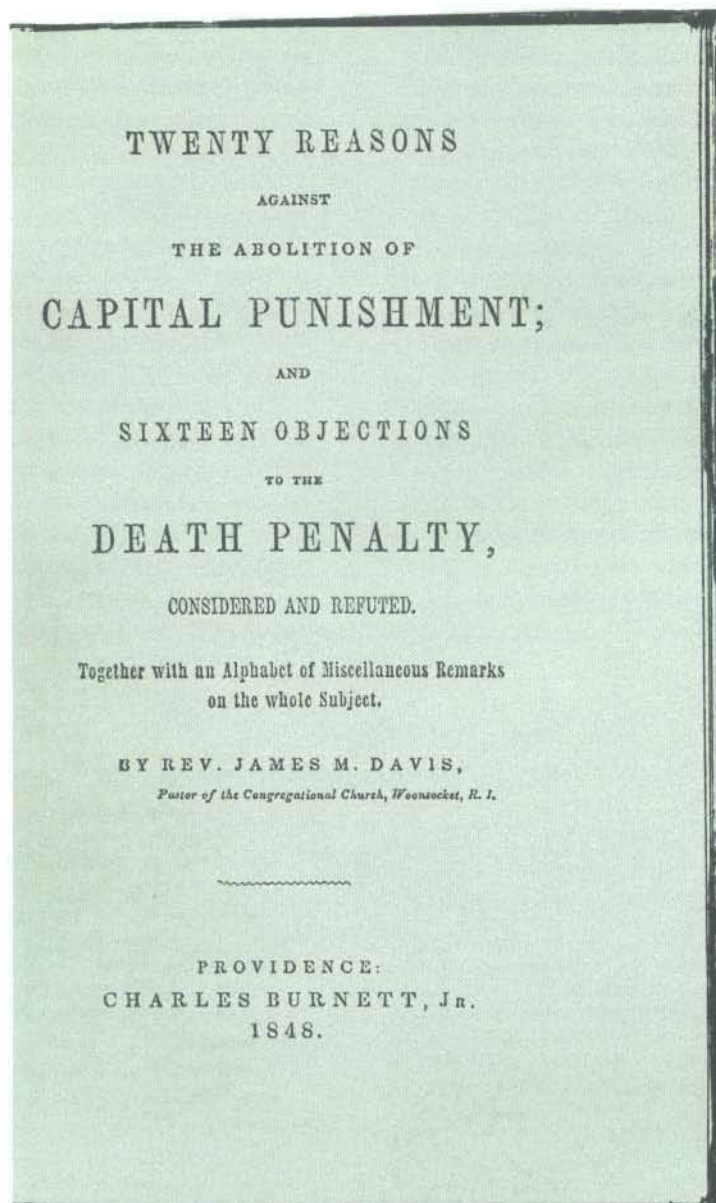
18 Davis, *Twenty Reasons Against Abolition of Capital Punishment and Sixteen Objections to Death Penalty, Considered and Refuted* (Providence, 1848) 3-4, 12, 45, 49. Taylor, *Bible View of Death Penalty* (Worcester, Mass., 1850) 3, 16, 19, 21-22. Davis' "dying sects" and Taylor's "infidels and atheists" are references to Universalists, Unitarians and Quakers, to which denominations many

reformers belonged. Universalist ministers were especially active in advocating abolition of capital punishment and Rhode Island's Henry Bacon among the most active of all — see his *Third Annual Report of the Corresponding Secretary of the Universalist General Reform Association* (Providence, 1850).

19 MS. Journal Rhode Island Senate, Jan. Session 1852, Rhode Island State Archives. *Report of Committee on Education, in the Senate, on the Subject of Capital Punishment* (Providence, [1852]). Other members of the committee were Hazard Knowles of South Kingstown, William C. Chapin of Tiverton and William P. Ball of New Shoreham, Ballou — a prominent doctor — was to serve as president of the Rhode Island Medical Society in 1855-56.

