

## NOTES ON THE HISTORY OF WITCHCRAFT IN MASSACHUSETTS;

WITH ILLUSTRATIVE DOCUMENTS.

BY GEORGE H. MOORE.

I DESIRE to call attention to certain errors in the current history of Witchcraft in Massachusetts, and must ask your indulgence for my inability to make these dry bones live in more pleasing forms.

The first errors I note are in the statements—that there was no colonial or provincial law against witchcraft in force at the time of the witchcraft proceedings in 1692, in Massachusetts—that the prosecutions took place entirely under English law, that law being the statute of James I.—and that witchcraft was not a criminal offence at common law. It is probable that these errors may be traced mainly to Hutchinson, whose statements I quote. It should be remembered that Hutchinson was not originally bred to the profession of the law.

He says (vol. ii., page 52): “At the first trial there was no colony or provincial law against witchcraft in force. The statute of James the first must therefore have been considered in force in the provinces, witchcraft not being an offence at common law. Before the adjournment the old colony law, which makes witchcraft a capital offence, was revived, with the other local laws, as they were called, and made a law of the province.” Again (p. 59), “The general court also showed their zeal against witchcraft by a law passed in the words of the statute of James the first, \* \* \* \* If the court was of opinion that the statute extended here, I see no necessity of a provincial act exactly in the same words; if the statute did not extend here, I know not by what law the first that was tried could be sentenced to death.”

With reference to the same period, and the same proceedings, George Chalmers said: “What reflects disgrace on the province, it was then doubtful, but is now certain, that there existed no law in Massachusetts for putting supposed witches to death.” *Cont. Polit. Ann. : Coll. N. Y. Hist. Soc.* 1868 : p. 111.

Hutchinson was a loyal son of Massachusetts, but Chalmers felt pleasure in this severe and unjust reflection upon the people of that province. From the earliest period there had never been any lack of law against witchcraft in England. Blackstone found the “antient books” of the law full of this “offence against God and religion.” He

adds "the civil law punishes with death not only the sorcerers themselves, but also those who consult them, imitating in the former the express law of God, 'thou shalt not suffer a witch to live.' And our own laws, both before and since the conquest, have been equally penal; ranking this crime in the same class with heresy, and condemning both to the flames." *Comm. iv.*, 60.

I suppose Hutchinson's error arose in part from the following passage in Hale's History of the Pleas of the Crown: "If a man either by working upon the fancy of another, or possibly by harsh or unkind usage puts another into such a passion of grief or fear, that the party either dies suddenly, or contracts some disease, wheréof he dies, tho' as the circumstances of the case may be, this may be murder or manslaughter in the sight of God, yet *in foro humano* it cannot come under the judgment of Felony, because no external act of violence was offered wheréof the common law can take notice, and secret things belong to God; and hence it was, that before the statute of 1 *Jac. Cap. 12*, witchcraft or fascination was not felony, because it wanted a trial, though some constitutions of the civil law make it penal." *Hist. P. C.*, *Cap. 33*, I. 429.

See Barrington's reference to this: *Observations on the Statutes*, p. 528, "Hist. P. C., iv., 429," in which he explains that the proof of allegations of witchcraft is "attended with infinite difficulty. Lord C. J. Hale for this reason informs us that 1 James I., Cap. 12 (which makes it felony to kill any person by the invocation of an evil spirit), was occasioned by there being no external appearance of violence which might make it criminal by the common law, though the offence was punished with death by the Romans."

"Plato saith well the strongest of all authorities is, if a man can allege the authority of his adversary against himself." Bacon: *Case of the Post Nati*. We have the authority of Lord Chief Justice Coke and Chief Justice Hale himself for the statement that witchcraft, as a capital offence immediately against the Divine Majesty, at common law, was punished with death, as heresy. Coke: 3 *Inst.*, Cap. vi. Hale: *P. C.*, pp. 3, 6.

The declaration of heresy, and likewise the proceedings and judgment upon hereticks, were by the common law of the realm referred to the ecclesiastical jurisdiction, and the secular arm was reached to them by the common law, and not by any statute for the execution of them which was by the King's writ *de haeretico comburendo*. Bacon's *Cases of Treason*: Chap. xiii. *Harl. Misc.* v. 20.

Before the statute 2 Henry IV., Cap. 15, no person could be convicted of heresy, but by the archbishop, and all the clergy of the province; but, by that statute, any particular bishop might in his diocese convict of heresy, and issue forth his precept to the sheriff, to burn the person he had convicted, a law whereby the clergy gained a dominion over the lives of the subjects, independent upon the crown. It was repealed by

the statute 25 Henry VIII., Cap. 14. But so as particular bishops might still convict; though without the king's writ *de haeretico comburendo*, first obtained, no person convicted could be put to death, and so the law stood until . . . [1677.] *Harleian Misc.* viii. 70.

"Under the general name of *heresy* there hath been in ordinary speech comprehended three sorts of crimes: 1. *Apostacy*. . . . 2. *Witchcraft, Sortilegium*, was by the antient laws of England of ecclesiastical cognizance and upon conviction thereof without abjuration, or relapse without abjuration, was punishable with death by writ *de haeretico comburendo*, vide *Co. P. C.*, Cap. 6, et *libros ibi, Extr' de haereticis* Cap. 8, § 5, n. 6. 3. *Formal heresy* . . ." Hale: *P. C.* i. 383. *Hawkins, P. C. Cap. III.* 2. All these [including those guilty of witchcraft] were anciently punished in the same manner as hereticks, by the writ *de haeretico comburendo*, after a sentence in the ecclesiastical court and a relapse. And it is said also that they might be condemned to the pillory, &c., upon an indictment at common law. 3 *Inst.* 44, *F. N. B.* 269. *S. P. C.* 38. *Croke, Eliz.* 571.

