

molested and believing that he should never see America again, he married. This step only marked out for him years of bitter struggle and the most abject poverty.

When the Revolution was over, he could not take his family to America, because of lack of sufficient funds, and with the return of the English troops with all their men entering the ranks of labor again, he had difficulty in keeping his family in food and clothing. His children were ill; debts caused his imprisonment; food was so scarce and work more so; all his furniture was confiscated; all his children except one died; and finally his wife, in 1817, succumbed to the slow starvation to which long

fasts subjected them all. The remaining boy aided his father as much as possible, selling matches, sweeping crosswalks, doing anything for many years. Finally, in 1823, after pleading with the American Consul, both father and son got passages to America, the latter going first because the former was too sick to travel. Reunited in Boston, they went to Providence and Cranston to look up the Potter family, but found they had long since departed for other regions. Potter was 79 years old then. In desperation he applied to Congress for a pension, telling this story, but was refused. And there our own story ends, a bitter tale for all its excitement, but a true one.

OLD RHODE ISLAND PRISONS

OLD prisons, dungeons, and convict ships always arouse the curiosity of the average individual. There seems to be an inordinate fascination inherent in old cells, chains and handcuffs, and instruments of torture. Perhaps it is because people cannot resist making an examination of the very things they most fear; perhaps, because there is a sort of morbid pleasure to be derived from a shudder. But the fact remains that anything connected with crime—even the name itself—has the lure of the mysterious and exciting for the majority of righteous and God-fearing people. And, for this reason, a brief résumé of the old prisons in Rhode Island should not be without its share of interest.

Almost as soon as any newly-established settlement needs a church and a meeting house, it seems to need a prison. And such was the case with Portsmouth, for in the very same year, 1638, in which the little group, headed by Coddington and Clarke, arrived from Boston to found the town on the Island of Aquidneck, the elders ordered that a house "for a Prison, containing twelve foote in length and tenn foote in breadth and tenn foote studd, be forthwith built of sufficient strength." William Brenton was made overseer and Henry Bull keeper. For a while, after the founding of Newport in the next year, this first prison

served both towns, but Newport soon found it necessary to build one of its own.

Meanwhile, in 1649, the separate Colony of the Providence Plantations issued a general court order as follows: "each town within this collonie shall provide a prison with a chimneye and necessaries for any offender that shall be committed, within nine months." The order was amended to state that Warwick should have a prison and Providence and Portsmouth simply cages, yet, oddly, even this was not ever carried out. The Newport prison had to serve as the final place of incarceration for offenders arrested throughout both Colonies.

As a matter of fact, Newport really was the logical situation for a prison, for this seaport was the leading town of all Rhode Island and the Providence Plantations. With its large commerce, bringing seamen from all countries, among them pirates and foreign privateersmen, its normal percentage of criminals was naturally increased, and its need of a handy prison more pressing. But the old Newport Prison was not capable of holding the offenders sent down by all the Colony towns. Consequently, once these latter decided not to build prisons of their own, they contributed toward the building of a new prison for Newport—Providence giving £30, Warwick £20, and Portsmouth £10.

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But none of these early jails could have been very stoutly constructed. Practically every decade found Newport building a new one. Or, perhaps it was that the town only built to supply a present need, thinking the number of offenders against the law would not grow in proportion with the population. If there was such a supposition, its foolishness rapidly became apparent. Thus, Newport had a new jail in 1702, built from a direct appropriation of the General Assembly, and then another in 1717, after money had been raised through an issuance of many pounds of paper currency.

All these jails were actually insecure places in which to confine dangerous criminals. They were built of wood and did not offer any positive protection from raids from without. Any really desperate prisoner could have found a way to escape without great difficulty. The King's County Jail, at Little Rest Hill, was broken into, in 1770, by a group of individuals in disguise, and five prisoners were liberated. However, in many cases, violence of such sort was not necessary. Jailers were only human and could be occasionally persuaded to leave a door unbarred or ajar. Sometimes we cannot blame them, for if they possessed any humanity at all, they could not always see men falling sick and dying in the dismal, unsanitary cells which most of the prisons contained without doing something to aid them.

With the laying out of counties, it became the custom to build jails in conjunction with court-houses. Major William Smith built a combination building of this type in Providence, in 1731, but two years later it was sold by the town. In 1772, Newport built a substantial prison of brick. It served as the county jail and was located on Marlborough Street. During the Revolution, when the British held Newport, they used this jail as a place for the imprisonment of captured colonists.

In 1778, Newport no longer remained the principal place of incarceration for Providence became its successor. After the Revolution, when Rhode Island became part of the Federal Union, county jails were used for the imprisonment of offenders against national laws, the Federal government allowing fifty cents per month in payment

for the cost of keeping each prisoner. At that rate, unless the Colony itself contributed toward the care of such criminals, their lot must have been terrible.