Secondly it made no attempt to fashion an organized appeal against hanging but merely presented a series of quotations and paraphrases from a wide variety of sources. Included were passages from writings of such prominent reformers as John L. O'Sullivan, Edward Livingston, Robert Rantoul Jr., Charles Spear and Charles C. Burleigh. The report concluded that "the spirit of the age in which we live, the sublime principles of Christianity, as well as the ends of Justice, demand the abolition of death as a penalty for crime."¹⁹

The senate discussed the proposed act at length on February 3, with Ballou and Nathan Porter of Cranston leading the reformers and Thomas T. Hazard of West Greenwich heading the opposition. Porter's speech suggests that debate that day shunned religious arguments and concentrated on reformability of criminals and dangers of executing the insane or innocent. February 4 saw a continuation of debates and efforts to water down the abolition bill, especially by Senator Hazard. Porter again spoke in behalf of reform, decrying the death penalty as punishment



of one crime by "another of equal magnitude." The issue came to a head the following day as the senate rejected two amendments and passed the abolition bill by a seventeen-thirteen vote.²⁰

The fight shifted to the House on February 11. There reformers — led by Thomas Davis of North Providence — achieved quick and overwhelming success, passing the reform bill in a matter of hours by a decisive forty-four to twenty vote. The new law abolished capital punishment outright and substituted for it life imprisonment and loss of all civil rights.²¹

How did reformers achieve this sudden and stunning success? Previous students have offered but a single explanation, revulsion over the hanging of John Gordon who — some writers add — had since proved to be completely innocent. A review of contemporary materials shows this explanation to be naive at best and sheer fiction at worst. At no time during 1852 legislative debates about capital punishment did newspapers so much as refer to Gordon's execution. Such records as exist of legislators' remarks for or against the gallows show a similar disinterest in the man. Nor was any evidence unearthed between 1845 and 1852 to suggest that Gordon had been innocent of murder. Gordon had been convicted on flimsy evidence — true — and his execution should have been postponed until after his accomplice's trial. These facts stirred up a good deal of interest in 1845 but were not cited by reformers in 1852. The seven-year-old controversy probably influenced the abolition vote in indirect ways, but it is certainly not an adequate explanation of the reform triumph.²²

The name which should be linked most closely with that victory is not John Gordon, but Thomas R. Hazard. While his role was not heralded at the time, it is apparent that he was the leading figure in the reform campaign. Thomas Robinson Hazard (1797-1886) — not to be confused with pro-gallows Thomas Tillinghast Hazard who fought reform in the Senate — was a wealthy Quaker from near Portsmouth with a penchant for reform. In the 1840s he had worked for African colonization and for education improvements. In 1851 he had surveyed the condition of Rhode Island's poor and insane citizens and had presented a distinguished report to the legislature. Later that year he turned to another interest — abolition of capital punishment. There is some evidence that he would have preferred anonymity in this role. While newspapers merely reported Senator Seth Macy's presentation of an abolition petition on January 14, 1852, the manuscript journal of the Senate shows that Hazard had written and circulated the document. Again, his name is absent from the report of the committee on education but reference in its pages to "T.R.H." and his "untiring labors" in collecting "most of the facts here assembled" shows that Hazard was virtual author of that important work.²³

The fact that Hazard was responsible for both petition and report on it suggests that he may have played a part in the legislative maneuvering which referred the petition to the education committee, but there is no evidence to this effect. It is also probable — but incapable of proof — that Hazard was author of one or more pseudonymous newspaper articles supporting the abolition bill during

20 MS. Journal Senate, Jan. Session 1852. *Providence Journal* Feb. 4, 5, 6, 1852. *Providence Post* Feb. 7, 1852.

21 MS. Journal House, Jan. Session 1852. *Acts, Resolves General Assembly* (Providence, 1852) 12.

22 Accounts which overstress the role of the Gordon execution — *Providence Journal* Feb. 24, 1910; Oct. 2, 1932. Potter, 446. Dean P. Butman "His Murder Changed Rhode Island Law," *Rhode Island Yearbook* (1968) 108-114. In two accounts history meets fiction as the executed Gordon is proved completely innocent — Zechariah Chafee, "Weathering the Panic of '73," *Proceedings Massachusetts Historical Society* 66 (1942) 271. Providence Police Chief John A. Murphy to Edmund Goerke, Providence, Mar. 26, 1958, copy in possession of author. Peter J. Coleman, *Transformation of Rhode Island,*

1790-1860 (Providence: Brown University Press, 1963) 243, takes the proper view when he says that Gordon's execution "contributed" to abolition in 1852.