Fitzherbert, in his *Natura Brevium*, says in a note: "It appeareth by Britton in his book, that those persons shall be burnt who feloniously burn other's corn, or other's houses, and also those who are sorcerers or sorceresses; and sodomites and heretics shall be burnt; and it appeared by that book, lib. I., cap. 17, that such was the common law." *Natura Brevium*, 269.

A reference to Britton amply sustains this ancient oracle of the common law: "Let inquiry also be made of those who feloniously in time of peace have burnt others' corn or houses, and those who are attainted thereof shall be burnt, so that they may be punished in like manner as they have offended. *The same sentence shall be passed upon sorcerers, sorceresses, renegades, sodomites, and heretics publicly convicted.*" *Britton*: Lib. I., Cap. X.

The learned editor of Britton says: "It seems as to these offences, though the King's court was in general ancillary to the ecclesiastical tribunal, it sometimes acted independently." And he cites a contemporary MS. that "if the King by inquest find any person guilty of such horrible sin, he may put them to death, as a good marshall of Christendom." Compare also *Britton*, lib. 1, cap. xvi sect. 6, and chap. xxx. sect. 3.

I am well aware that the King's Writ did never run in Massachusetts; but Law and History alike will sustain the assertion that the Fathers of Massachusetts never failed in their duty, if they knew it, "as good marshalls of Christendom."

Four years before it was abolished by the Statute of 29 Ch. ii., there was a debate in the House of Lords concerning taking away the Writ *De haeretico comburendo*. The discussion plainly shows that it was well known as a writ in the Register, and before 2 Henry V., in which time the Statute against *Lollards* was made, and put in execution against

them and that the writ was, before that time, a Writ at Common Law.<sup>1</sup> The Bishop and Ecclesiastical Power were Judges of Heresy, who, upon condemnation of the party, delivered him up to the secular Power; and the Writ *De haeretico comburendo* was thereupon issued out. It was declared in Parliament that the writ was still in force at Common Law, and the same power in the Clergy, notwithstanding the Statute of Queen Elizabeth of the thirty-nine Articles, and the Statute of Heresy, so that if they fell into the misfortune of Catholic Governors and Clergy, as in the Marian days, that writ was still in force, and might be put in execution.

The Act for taking away this writ was passed four years afterwards, 29 Charles II., 1677, declaring "that the writt commonly called *Breve de heretico comburendo*, with all Processe and Proceedings thereupon in order to the executeing such writt or following or depending thereupon and all punishment by death in pursuance of any Ecclesiastical Censures be from henceforth utterly taken away and abolished."

But the abolition of the law and process for burning heretics did not finish or do away with the legal penalties for witchcraft.

It was declared felony by Statute 33, H. VIII. c. 8. [1541-2] which was repealed by the operation of the Statute 1 Edward VI., c. 12. Again declared felony by Statute 5 Elizabeth, c. 16, it was only more accurately defined by the Statute Jac. I., c. 12, by which the previous statute was also repealed. This law, which was "enacted (as Mr. Bancroft says) by a House of Commons in which Coke and Bacon were the guiding minds," continued to disgrace the English statute book until 1736. By it the Invoking or Consulting with Evil Spirits, taking up Dead Bodies, &c., for purposes of witchcraft, &c., or practising Witchcraft, &c., to the harm of others, was declared Felony without Clergy. It also imposed penalties on declaring by Witchcraft where Treasure, &c., is hidden; procuring unlawful love; or attempting to hurt Cattle or Persons: for the first offence a year's Imprisonment and Pillory; for the second, that of Felony, without Clergy.

The original Body of Liberties of the Massachusetts Colony in New England made Witchcraft a capital offence. This article follows immediately after the provision for the punishment of idolatry, which is the first article of the capital code.

"2. If any man or woman be a witch (that is hath or consulteth with a familiar spirit)<sup>2</sup> they shall be put to death."

It is fortified by scriptural authorities in the margin—viz: by references to Exodus 22: 18; Leviticus 20: 27; Deuteronomy 18: 10;

<sup>1</sup>Barrington says (p. 126) there is no legal argument which hath such force, in our courts of law, as those which are drawn from ancient writs; and the *Registrum Brevium* is therefore looked upon to be the very foundation of the common law. St. 13 Edw. I. Statute of Westminster the Second.

<sup>2</sup>This legal definition of a witch seems to have been adhered to throughout the examinations and proceedings at Salem in 1692.

and continued without modification through the whole period of the government under the first charter, appearing in all the editions of the laws which have been preserved.

The contemporary code, drawn up by John Cotton, printed in London in 1641, and long supposed to have been the actual "laws of New England as established," gives the same prominence to witchcraft in the chapter of crimes. After blasphemy and idolatry, comes

"3. Witchcraft which is fellowship by covenant with a familiar spirit, to be punished with death.

"4. Consulters with Witches not to be tolerated, but either to be cut off by death, or by banishment."

His authorities from Scripture are Exodus 22: 18; Leviticus 20: 27, and 19: 31.

This alternative penalty of banishment, "the consulters with witches" shared with "scandalous livers" and "revilers of religion." Those who reviled the church establishment of Massachusetts came under the latter description.

The laws of the colony of New Plymouth, in 1636, enumerated among "capitall offences lyable to death," as the third in order after treason or rebellion, and murder, "solemn compaction or conversing with the divell by way of witchcraft, conjuration or the like."

By the revision of 1671, this law appears to have been modified. The eighth section of chapter II., Capital Laws, provides that "if any *Christian (so called)* be a Witch, that is, hath, or consulteth with a familiar Spirit; he or they shall be put to death." This qualification of "Christianity" (so called) "was probably a saving clause for the Indian inhabitants of the territory within the jurisdiction of the colony. The Indians had been always regarded as worshippers of the Devil, and their Powwows as wizards.

