

Pride, prejudice and the Gordon hanging

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Providence Journal (RI)

DATE: March 17, 2003

ON NEW YEAR'S Eve of 1843, someone killed **Amasa Sprague**, a prominent Cranston industrialist. Local authorities charged three Irish immigrant brothers with conspiracy to commit the murder. The trials that evolved out of the case constitute the most spectacular legal proceedings in Rhode Island's history all in the shadow of Rhode Island's own tumultuous civil war: the constitutional crisis known as the Dorr War.

Rhode Island had been the purest democracy among the original colonies, a condition enshrined in the King Charles charter of 1663. Unfortunately, however, our vaunted political liberty and religious freedom foundered as the generations passed. After the American Revolution, Rhode Island became, in the words of historian Patrick T. Conley, a "democracy in decline."

When other states dumped their English charters in favor of new constitutions, Rhode Island continued to rely on its old parchment. And so the once progressive document became a blueprint for intolerance and minority control in the 19th Century's new industrial order.

Once Pawtucket had become host to America's first factory, Slater's Mill, in the 1790s, the transition from an agricultural and maritime economy to one of manufacturing came quickly. Yet as people abandoned farms to work in the factories, this new workforce lost the right to vote, as interpreted by the General Assembly. For in the old colonial economy, land ownership virtually conferred ballot privileges for white males over 21.

In the new industrial scheme, few of the workers owned enough property to qualify especially the immigrants. So when the Dorr War erupted, in 1842, only a minority of native-born white men had a voice in elections a far cry from the earlier brush with universal white men's suffrage.

The Dorr insurrection was more of a social upheaval than a military campaign. A significant backdrop to the conflict was prejudice against the few thousand Irish immigrants in the state who toiled in mills and labored on public-works projects. They became lightning rods for the opposition to expanding the right to vote. Henry Bowen Anthony, editor of The Providence Journal and a U.S. senator, wrote about the Irish in 1838: "Foreigners still remain foreign and are still embraced by mother church. He still bows down to her rituals, worships the host, and obeys and craves absolution from the priest. He cannot be assimilated."

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Nicholas **Gordon** arrived from Ireland in 1836. He opened and then expanded a store in Cranston that sold liquor. After meeting the stiff property requirements, he eventually qualified to vote. Like so many immigrants before and after him, **Gordon** sent for the rest of his family, including three brothers. He also earned the enmity of the powerful Sprague family by selling alcohol to its workers during lunch breaks at the Spragues' nearby Print Works. Amasa Sprague, not wanting to jeopardize his expensive machinery or endanger other workers, persuaded the Cranston City Council to rescind **Gordon's** liquor license in the summer of 1843.

The discovery of Amasa Sprague, shot and bludgeoned, the following New Year's Eve cast immediate suspicion upon the supposedly vengeful Gordons. A hodge-podge posse arrested the whole family, including the dog! The authorities failed to consider any other suspects. No one had witnessed the murder. The case was entirely circumstantial.

Nicholas, the proprietor of the tap, and his brother William both had solid alibis for the day of the murder; John **Gordon** did not. The prosecution tried William and John together, for conspiracy in Sprague's death. Nicholas would go to trial after them. The state used the same legal team that would later sentence Thomas Wilson Dorr architect of the insurrection a year earlier to life imprisonment.

A battery of witnesses contradicted each other over who was where at the time of the murder and whether Nicholas **Gordon** had sought political or physical revenge against Amasa Sprague because of the liquor issue. The Rhode Island Supreme Court heard testimony as it did in all capital crimes in that era at the original State House, on Providence's Benefit Street.

The defense did not produce a rifle that Nicholas was known to keep handy at the store, which had been identified as the weapon found at the murder scene. Like all such trials, this one contained bountiful loose ends. But the fiber of anti-Irish-Catholic feeling, so powerfully exploited during the 1842 Dorr War and further nurtured during Dorr's concurrent trial in Newport, ran like an invisible thread through both proceedings. One **Gordon** prosecutor linked the revenge conspiracy to Gaelic solidarity: "The tie of kindred is to an Irishman almost an indissoluble bond."