23 *Biographical Cyclopaedia of Representative Men of Rhode Island* (Providence, 1881) 276-27. DAB 8: 473-474. *Report of Committee on Education*, 42. *Providence Journal* Jan. 24, 1852 concurred in giving him credit for compiling the report. Hazard remained active in anti-gallows reform for many years — see his *Death Penalty a Failure* (Ottumwa, Iowa, n.d.).

24 *Providence Daily Post* Feb. 11, 1852. *Providence Journal* Feb. 6, 10, 1852. *Biographical Cyclopaedia*, 277.

25 *Providence Journal* May 24, 1852; Jan. 13, 1853. *Prisoner's Friend* 4 (July 1852) 506-508; 5 (Apr. 1853) 353-355. *New York Times* May 27, 1852. The restoration campaign gave rise to a new round of heated articles and letters in the

legislative debates. At any rate, one of Hazard's biographers seems to have been correct when he claimed in 1881 that his subject had "engineered the effort which resulted in the abolition of capital punishment."²⁴

Hazard and his fellow reformers had little time to celebrate their victory, for the new abolition law was severely challenged in the months after its passage. Shortly after the House's action on the bill, a murder encouraged some citizens to agitate for immediate restoration of the gallows. The Providence board of aldermen passed a resolution calling on the mayor to circulate petitions in support of this movement. Mayor Thomas Burgess complied and collected a considerable number of signatures but failed to impress the General Assembly as aldermen had hoped. In the legislative session of 1853, the House judicial committee considered the petitions but rejected their arguments. Legislators apparently reasoned — like Samuel Wheeler — that one murder didn't mean abolition was a failure, especially in view of many killings when capital punishment was still in effect.²⁵

Undaunted, advocates of restoration continued to agitate in the legislature throughout the remainder of the decade but never with much success. In 1854 both houses rejected a bill to re-enact capital punishment, in the senate twenty-three to seven. In 1857 the senate defeated another restoration bill by a narrower fourteen-twelve vote, but the House dismissed it by almost two to one. Charles Spear concluded that "the probability is now that the State will never go back to the old penalty." Spear was

correct — Rhode Island's abolition of capital punishment has remained in effect to the present day with but one minor alteration. The state in 1872 authorized capital punishment for murder by a life prisoner, a crime which has not occurred since that date.²⁶

Rhode Island then — of all eastern states of the Union — was the only one to abolish capital punishment in the antebellum period. The fact that most nearby states also had strong anti-gallows movements prompts a brief investigation of the factors which produced the unique success.

One of the most salient characteristics of Rhode Island is of course its small size, which implies an ease of communication not available to Massachusetts, Pennsylvania or New York. These and other more sprawling states may have had miscarriages of justice as sensational as that of John Gordon, anti-gallows newspapers as influential as the *Providence Journal*, and reform leaders as talented and energetic as Thomas R. Hazard. But within the narrow confines of Rhode Island such factors could have a far more pervasive effect on a small, compact population.

Rhode Island traditions were unique and — as evidenced in previously quoted material — were very much alive in the minds of her citizens. Founded by an innovator, Rhode Island from its inception incorporated novel features. In few states could the pro-gallows argument that abolition was a dangerous experiment have fallen on less receptive ears. Rhode Island also had a tradition of leniency toward criminals, stemming perhaps from religious beliefs of its early inhabitants. Executions in the state had been so rare that

Journal — May 20, 24, 29, June 12, 25, 1852. By far the longest and most distinguished of these was Thomas R. Hazard's unsigned "Christianity Opposed to the 'Death Penalty'" which appeared on Aug. 25, 1852 and soon after as a pamphlet of the same title (Providence, 1852), also in Hazard's *Miscellaneous Essays and Letters* (Philadelphia, 1883) 9-33.