From the date of the judgment in the King's Bench, by which the Colonial Charter was cancelled, Massachusetts was governed by a Royal Commission until, in 1689, the news of the English revolution produced an insurrection at Boston, in which the Royal Governor was deposed, and the "antient Charter" and its constitutions *de facto* resumed. During this period, the Royal Commission and Instructions established the government "according to such reasonable laws and statutes as are *now in force* or such others as shall hereafter be made and established within our territory and dominion aforesaid." And the King declared his royal will and pleasure to be "that all lawes, statutes and ordinances [therein] \* \* \* shall continue and be in full force and vigor," excepting such as might be in conflict with the Governor's Commission and Instructions, &c.

On the 22d June, 1689, after the deposition of Andros, "at the Convention of the Governor and Council and Representatives of the Massachusetts Colony, it was declared that all the laws made by the Governor and Company of said colony that were in force on the 12th

day of May, 1686 (except any that are repugnant to the laws of England) are the laws of this colony, and continue in force till farther settlement, to which all inhabitants and residents here are to give due obedience." 3: *Hutch. Papers*, 372, in M. H. S. Lib., quoted by Gray in *Reports IX*. 517.

Under this temporary settlement of the laws, the authorities in Massachusetts did not hesitate to exercise the highest judicial powers and even to inflict capital punishment; taking the highest steps in the administration of government, by trying, condemning, and executing some notorious criminals found guilty of piracies and murder. Bradstreet to Increase Mather, 29 January, 1689. *Hutch. Papers*, 576.

Chief Justice Shaw stated very clearly the doctrine which has always prevailed: "We take it to be a well settled principle, acknowledged by all civilized states governed by law, that by means of a political revolution, by which the political organization is changed, the municipal laws, regulating their social relations, duties and rights, are not necessarily abrogated." *Commonwealth v. Chapman*, 13 *Metcalf*, 71.

Nor should it be forgotten here that the validity of the judgment against the Charter in 1684, which was decided by the House of Commons, and "questioned by very great authority in England," was never admitted in Massachusetts. 9 *Gray*, 517. As there was nothing in the repeal of the Colony Charter to affect the private rights of the colonists, 9 *Gray*, 518, so generally the rights of the inhabitants, as well as the penalties to which they might be subjected, continued to be determined by the effect and according to the form of the colonial and provincial legislation, *i. e.* the common law of Massachusetts, rather than by the ancient common law of England. 5 *Pickering*, 203. 7 *Cushing*, 76-77. 13 *Pickering*, 208. 13 *Metcalf*, 68-72.

I may be permitted also, at this point, to state a fact which (so far as I know) has escaped attention entirely in all the later discussions of this topic: that it was deemed necessary by the Legislature of this Commonwealth, to pass an act as late as the year 1824, for the repeal of a law of the Colony passed in 1660!<sup>1</sup>

Thus far legislation under the Colony Charter. On the arrival of Phips with the Province Charter; the change which was made was scarcely perceptible, almost the same men continued in power, the

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CHAP. CLXIII.

AN ACT TO REPEAL AN ACT, ENTITLED "AN ACT AGAINST  
SELF-MURDER."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That an Act entitled "an Act against self-murder," passed in the year of our Lord one thousand six hundred and sixty, and providing that the bodies of persons who shall be guilty of self-murder shall be buried in some public highway, be, and the same is hereby repealed.

[Approved by the Governor, February 21st, 1824.]

laws and customs of former times remained, and the spirit of the people had undergone little alteration.

The provincial legislature met for the first time on the 8th of June, 1692. Proceedings and examinations upon charges of witchcraft had been going on for several months before; the special court of Oyer and Terminer had been organized on the 27th of May, and sat, on the 2d of June, for the trial of its first victim, whose death warrant, signed on the very day the legislature came together, was executed two days afterwards.

One of the first acts of the Great and General Court, passed on the 15th of June, 1692, was to continue all the local laws of the former governments of Massachusetts Bay and New Plymouth, being not repugnant to the laws of England, nor inconsistent with the new constitution and settlement by the Province Charter—to stand in force till November 10th, in the same year.

This was that "Greatest General Court that ever was in New England," in the early part of whose session (June 9th), Increase Mather appeared and gave an account of his doings as Agent of the Colony at London.

On the 29th of October they passed an act for the punishing of capital offenders, in which Witchcraft maintains its old position in the list of Capital Crimes, being declared to be felony, of which persons legally convicted were to be "adjudged to suffer the Pains of Death." The text is the same as that of the former law, but the scriptural authorities are omitted. The description of what constitutes a witch, furnished a legal definition of the crime. This law was subsequently disallowed in England by reason of the Articles relating to Witchcraft, Blasphemy, Incest, and slaying by Devilish Practice, which were declared by the Privy Council to be "conceived in very uncertain and doubtful terms," etc. *Letter from the Privy Council*, 26 Dec. 1695.

Before the end of the same session, on the 14th December, 1692, the General Court of Massachusetts reinforced their own local law by the substantial re-enactment of the English Statute.

This "Act against Conjuraton, Witchcraft, and dealing with Evil and Wicked Spirits," is expressly declared in the preamble to be "for more particular *direction in the Execution of the Law against Witchcraft.*" The original Bill is preserved among the Archives in the State House at Boston, with such changes by way of correction as indicate the design of its promoters still more clearly. "For Explanation [or Explication] of the Law against Witchcraft, and more particular direction therein, the execution thereof, and for the better restraining the said offences, and more severely punishing the same," etc. *Mass. Archives.* This phraseology shows conclusively that they had previously been proceeding upon their own or the common law, for if they had been guided by the statute of James I., they needed not to re-enact it, for particular direction, or to increase the severity of punishment.

The fac-simile given in the *Memorial History of Boston*, Vol II., 153, does not indicate this important feature in the original, and the error to which I call attention is reiterated there in the statement that "the witches had been tried without any Colony or Province Law on the subject, and presumably under the English statute of James I." *Ibid.* 154.

Mr. Bancroft, in his exhaustive and most able discussion of this topic, states that the General Court adopted the English law, "*word for word as it stood in the English Statute Book,*" but the differences between the original statute and that of Massachusetts are considerable, and characteristic, even when not very important, which some of them certainly are.<sup>1</sup>

In the enacting clause, "the Governor, Council, and Representatives in General Court assembled" take the place of "the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons in parliament assembled."