But now let us look back and see what some of the punishments were which were meted out to transgressors against the law. As in other New England Colonies, the stocks and pillories were common in all Rhode Island towns, and served as a means of punishment for minor misdemeanors. Whipping took care of offenses of a more serious nature, the victims being stripped to the waist, chained to a post or tree by the hands, and lashed across the back with unbraided and knotted tar ropes. This barbarous method was sometimes used in punishing women as well as men. Branding was another form of punishment of the more brutal order, and then, of course, there were the regular fines and imprisonments, of a severity equal to the crime committed. Gradually, the more cruel of these punishments passed into disuse, and only fines and imprisonments have continued to the present day.

As far as the death penalty was concerned, the Code of 1647 ordered it as the punishment for "high treason, murder, petit treason, manslaughter, burglary, robbery, arson, rape, and crimes against nature." In 1718, in a revision of this code, arson and rape were omitted from the list, but, in 1797 they were again added. In the latter year high and petit treason and crimes against nature were excluded. Finally, in 1838, imprisonment was substituted for all crimes except murder and arson, and the sentence given for the latter was allowed to be the option of the court. However, in 1852, all capital punishment was abolished, except in the case of a murder committed by a person already sentenced to life imprisonment.

Yet, given his choice, many a prisoner would have chosen death in preference to life imprisonment in one of the typical old jails. They were in a wretched condition, unsanitary, breeding places for disease, without much heat, if any, and without any place where a prisoner could work and so keep from going crazy. This enforced idleness was the most horrible part of the punishment, for, left to brood, a prisoner might

quickly become insane. But an amelioration of such atrocious conditions was under way.

In 1794, agitation was begun for a State Penitentiary in Providence, but the result was only another County Jail. However, in 1838, a State Prison was erected at Great Point in Providence (about where the State Normal School now stands) at a cost of \$51,501, or about \$1300 per cell. It was an improvement in size only. Its great granite blocks, clamped together with iron, collected moisture, which in the winter turned to frost and ice on the insides of the cells. These were narrow, like the corridors, poorly ventilated and lighted, and the most wretched places imaginable. But the prison had been built and it had to serve, even if it was a disgrace. A new County Jail was joined to the structure in 1838.

A commission of overseers was appointed to look after the upkeep of the prison and

it was due to these men that we find a long-needed workshop proposed and then built. Giving the prisoners something to do was the greatest improvement in two centuries, and their labor aided in the upkeep of the prison. A new wing was added in 1851, containing 88 cells. Six years later a library was established and then another wing with a chapel and new workshop. It was a serious attempt to try to educate and reform the prisoners, and good results were obtained.

In 1869, a state farm, with a work-house, asylum for the insane, and an alms-house, was established in Cranston, on the Pontiac Road, and finally, after long argument, a new State Prison was built within the limits of this farm in 1874, and it is this which remains in full use today. A long road has been travelled since the first prisons and cages were established within Rhode Island, but even now there is yet a long way to go.

A COLONIAL COQUETTE

THIS little tale of the trials and tribulations of love in 18th century Rhode Island would really fit easily into any age, but here it is, gleaned from the private correspondence of William Palfrey of Boston and Moses Brown, that astute and diplomatic Quaker, the youngest of the "Four Brown Brothers" of Providence. The lady in the case was Mistress Polly Olney, the charming and strangely facetious daughter of Joseph Olney, a favorite innkeeper of Providence. It was at his tavern that the youth of the town used to gather in the ominous days preceding the War for Independence, and in the yard of this hostelry grew the elm which was christened "The Liberty Tree," a name by which the tavern itself was later known.

Of Moses Brown, one of the noted characters in Rhode Island history, little needs to be said, but perhaps William Palfrey requires further qualification. He was born in Boston, in 1741, being three years older than Mistress Polly. His grandson, an eminent New England historian, has described him as "an agreeable person with a frank and generous expression of countenance,

great gayety and heartiness of disposition, a fund of anecdote, a seasoning of original wit, and a somewhat sedulous attention to dress as well as to manners, advantages which, added to his perfectly correct habits, his known industry and trustworthiness, and his forwardness and influence in the political circles of his equals in age, introduced him favorably to the good society of the town." In 1761, the year in which this romance began, Palfrey was employed as a clerk in the establishment of Nathaniel Wheelright who was second only to the elder Hancock as a merchant of Boston.

Palfrey came to Providence on business in 1761, being entertained, while in the town, by Moses Brown who introduced him to a number of pretty girls. Among them was Polly Olney who seems to have made a swift conquest of his heart. In his first letter from Boston to Moses Brown, in which he thanked the latter for his past hospitality, he only wished to be remembered to "Miss Sally & the other ladies," but, in a later letter of March 26, 1761, he took the Quaker into his full confidence regarding his passion for Miss Polly, requesting him to convey his "compliments"

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