

Lawrence and Cassandra Southwick, Josiah Southwick, Samuel Shattuck, Samuel Gaskin, and Joseph Buffum.<sup>1</sup> They did not take this punishment with great humility, as is shown by the rather spirited appeal headed, 'This to ye Magistrates in Court at Salem,' and dated, 'From ye house of bondage in Boston whar in we are made Captives by ye will of men although in measure made free by ye Son.'<sup>2</sup> From this we learn that all had been whipped once and Cassandra twice.

The controversy grew more bitter as it went on. Other families were troubled with the new doctrine. Philip Veren, Edward Wharton, Elizabeth Kitchin, Samuel Gaskin, the wife of Richard Gardner, William Marston, and others were presented for absence from church.<sup>3</sup> Edmond Batter seems to have had his feelings badly aroused on the other side. He was a brother-in-law of Henry Phelps, the brother of Nicholas, and had been given custody of his nephew, who seems to have been maltreated by the father, a somewhat doubtful character.<sup>4</sup> A little before he had gotten into an altercation with Elizabeth Kitchin, who was riding on a pillion behind some man. It is not recorded what Elizabeth's greeting was, but two witnesses say that Mr. Batter and the constable pulled her off her horse, accused her of having been 'uparoaring,' 'supposed she was coming from a Quaker Meeting,' and ended by calling her a 'quaking slut.' The other two witnesses say he didn't touch the said Elizabeth and was not in any passion. The Court admonished him, anyway, so there must have been some truth in it.<sup>5</sup>

Gradually the persecution quieted down, especially after the accession of Charles the Second, who disapproved of it,

<sup>1</sup> *Quarterly Court Records*, II, 103-05.

<sup>2</sup> *Ibid.*, 110.

<sup>3</sup> *Ibid.*, 225.

<sup>4</sup> *Ibid.*, 262.

<sup>5</sup> *Quarterly Court Records*, II, 219.

and as persecution waned so did the Quaker aggressiveness. It was the sharp tongues of the women which seem to have been the greatest aggravation, and the wife of Nicholas Phelps added a choice finishing touch when she said that the Reverend Mr. Higginson 'sent abroad his wolves and his bloodhounds amongst the sheep and lambs and that the priests were deceivers of the people.'<sup>1</sup>

In a way it is entirely incorrect to talk of the whole episode as persecution unless one applies the epithet to the General Court. The deputies of the colony enacted the laws and it simply remained for the judges, juries, and constables to enforce them. It is an entirely new and very dubious idea of the twentieth century that the enforcing officers are at liberty to select which laws they will enforce and which they will not, and it is a very dangerous thing — far more dangerous to the general liberties of the community than the execution of a few turbulent spirits. The judges, juries, and constables had taken their oaths to enforce the laws. What those laws were was not their business to decide. The representatives of the people made them, and if they did not like them, they could elect deputies who would change them. It is quite unnecessary to call the magistrates 'ravening wolves, etc.' It was their duty to enforce the laws as enacted, and if they would not flog the Quakers, cut off their ears, and hang them, other magistrates and officers who would should have been appointed until the people who made those laws changed them.<sup>2</sup>

<sup>1</sup> *Quarterly Court Records*, II, 314.

<sup>2</sup> For a very complete account of this trouble in Salem, biased strongly toward the Quakers, read Perley's *History of Salem*, volume II, chapter xv, page 242. There is an interesting letter to Joshua Buffum about the imprisonment in Boston, with notes by Perley in E.I.H.C., I, 245. The Introduction to A. C. Woodell's *Sketch of Thomas Marble*, E.I.H.C., III, 243, gives some further details of the affair. Hutchinson's *History of Massachusetts*, I, 180 *et seq.*, gives a reasonably fair account; also Palfrey: *History of New England*, II, 461 *et seq.* Fox and Kows: *The Secret Works of a Cruel People Made Manifest*, page 7, gives a mass of alleged details which neither of the authors could have known except by hearsay. Bishop: *New England Judged* is another forceful exposition of the Quaker side.