The denial of "the privilege and benefit of Cleargie and Sanctuarie" to persons convicted, which is a conspicuous feature in the English law is omitted in that of Massachusetts.

"The Market Town, upon the Market Day, or at such tyme as any Faire shall be kept there," as the place of exposure and confession upon the pillory four times during the year's imprisonment, finds its substitute in "some Shire town" of Massachusetts, where it was also required in addition, that the "offence shall be written in Capital Letters, and placed upon the Breast of the Offender."

A much more important omission was that which excluded the provisions for saving of Dower, Inheritance, Succession, &c., as well as the proviso that "Peers shall be tried by Peers." The want of agreement with the English statute, "whereby the Dower was saved to y<sup>e</sup> Widow and y<sup>e</sup> Inheritance to y<sup>e</sup> heir of y<sup>e</sup> party convicted" is expressly mentioned in the letter of the Privy Council to the Governor, &c., of the Province, 26th December, 1695, as the reason for its repeal.

The rights of heirs had also been saved in the previous statute of the same session—"An Act setting forth General Priviledges"—which provided that they should not be defeated by any forfeitures for crime, except in cases of high treason. This saving applied only to "lands and heritages," so that goods and chattels might be forfeited in cases of felony. This act met a similar fate at the hands of the Privy Council, as being repugnant to the laws of England.

Yet the laws of Massachusetts from the beginning had preserved the

Mr. Bancroft was evidently misled by Hutchinson, as quoted *ante*, p. 162. The passage in the first edition of the *History of the United States*, is as follows: "The General Court adopted what King William rejected—the English law, word for word as it stood in the English Statute Book." Edition 1840, iii., 95. As subsequently revised for the centenary edition, it stands "the English law, word for word, as it was enacted by a House of Commons, in which Coke and Bacon were the guiding minds." Edition 1876, ii., 265.



rights of heirs by the entire exemption of lands and heritages from "forfeitures, upon the deaths of parents or Ancestors, be they naturall, casual or Juditiall." *Body of Liberties*, Art. 10. Under this law of the colony, traitors as well as other felons might dispose of their estates, real and personal, by will, after sentence, and if they died intestate, distribution was made, as in other cases. In 1678, the Attorney General of England objected to this feature of the colonial law as repugnant to the laws of England, to which the General Court replied that they conceived it to be according to their patent; and "its original, viz' that of East Greenwitch, according unto which, as we conceive, notwithstanding the father's crime, yet the children are to possesse the estate." *Mass. Rec.*, v., 199.

I have thus shown that, whatever may be the estimate placed upon the proceedings of the authorities against alleged witches, the disgrace does not attach to them of having acted without warrant of law. In point of fact a popular devotion to law that was fanatical, was an influence second only to their fidelity to religious conviction, among the moving causes of the witch delusion. *Palfrey*, iv., 130.

Another error has been constantly repeated in the statement that no lawyer was engaged in the proceedings. Gov. Washburn said there was not a lawyer concerned in the proceedings of the court. *Judicial Hist.*, p. 145. And Mr. Chandler in his *Criminal Trials* followed the Governor somewhat literally. He says—"it was a popular tribunal; there was not a lawyer concerned in its proceedings." *Am. Crim. Trials*, i., 92. And again—"Neither is the common law, nor are its professors responsible for their mistaken proceedings. The special court of Oyer and Terminer was essentially a popular tribunal. There was not a regular lawyer concerned in its proceedings." *Ib.*, 137. Mr. Palfrey confirms this statement of the case: "there were no trained lawyers in the province." *Hist. N. E.*, iv., 120. And the statement has been generally accepted. But it is not true. In the original constitution of the court—on Friday, the 27th May, 1692, Mr. Thomas Newton was appointed to officiate as attorney for and on behalf of their Majesties at the special court of Oyer and Terminer. He took the oath before Stoughton, June 2, in open court at Salem, and continued to act until 26th July, when he was succeeded in that service by Anthony Checkley, who had been previously employed in that office, and who continued in the same position for several years after the witchcraft trials had passed by.

Newton was an Englishman by birth, bred a lawyer, and appears to have come to Boston in 1688, when he is noticed in a contemporary diary as a new-comer and sworn an attorney. Edward Randolph had represented to Mr. Povey of the English Board of Trade a year or two before "the want of two or three honest attorneys, if [there be] any such thing in nature," and Newton probably came under that encouragement. He was Attorney General in New York in 1691, and prosecuted Leisler, Milborne and others in the trials for high treason in that year—

returning to Boston, however, very soon after those trials were over. It is a curious fact never before noticed which thus connects the judicial murders of Leisler and Milborne in New York, with those of the alleged witches at Salem.

It is hardly less remarkable that a brother of the same Milborne, an Anabaptist minister who had been conspicuous in the proceedings against Andros and Randolph, and evidently one of the leaders of the popular party, was arrested and held to bail by the government of Phips, apparently because he had appealed to the Assembly against these very proceedings in the witchcraft cases.<sup>1</sup>

I have not time in this place to give details of the career of Newton as

<sup>1</sup> June 25, 1692. There being laid before his Excellency and Council two papers directed unto the Assembly one of them subscribed by William Milborne of Boston, and several others, containing very high reflections upon the administration of public justice within this their Majesty's Province, the said William Milborne was sent for, and upon examination owned that the said papers were of his writing, and that he subscribed his name to one of them.

"Ordered to be committed to prison or give bond of £200 with two sureties to appear at next Superior Court to answer for framing, contriving, writing and publishing the said seditious and scandalous papers or writings, and in the mean time to be of good behaviour." *Council Records.*

The following document is evidently a part of the same proceedings:

"To the Sheriff of the County of Suffolke.

"By his Excellency the Govern<sup>r</sup>.