Chief Justice Job Durfee instructed the jury to give more credibility to Yankee depositions than Irish testimony.

The trial lasted nine days, in April 1844. After 75 minutes of deliberation the jurors delivered a stunning verdict: John **Gordon** was guilty; his brother William innocent.

In October 1844, the patriarch of the immigrant family, Nicholas **Gordon**, stood trial for supposedly having masterminded the murder of Amasa Sprague, in a replay of the first tribunal. The jury came back with a shocking split decision: eight for conviction, four against.

The indecision would lead to one more trial, but it was scheduled for April 1845 two months after John **Gordon** was to hang for conspiracy to murder. Should the execution be delayed until Nicholas **Gordon** was tried again?

With only one guilty verdict, a conspiracy did not exist in the eyes of the law. Nevertheless, various postponement strategies by the defense failed.

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John **Gordon** walked to the gallows from his closet-like cell at the state prison (where Providence Place mall now stands). Perhaps his brother Nicholas, still held without bail, and even Thomas Wilson Dorr, serving a life sentence for treason, watched. Sixty Rhode Island notables attended the proceedings inside the facility, while another thousand people, probably Irish-Catholics, stood on the outskirts of the prison, unable to actually see the event. A blistering pronouncement shocked the elite observers. Father John Brady, an itinerant Catholic priest who ministered to a dispersed New England flock, said in a loud voice to John **Gordon** as the noose slipped over his neck: "Have courage, John. You are going to appear before a just and merciful judge. You are going to join myriads of your countrymen, who, like you, were sacrificed at the shrine of bigotry and prejudice. Forgive your enemies."

Would the priest have made such an inflammatory statement after hearing John **Gordon**'s final religious confession? Or did the 29-year-old Irish immigrant, in a strange land amidst a bewildering controversy, lie to Father Brady? It's hard to imagine John **Gordon**, at the threshold of death, abandoning his only hope of salvation through divine forgiveness or Father Brady saying what he did if **Gordon** actually had admitted his guilt to the priest.

Twenty minutes later, it was all academic. John **Gordon** was dead and, unbeknownst to anyone at the time, he would be the last person executed by the state of Rhode Island. It was Feb. 14, 1845.

Two months later, the state tried Nicholas **Gordon** a second time. The examination rehashed familiar arguments but in a different atmosphere since John **Gordon's** hanging and the imprisonment of Thomas Wilson Dorr. This third jury stalemated into yet another sensational mistrial: nine voted to acquit, three to convict. The state balked at further proceedings. Nicholas **Gordon** died of natural causes 18 months later. Rhode Island had executed his brother John for conspiracy to commit murder with no convicted accomplices.

In 1993, Charles and Tess Hoffmann, professors of English at, respectively, the University of Rhode Island and Rhode Island College, wrote a compelling book about the murder, *Brotherly Love*. I require it in my Rhode Island history course at URI. The authors concluded: "From the perspective of nearly a century and a half, it is apparent that John **Gordon** was a victim of a widespread prejudice against the Irish."

No Catholics had served on the three **Gordon** juries; the judge upheld every challenge by the prosecution; the state Supreme Court acted as its own appellate body in the case; and the governor and the legislature ostensibly voted to hang John before Nicholas's second trial. Nevertheless, the circumstantial evidence so easy to belittle today continues to stain the defendants.

After the **Gordon** trials, a new governor freed Thomas Wilson Dorr, the aristocratic champion of poor whites, including the immigrant Irish. In 1852, following the controversial execution, Rhode Island abolished the death penalty. A sad chapter in the history of the state's Irish-Americans came to an end although some would argue that vestiges of discrimination lasted until the election of President John F. Kennedy, in 1960.

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PUBLICATION: Providence Journal (RI)
SECTION: Editorial

DATE: March 17, 2003

EDITION: All

Page: A-09