26 "Opinions of Eminent Men Upon Capital Punishment," in *Arguments Relative to the Abrogation of Capital Punishment* (n.p., 1904) 37. *Providence Journal* Feb. 27, Mar. 5, 6, 12, 13, 18, 21, 1857. *Prisoner's Friend* 9 (Apr.-May 1857) 200-201. *General Statutes of the State of Rhode Island and Providence Plantations* (Cambridge, Mass., 1872) 539. There has of course been agitation for restoration of capital punishment in the state at various times since 1857, occasionally — as in 1913 — reaching

significant proportions. Restorationists have never come close to success, however — Lester Burrell Shippee, "Punishment for Murder in the State of Rhode Island," *Legislative Reference Bulletin* No. 9 (Apr. 1917), typescript in Massachusetts State Library.

The question of the success of Rhode Island's abolition of capital punishment is outside the scope of this paper. Early views are included in Marvin Bovee, *Christ and the Gallows* (New York, 1869) 233-237. For more recent data — Harold A. Phelps, "Rhode Island's Threat Against Murder," *Journal of Criminal Law, Criminology and Police Science* 18 (Feb. 1928) 552-567, and "Effectiveness of Life Imprisonment as a Repressive Measure Against Murder in Rhode Island," *Journal of the American Statistical Association* 23 (Mar. 1928) 174-181. Thorsten Sellin, "Death and Imprisonment as Deterrents to Murder," in Sellin, *Death Penalty*, 19-33.

few citizens would have accepted the claim — successfully argued in other states — that reformers wished to remove a mainstay of government.

Perhaps of paramount importance was the state's unique religious composition, for in the nineteenth century one's views about capital punishment were closely bound up with one's sectarian orientation. Orthodox Calvinists tended to take the Old Testament literally and to insist that its commandments — including Genesis 9:6 — remained in force in the modern world. So-called liberal Christians — especially Unitarians, Universalists and Quakers — believed that the message and spirit of the Gospels superseded the Old Testament — where the two conflicted — or that it was simply unjust to take the life of a criminal who, if he lived, could yet be saved. Rhode Island embraced a population quite antipathetic to the orthodox creed.

Thomas R. Hazard was not merely joking when he wrote that “nearly every well-ordered family in Narragansett” taught their children three articles

of faith. It was important to love thy neighbor, to “hate the Puritans of Massachusetts with a perfect hatred,” and to “hold the Presbyterians of Connecticut in like contempt.”²⁷ Such a population would not meekly believe and obey orthodox ministers who, in all states, were leading opponents of the reform. Rhode Island did have influential communities of citizens — Unitarians, Universalists and especially Quakers — immediately receptive to reform arguments.

In 1852 Rhode Island possessed a unique set of characteristics which permitted her — alone among eastern states — to abolish capital punishment. She had a talented and tireless reform leader in Thomas R. Hazard. She had recently executed a man whom some thought innocent, others, too hastily killed. Her size, traditions, and religious composition made her especially vulnerable to reformers. Her sister states in the next 120 years would execute ten thousand men and women but — for Rhode Island — the killing was over.



... especially Quakers . . . Early achievement of the Quaker community in Rhode Island was the Friends School, Providence, founded 1819, now known as Moses Brown School.

The Providence Plantations for 250 Years by Welcome Arnold Greene (Providence, 1886).

27 Rowland Gibson Hazard, “Biographical Sketch” [of his granduncle] in Thomas R. Hazard, *The Jonny-Cake Papers of “Shepherd Tom”* (Boston, 1915) xi.

Thomas Robinson Hazard, talented reform leader, in the midst of his "well-ordered family" — l. to r. Gertrude, Barclay, Fanny, Anna and Esther.



American Paintings in the Rhode Island Historical Society — An Introduction

The compilation of this catalogue has been so long delayed as to render the task difficult, and in some cases the requisite information is not to be had, even by long and careful research.