"These are in their Ma<sup>ties</sup> name to will and require you forthwith to take into yo<sup>r</sup> custody the Body of William Milborne of Boston, and to cause him to make his appearance before myselfe and Council to answer what shall bee objected against him on their Ma<sup>ties</sup> behalf for writing, framing, contriving and Exhibiting under his hand, with the names of several others, a scandalous and seditious paper containing very high reflections upon their Ma<sup>ties</sup> Government of this their Ma<sup>ties</sup> Province of the Massachusetts Bay in New England. Inscribed to the Grave and Judicious Members of the General Court for the said Province. Hereof fail not and make Return of this Precept with your doings therein. Given under my hand and seal at Boston the 25th of June, 1692.

WILLIAM PHIPS."

*Mass. Archives*, cvi., 372.

Edward Randolph, writing from the "Common Gaole" in Boston the 29th of May, 1689, says: "Five Ministers of Boston, viz<sup>t</sup>. Moode, Allen, Young, Mather, Willard and *Milborne*, an *Anabaptist Minister*, were in the Council Chamber on the eighteenth of Aprill when the Govern<sup>r</sup> [Andros] and myselfe were brought out of the Fort before them, writing orders, and were authors of some of their printed papers." *N. Y. Coll. MSS.*, iii., 582. And a letter of Colonel Bayard, from Albany, 23d September, 1689, speaks of Jacob Milborne as a "brother to *Milburn the Anabaptist preacher*," etc. *Ib.*, 621. See also Bullivant's *Diary in Proc. M. H. S.*, March, 1878. "The Northend men, headed by Sir William Phips, *Milbourne* and Way, apply to the Deputies for the discharge of Turell and White in execution for a just debt," etc. 18 March, 1689-90.

a lawyer, but his obituary in the "Boston News Letter" of June, 1721, speaks of him as "having been for many years one of the chief lawyers of Boston."

And here I may remark in passing that notwithstanding the extreme sensitiveness of Massachusetts writers of history on this subject—if English law, English judges or English lawyers are to be taken as standards of comparison, I can see no necessity to apologize for those of Massachusetts in that day and generation. "SIMEON AND LEVI ARE BRETHREN; INSTRUMENTS OF CRUELY ARE IN THEIR HABITATIONS." *Gen. 49: 5.*

The first conspicuous sign of recovery from this awful delusion and earliest public demonstration of the strong and certain reaction which had slowly set in, was the Fast of 1696-7. A proposition for a Fast and Convocation of Ministers had been made as early as October, 1692, but it did not receive the sanction of the Council.

[Mass. Archives,] xi., 70.

"WHEREAS it hath pleased the MOST HIGH out of Sovereign and holy will, in this Day of Tryall and Adversity, to Exercise his people with sore trouble and Affliction in divers Respects; more Especially in permitting the Grand Enemy of Mankind to prevaile so far, with great Rage, and Serpentine Subtilty; whereby severall persons have been Seduced, and drawn away into that horrid and most Detestable sin of Witchcraft; to the great vexation, and Amazeing affliction of many persons w<sup>ch</sup> is Notoriously known beyond Expression; And That for the Due derserved punishment of the Nocent, clearing the Reputation, & persons of the Inocent, and by Divine Assistance in the use of meanes to prevent the further progress and prevallence of those SATANICALL Delutions; a Speciall Comission hath been granted to Certaine Gentlemen of the Council, and thereby a Court Erected by those persons of known Integrity, faithfullness and (according to man) Sufficiency who have Strenuously Endeavored to Discharge their Duty to the utmost of their Power for the finding out and Exterpation of that Diabollicall Evill: so much prevaileing amongst us, But finding (Notwithstanding the Indefatigable Endeavors of those Worthy Gentlemen with others to Suppress that Crying Enornity) the most Astonishing Augmentation and Increase of the Number of Persons Accused, by those Afflicted: many of whom (according to the Judgment of Charity) being persons of good Conversation Godliness and honesty; And on the Other hand severall persons have Come and Accused themselves before Authority, and by many Circumances, confessed themselves Guilty of that most abominable Wickedness; with divers Other Strang & Unaccountable Occurrances of this Nature through the Rage and malice of Sathan, greatly threatening the utter Ruine and Distruction of this poor Country; if the Lord in his Tender Mercy, doth not Wonderfully Appear for y<sup>e</sup> Salvation of his People: by Expelling those Dismall Clouds of Darkness, and Discovering the wiles of the Devil, and that mistry of Iniquity that doth so much abound; and by his Gracious guidance, and Divine assistance; Direct his people in the Right way, that those That are guilty may be found out, and brought to Condigne punishment, the Inocent may be Cleared, and our feares and troubles Removed.

"To w<sup>ch</sup> End, it is humbly PROPOSED by the Representatives now Assembled, That a Generall Day of Humilliation may be Appointed, Sollemnly to Seek the LORD and to Implore his Ayd. That he would be graciously pleased to Shew unto his people What they Ought to doe at

such a time as this; And that A Convocation of the Elders may be called who with the Hon<sup>ble</sup> Council and Other persons, (whom they in their wisdoms shall deem meet) may Seriously Consider the Premisses; and make Inspection into these Intricacies humbly Enquiring that they may Know the mind of God in this Difficult Case; That so if it be his Blessed Will, all dissatisfaction may be Removed, peace, love, and Unity may be increased and Continued amongst us, and that y<sup>e</sup> Gracious Presence of Our Blessed God may Remain with us.

“Octobr: 26: 92: This Bill read a first second & third time in y<sup>e</sup> house of Representatives & voted passed in y<sup>e</sup> Affirmative & Sent to his Excellency the Governo<sup>r</sup> & Council, for Consent.

WILLIAM BOND, *Speaker.*

“Endorsed. Read once since returned by y<sup>e</sup> Committe. Motion for a Convocation 1692.”

