

**Providence Institution
for Savings**

Established 1819

A Mutual Savings Bank

where interest is allowed
from day of Deposit to
day of Withdrawal

MAIN OFFICE
86 South Main Street

OLNEYVILLE BRANCH
1917-21 Westminster Street
Olneyville Square

EMPIRE-ABORN BRANCH
Between Westminster and Washington Sts.

Open all business days and Tuesday evenings
5 to 8:30. Olneyville Branch open
Saturday evenings also.

"The Old Stone Bank"

THE J. C. HALL CO., PROV., R. I.

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**Colonial
Law and Order**



Presented by

"The Old Stone Bank"

Providence, R. I.

October 31, 1932

Colonial Law and Order



ALTHOUGH Roger Williams was the first one in world history to champion the inherent rights of the individual, and to proclaim the independence of mind and soul, nevertheless, he was not less sincere and decided in the assertion that the civil government must be obeyed in civil things. In every publication, the founder of Providence Plantations emphasized that the government was supreme. When he advocated that every last citizen should have the right to think freely, and to guide his actions as conscience dictated, Williams did not mean the rupture or disregard for those civil ties which the experience of ages has proven to be indispensable to the well-being of society; he did not invite chaos, but he did seek order—order made all the more dignified, perfect and harmonious by the complete elimination of that intolerance which, for centuries, had plunged the world into disorder and bloodshed.

The first step of Roger Williams and his associates was to establish an orderly commonwealth, the townsmen agreeing to be subject "to the orders

made for the public good of the body, * * * * * by the major assent of the present inhabitants, masters of families incorporated together into a town fellowship, and such others as they shall admit into them only in civil things." In this simple compact, mutually agreed to by the early founders, was the beginning of the institution of police regulation in Providence, and from that day to this, civil order and religious freedom have here gone in hand.

There seems to have been no need for a police force during the first years of the settlement, although all of the settlers were not peaceably inclined. Joshua Verin, described by Williams as a "boisterous and desperate character", came under public discipline because he attempted to interfere with Mrs. Verin's church interest and activities. The townsmen discussed this case and others of like description in general or special town meetings, and disposition of them was made according to the will of those attending. This rather indefinite way of enforcing simple laws and of punishing offenders lasted until 1640 when a new plan was adopted whereby the accused and the accuser could bring about justice through arbitration. Then, a regulation

was made providing for five "disposers" who had charge of the police and other regulation of town affairs, who were appointed for three months, held meetings once a month, and left all cases of dispute to arbitration, and, in the last resort, to arbitrators chosen by them. If any man abused another in person or in goods, all the inhabitants would combine to assist in the pursuit of the party delinquent, "but if any man raise a hubbub, and there be no just cause therefor, the party that raised the hubbub to satisfy men for their time lost in it."

Under this plan the whole population constituted the police force, with the "disposers" for chiefs of police and the arbitrators for police courts. Meanwhile, Newport had adopted the Old World means of maintaining order and had erected stocks and a whipping post, those gruesome devices which were operated in the name of law and authority. The laws adopted by the townsmen of Providence in 1647, three years after the receipt of the charter, indicated that the first haphazard methods of dealing with lawbreakers were no longer adequate, although these laws were remarkably free from cruelty and bloodshed; the number of capital crimes being very few as com-

pared with England and the neighboring colonies of New England. For the first offense, a thief was to be whipped, for the second offense, branded in the hand, and death was the penalty for the third offense. Those who dealt in false weights and measures faced an uncomfortable session in the pillory; and the common scold was punished with the ducking stool, the most humane and eminently effective instrument of punishment ever devised by man.

In the early days, long before the time of the "rogues' gallery" criminals were permanently labeled for their offenses against society by having both ears cropped; branding on the hands or cheeks was also inflicted upon law-breakers who went through life carrying visible marks of their crimes. Under the early laws the servant who should assault his master was to be imprisoned for a period of six months, or until his master should declare himself satisfied. For murder and manslaughter the penalty was death, and in the case of murder a forfeiture of goods also to the amount of the costs incurred by the colony in bringing the murderer to justice. Burglary was deemed worthy of death, except when the culprit was found to be under fourteen years of age, or when he was so poor as to be

compelled to steal by extreme hunger; in these cases the offense became larceny and the law was satisfied with a minor infliction. Robbery was made a felony of death, and in case it should appear that the officers did not use proper diligence in pursuing the fugitive robber, the town or colony might be held to satisfy the victim for his loss. Arson was also a capital crime.

In 1655 a "notorious and accustomed swearer and curser" was made liable upon the first complaint to be admonished by the magistrate, and, upon the second complaint, he might be fined five shillings or be set in the stocks. Many of the original laws remained in force until 1718 when the public laws were revised and printed, and very few changes were made in them after that until 1797 when counterfeiting bank bills and coin, and the having of such spurious money in one's possession with the intent to pass the same as genuine, were placed in the same category with forgery and penalties were prescribed as follows: Standing in pillory, having both ears cropped, having a cheek branded with the letter "C", imprisonment not exceeding six years, and a fine not exceeding \$4,000., all or any of which penalties might be inflicted upon a culprit at the discre-

tion of the court, and these penalties continued in force until the year 1838.

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

The first police officer in Providence was called the town sergeant and he was Hugh Bewitt, appointed in 1651. This town sergeant was responsible for the preservation of law and order in the community and he also served the courts in matters of civil process. Later on the town sergeants appointed constables as assistants but none of these officers received salaries or devoted all of their time to the perform-

ance of their duties. Police compensation then consisted of fees, and the town sergeant was, at a later date, entitled to assess upon each ratable free holder of the town, a fee of one shilling per year. But, it was not until the Revolutionary War period that anything in the nature of a regular, organized police force was established, and that was only for patrolling during the night. The duties and responsibilities of the night watch increased until the turn of the century, when the town found it necessary to maintain a force of twelve men. Of these twelve, six watched each alternate night, with headquarters in the town watch house on Market Square. At ten o'clock each night three pairs would leave the watch house; one pair going north, one pair going south to India Point, and one "west as far as Mr. Hoyle's house", and they walked their beats in those days until the ringing of the sunrise bell.

Additional Copies of this Booklet sent
upon request

ADDRESS

"THE OLD STONE BANK"
86 South Main Street
Providence



THE PROVIDENCE INSTITUTION FOR SAVINGS, familiarly known as "The Old Stone Bank," is in its own right a historic institution of Rhode Island. Founded in 1819 as one of the first mutual savings banks in the country, it has since contributed vitally to the development and life of this community.

Proud of its own historical significance, "The Old Stone Bank" has adopted this method of educational advertising to bring to light much that is of value and significance in the colorful annals of Rhode Island and national history.

The sketches and vignettes of old-time Rhode Island and Rhode Islanders that are broadcast weekly and then printed in this form are selected from local historical records which are full of the picturesque, romantic, and adventurous. In the hope that these glimpses into the lives, customs, and environment of our progenitors may be both revealing and inspirational to young and old, this booklet is presented with the compliments of

"THE OLD STONE BANK"