So wrote librarian and cabinet keeper Amos Perry in 1895, introducing his catalogue of the Rhode Island Historical Society's "Portraits and Art Treasures Illustrative of Local History."¹ By 1970 the task was rendered no easier. The collection had grown, but further study had not been made. Clues and records that might have existed in the nineteenth century were no longer extant. "It is well to be understood that this catalogue is only the beginning of a similar and far more extended line of labor," Perry had stated modestly. Seventy-five years later that line was picked up and the fruit of three years' labor by Frank H. Goodyear, Jr. — *American Paintings in the Rhode Island Historical Society* — is being published this winter.

Unlike Amos Perry — whose bias that "history is the leading object of the catalogue" had chartered his course — Mr. Goodyear, now curator of the Pennsylvania Academy of the Fine Arts, concentrated on the artistic heritage of Rhode Island both as a stopping point on the route of many nationally eminent artists represented in the collection — such as Robert Feke, John Smibert, Joseph Blackburn, G.P.A. Healy, and Martin Johnson Heade — and as the ground on which local artists such as James Sullivan Lincoln established an important patronage.

by Cathleen McGuigan*

Under Mr. Goodyear's 1969-1972 tenure as curator of paintings at John Brown House, important accessions to the collection were made and the significance of others protected through restoration. A portrait of Anstis Jenkins Updike painted by the *Aetatis Sue* limner in 1722 was acquired and vied for title of oldest painting in the collection with Mr. Perry's nominee — the portrait of Joseph Belcher.

Amos Perry had been unable to discover a clue about the provenance of the Belcher painting, even apologizing in his catalogue that the anonymous donor who appeared at the Cabinet with the painting in hand was the man who got away — "When asked for his address, he excused himself on the ground that he must hasten to take the cars, and at the same time he promised on reaching his home to write and give his address and the information desired. He has not been heard from since." No one so easily eluded Frank Goodyear's Lord Wimsey-like grasp. His accounting of *Anstis Updike* is thorough in treatment of subject and contributes to the small body of knowledge surrounding the mysterious *Aetatis Sue* limner himself.

Mr. Goodyear's researches brought attributions of painters to works whose artists had previously been unknown and in one notable case even re-identified sitters.² A pair of portraits by John Smibert had long been labeled as Governor and Mrs. Joseph Wanton. Through a copy of Mrs. Wanton's portrait — owned by the Museum of Fine Arts,

*Assistant to director Albert T. Klyberg and editor of the Society's *Newsletter*. Ms. McGuigan has edited the copy and borne the responsibility of seeing through the press *American Paintings in the Rhode Island Historical Society*. Its publication will be marked by a special exhibition of the Society's paintings at the David Winton Bell Gallery, Brown University, February 23—March 22, with a preview for members on February 22.

1 *Publications Rhode Island Historical Society* 3:2 (July 1895) 75-111.

2 Frank H. Goodyear, Jr., "Paintings at John Brown House," *Rhode Island History* 31:2 & 3 (May and August 1972) 35-51.

Boston — and through family genealogy, Goodyear has pieced together a puzzle to prove that the sitters were actually Mr. and Mrs. Samuel Browne, Jr. of Salem, Massachusetts.

Lack of evidence occasionally stymied Mr. Goodyear as it had Amos Perry on the same road. Identity of the painter of the magnificent *General William Barton* in full dress uniform remains elusive. But where evidence of the artist is lacking, Mr. Goodyear is no slouch in providing material on the sitter. Perry's entry on General Barton had been a rather routine chronology of the subject's life, but Goodyear — with a nose for colorful history — relates vividly the sad and sordid circumstances of the hero's demise.

From the Society's collection of over 330 works Mr. Goodyear has selected 128 of the "best" paintings on which to focus attention. The remainder are included in an inventory, so for the first time the entire collection is on record. Clearly the line of labor can and will go on.

Designed and printed by the Meriden Gravure Company — noted for excellence in reproduction illustration — with type set by the Stinehour Press — the book itself will be a credit to any coffee table on which it may rest. And if Rhode Island is not necessarily the "Athens of America" — as Francis Wayland once conjectured — *American Paintings in the Rhode Island Historical Society* reveals enough to place us in the race.