Chief Justice Sewall's entry in his diary of this date throws some light on this Bill:

“Oct. 26, 1692. A Bill is sent in about calling a Fast, and Convocation of Ministers, that may be led in the right way as to the Witchcrafts. The reason and manner of doing it, is such, that the Court of Oyer and Terminer count themselves thereby dismissed. 29 N<sup>os</sup> and 33 yeas to the Bill. Capt. Bradstreet and Lieut. True, Wm. Hutchins and several other interested persons there, in the affirmative.”

Hutchinson tells us that:—“The winter of 1696 was as cold as had been known from the first arrival of the English; slays and loaded sleds passing great part of the time upon the ice from Boston as far as Nantasket. Greater losses in the trade had never been known than what were met with in this year; nor was there, at any time after the first year, so great a scarcity of food; nor was grain ever at a higher price.” *History of Mass.*, II., 104, note.

The province had long languished under a war with the French and Indians, by which the estates of the people were much exhausted and many led into captivity or slain. Their trade had decayed and their population diminished by emigration to other colonies less exposed to the calamities of war and the burdens of taxation which it imposes. Information of all these disastrous events was the burden of letters to England towards the end of the year 1696.

Under these circumstances a Committee of Religion was chosen by the House of Representatives of Massachusetts in which some of the clergy of the neighborhood were joined with the deputies, who prepared a Declaration enumerating Sundry Evills to be confessed on a Publick Day of Humiliation therein proposed. This is “the Declaration as drawn by the Deputies, with the assistance of the Ministers, but received a Non concurrence,” referred to by Robert Calef in his “More Wonders,” in his letter to the Ministers, Jan. 12, 1696.

The document is still extant, though unpublished, in the handwriting of Cotton Mather—and is eminently characteristic of the man and the

times. I will read from it only the passage which refers directly to the Salem tragedies :

[From Mass. Archives, xi., 120.]

"Inasmuch as the Holy God, hath been, by Terrible and Various Dispensations of His Providence for many sevens of Years Together, most Evidently Testifying His Displeasure against us; and these Humbling Dispensations of Heaven have proceeded from One Degree of Calamity upon us to another, Wherein God hath vexed us with all Adversity, until at last the Symptoms of an Extreme Desolation Threaten us: A More than Ordinary *Humiliation* of this whole people, accompanied with fervent *Supplications*, and thorough *Reformations*, must bee acknowledged Necessary, to prepare us for o<sup>r</sup> Deliverance, from o<sup>r</sup> most unhappy circumstances.

"Tis to bee Confessed, and it hath been often Confessed, That the people of this land in a long Increasing *Apostasy* from that Religious Disposition, that signalized the first planting of these Colonies, and from y<sup>r</sup> very *Errand unto this wilderness*, have with multiplied provocations to the Almighty, *sinned exceedingly*.

"The Spirit of *This World* hath brought almost an Epidemicall Death upon y<sup>e</sup> spirit of serious, and powerful Religion.

"The Glorious *Gospel* of the Lord Jesus Christ, here enjoy'd with much plenty as well as purity, hath not been Thankfully, and Fruitfully, Entertained, by those who have been Blessed with the *Joyful Sound*.

"The *Covenant of Grace*, recognized in o<sup>r</sup> Churches hath been by multitudes not submitted unto; and of them that have made a *profession* of *submission* unto it, very many have not walked according to the sacred obligations thereby laid upon them.

"A Flood of *Excessive Drinking*, w<sup>th</sup> Incentives thereto hath begun to overwhelm Good Order, in some Townes & Even to Drown civiltie itself.

"Some *English*, by selling of *Strong Drink* unto *Indians*, have not only prejudiced the Designs of Christianitie, but also been the faulty and Bloody occasions of *Death* among them.

"The most unreasonable Impieties of Rash and vain *Swearing*, with Hellish *Cursing*, on the mouths of some, have rendered them *Guilty Sinners*.

"A Vanity in Apparel, hath been affected by many, whose *Glory* hath bin their *Shame*.

"The *Lords-Day*, hath been disturbed, with so many profanations, that wee may not wonder, if the land see *no Rest*.

"The Woful Decay of all Good *Family Discipline* hath opened the Flood-gates for evils Innumerable, & almost Irremediable.

"*Wicked SORCERIES* have been practised in the land; and, in the late inexplicable storms from the Invisible world thereby brought upon us, wee were left, by the Just Hand of Heaven unto those Errors whereby Great Hardships were brought upon Innocent persons, and (wee feare) Guilt incurr'd, which wee have all cause to Bewayl, with much confusion of o<sup>r</sup> Face before the Lord.

"It is commonly and credibly Reported, That some, who have belonged unto this country, have committed very Detestable *Pyracies* in other parts of this world.

"The Sins of Uncleanness in many, & y<sup>e</sup> Grossest Instances, have Defiled the land.

"The Joy of Harvest hath too much forgotten y<sup>e</sup> Glad Service of God, when Hee hath given us, an *Abundance of all Things*.

“Much *Fraud* hath been used in the Dealings of many, and mutual and multiplied *Oppressions*, have made a cry.

“*Magistrates, Ministers*, and others that have served the publick have been great Sufferers by their services, and mett with Unrighteous Discouragements.<sup>1</sup>

[Y<sup>e</sup> Irreverence to Superiors in age & authority & disobedience to parents is too frequent among us. Parents not keeping up their authority in their families, Neglects in the Administration of Justice impartially and duly in Courts of Justice is too Obvious in this Land. Voted, 10<sup>th</sup> Dec<sup>br</sup>.]<sup>2</sup>

“*Falsehood and Slander*, hath been continually carrying of *Darts thro’* y<sup>e</sup> Land.

“And the successive and Amazing Judgments of God, which have come upon us for such things as these, have not Reclaimed us, but wee have gone on still in o<sup>r</sup> Iniquities.

“For these Causes this whole people is Admonished now to Humble themselves before the Lord with Repeted Acts of Repentance; and particularly, To this purpose, It is *Ordered*, That Thursday be kept as a Day of *HUMILIATION*, by prayer with *FASTING*, before the God of Heaven, in the several Congregations throughout this province; and all Servile labor on y<sup>e</sup> Day is hereby Inhibited: That so wee may obtain, thro’ the Blood of the Lord *JESUS CHRIST*, the Pardon, both of these Iniquities and of whatever other *secret sins the Lord may have sett in the Light of His Countenance*. And, that wee may Implore y<sup>e</sup> Effusions of y<sup>e</sup> Spirit of Grace from on High, upon all ranks of men, and especially upon the Rising Generation, whereby o<sup>r</sup> Turn to God, y<sup>e</sup> Fire of whose wrath is dreadfully consuming o<sup>r</sup> young men, may be accomplished.

“And it is hereby further signified, That it is hoped, the pastors of the churches, will, in their several charges, by private as well as public Applications, Endeavour to prevent all *Growth of Sin*, as they may discern it, in their Vicinities: and y<sup>e</sup> churches join with their pastors in sharpening the *Ecclesiastical Discipline* against the *Scandals* that may arise among them.

“And all *Civil Officers* are hereby likewise called upon Vigorously to pursue y<sup>e</sup> execution of y<sup>e</sup> lawes, from Time to Time, Enacted against all Immoralities; and in their several places, as well to make *Diligent Enquiries* and *Impartial presentments* of all offences against y<sup>e</sup> said lawes as to *Dispense Justice equally*, for no cause forbearing to do their office, according to the *Oath of God*, w<sup>ch</sup> is upon them, and unto this end, frequently to have their consultations in their several precincts, *what may be done by them to suppress any common evils*.

“Finally, All persons are hereby advised seriously to pursue the Designs of a general Conversion unto God, as y<sup>e</sup> best expedient for y<sup>e</sup> encouragement of o<sup>r</sup> Hopes, That Hee who hath shown us great & sore Troubles may Revive us; and not leave us to perish in the convulsions which are now shaking a miserable World.

“In the House of Representatives. Read 10<sup>th</sup> Decem<sup>br</sup>. 1696—a first and second time. Voted, and sent up for Concurrence.

PENN TOWNSEND *Speaker*.

“Voted. That the aforesaid Declaration be published in the respec-

<sup>1</sup>Compare Calef: *More Wonders of the Invisible World*, p. 92.

<sup>2</sup>This passage in brackets was the “*Streamer*,” etc. referred to by Chief Justice Sewall in his Diary, as having been added to the original “*Bill*”—not the passage quoted in *Sewall Papers*, I., 439 note.

tive Congregations within the province by the Ministers therein, and further That a proclamation issue from this Court requiring all Justices Constables Grand jury men Tythingmen, and all other civil officers to be faithful in the Execution of their respective offices; And That the Laws setting forth the dutys of the Respective officers afores<sup>d</sup> be collected and inserted in the body of s<sup>d</sup> proclamation. And that five hundred of s<sup>d</sup> Laws and of the s<sup>d</sup> Declarations be printed.

PENN TOWNSEND *Speaker.*

Decr. 11. 1696. Read in Council and Voted a non-concurrence.

Is<sup>a</sup> ADDINGTON *Sec'ry.*

This Bill, as it was called, on being sent to the Council, met with a prompt negative—the latter body decidedly resenting the movement by the House as an invasion of their prerogative. But after a sharp controversy between the two houses—another document much shorter, originating with the Council, and drawn up by Samuel Sewall, who had been one of the Judges in the Witch Trials—was duly passed—in which a solemn Fast was appointed for the 14th January, 1697.<sup>1</sup>

This paper has been printed and is doubtless familiar to you all. I will not read it here—but I will not hesitate to repeat my humble tribute of admiration for the character of its author. It was at this Fast that Chief Justice Sewall made his public confession of fault and repentance for his part in that bloody Assize of Witches at Salem—a signal example of the genuine old Puritan—a brilliant instance of that magnanimity which submits to just reproof without resentment, and that higher grace which is at once the sign and the blessing of repentance—that real Christian courage which could humiliate itself by confession.

Samuel Sewall's voluntary confession before God and men of his sin in that thing, ought to be cherished as one of the most precious memorials of the history of Massachusetts. That solemn sad figure, handing the confession to his minister "as he passed by" in the meeting-house, "and standing up at the reading of it, and bowing when finished; in the afternoon" of that winter's day, is to me personally more beautiful and glorious than all the heroes of the Magnalia.

[Mass. Archives, xi., 122.]

"By the Hon<sup>ble</sup> the L<sup>d</sup>. Gov<sup>r</sup>. Council & Assembly of his Maj<sup>ty</sup>'s Province of y<sup>e</sup> Massachusetts Bay in General Court Assembled.

<sup>1</sup>Dec. 11. 1696. A Declaration containing Several Articles of Confession and Appointment of a Day of Publick Fast sent up from the House of Representatives with their vote thereon, and that a Proclamation be issued to excite officers to their duty, was read, and Voted in the negative.

A Bill for appointing a Public Fast upon Thursday the 14th of January next, was Drawn up and voted and sent down. *Council Records*, p. 499.

Whereas the Anger of God is not yet turned away, but his Hand is still stretched out against his people, in manifold Judgments; particularly in drawing out to such a length the Troubles of Europe, by a perplexing War. And more especially, respecting ourselves in this Province, in that God is pleased still, to go on in diminishing our Substance, cutting short our Harvest; blasting our most promising Undertakings; more ways than one, Unsettling of us; and by his more immediate Hand, snatching away many out of our Embraces by suddain & violent deaths; even at this time, when the Sword is devouring so many; both at home and abroad; and that after many Days of publick and Solemn addressing of Him. And altho, considering the many sins prevailing in the midst of us, we cannot but wonder at the Patience and Mercy moderating these REBUKES; yet we cannot but also fear, that there's something still wanting to accompany our Suplications. And doubtless, there are some particular Sins, which God is angry with our Israel for, that have not been duely seen and resented by us, about which God expects to be sought, if ever He turn again our Captivity.

“Wherefore its comand<sup>d</sup> & Apoi't<sup>d</sup> that Thursday the Fourteenth of January next be observed as a Day of Prayer with Fasting throughout this Province; strictly forbidding all Servile Labour thereon. That so all God's people may offer up fervent Supplications unto him for y<sup>e</sup> preservation and prosperity of his Maj<sup>ty</sup>s Royal person and Governm<sup>t</sup> and success to attend his Affaires both at home & abroad That all Iniquity may be taken away, which hath stirred God's holy Jealousie against this Land; that he would shew us what we know not, and help us wherein we have done amiss, to doe so no more: And especially, that whatever Mistakes, on either hand, have been fallen into, either by the body of this People, or any Orders of Men, referring to the late Tragedie raised amongst us by Satan and his Instruments, through the awfull Judgment of God; He would humble us therefore, and pardon all the Errors of his Servants and People that desire to Love his Name, and be attoned to His Land. That he would remove the Rod of the Wicked from off the Lot of the Righteous; That He Would bring the American Heathen, and cause them to hear and obey his voice.

Dec. 11<sup>o</sup> 1696. Voted in Council and sent down for Concurrence.

Is<sup>a</sup>. ADDINGTON, *Sec'ry.*

Decembr 17<sup>th</sup> 1696. Voted a Concurrence,

PENN TOWNSEND, *Speaker.*

I Consent.

W<sup>m</sup>. STOUGHTON.

*Endorsed*: Bill for a Fast Vot<sup>d</sup> Dec<sup>r</sup> 11<sup>o</sup> 1696.

When this Bill was first sent down to the House, on the 11th Decem-ber, 1696, a non-concurrence was promptly voted. The Diary of Chief Justice Sewall throws some light upon the details of the business, in which he says: “I doe not know that ever I saw the Council run upon with such a height of Rage before.” *Sewall Papers*, I., 441. The following document belongs to this controversy between the two houses to which allusion has been made.

[Mass. Archives, XI., 122.]

Dec<sup>r</sup> 1696, In the House of Representatives. *Resolved*, “That y<sup>e</sup> freedom of speech to debate, so to resolve & vote upon a free debate of



any matters for the publick good of the Province without Consulting, advising or asking direction from the Hon<sup>ble</sup> Board Above is the Undoubted Right & Privilege of this House.

*Voted*, That seeing the Minits of Council are from time to time to be laid before his Majesty and Council at home, for the preventing any Inconveniency to the Hon<sup>ble</sup> Board above, This house shall not be Unwilling (always saving the privilege of this House) to propose and concert by Message such things as shall be thought necessary in Prudence by this house, before they are brought to a vote.

That in y<sup>e</sup> late choice of a Comittee of Religion by this house y<sup>e</sup> receiving their Report in y<sup>e</sup> Bill confainig an Enumeration of Sundry Evills to be Confessed on a Publick day of humiliation therein pposed to be ordered & appointed, & voting said Bill in this house and sending it up to y<sup>e</sup> Hon<sup>ble</sup> Council for their concurr<sup>e</sup>. This House

*Protests*, That these things were not transacted w<sup>th</sup> any designe to derogate from y<sup>e</sup> Preheminece of that hon<sup>ble</sup> Board, or to cast any disrespect thereon.

That in voting a non-concurrence to y<sup>e</sup> Bill for a fast sent down to this house from y<sup>e</sup> Council, This house did not out of any hum<sup>r</sup> of Vyeing w<sup>th</sup> that hon<sup>ble</sup> Board vote a non-concurrence.

*Proposed*. That Both Bills for a fast, upon w<sup>ch</sup> the late debates have been, may be comited to y<sup>e</sup> Reverend Elders of this Town, and that out of both they be desired to draw a Bill for a fast and lay the same before the Court.

Decemb<sup>r</sup>: 15<sup>th</sup> 1696. Read a first and Second time.

(Endorsed) Resolve Vote, &c.

A careful scrutiny of the original manuscript of the bill adopted revealed its history. When first sent down from the Council, it was immediately underwritten "Decemb<sup>r</sup> 11th Voted a Non Concurrence. Penn Townsend, *Speaker*." After the matter was composed, the "11th" was altered to "17th" and the "Non" stricken out.

I have still one more error to point out in the history of Witchcraft in Massachusetts. The statement has been constantly repeated, hitherto without correction, that some years after these melancholy trials, the General Court of Massachusetts passed an act reversing "the several convictions, judgments and attainders against the persons executed and several who were condemned, but not executed." An act of this sort has actually been printed and has found place and authority among recognized materials of history: but no such act ever became a law.<sup>1</sup> A

<sup>1</sup>The act referred to has not only been quoted as authority (UPHAM, II., 465, 479), but published at large in the *Records of Salem Witchcraft*, vol. ii., pp. 216-18. Mr. CHANDLER says: "a law was made reversing the attainders of those convicted, and making a grant for and in consideration of the losses sustained." *Am. Crim. Trials*, i., 135. Mr. POOLE says: "October 17, 1711, the General Court passed an act reversing 'the several convictions, judgments and attainders against the' persons executed, and several who were condemned but not executed, and declaring that [them] to be null and void." *Witchcraft Delusion*, etc. page 43, note 57, and again, in *Memorial History of*

private act of a similar character *was* passed in 1703, with reference to three of the surviving sufferers; and a few years later—sundry appropriations were made from the public treasury in aid of families who had been ruined by this storm; but none were adequate to the occasion—all were scanty and insufficient: and although the subject was revived from time to time during the next half-century, nothing else was done.<sup>1</sup>

It has not been my purpose, in the small collection of historical notes which I have thus had the honor to submit to you, to repeat the often told story of the Salem Witchcraft, or to recall any of the gloomy scenes of suspicion, persecution, prosecution, imprisonment, torture and death; which still glare out from the history of that period like flames from the pit. The main facts are familiar and they will never be forgotten.

Nothing could be more dramatic, full of interest, marked characters and striking situations. Strong as the impression of those scenes must have been on those who lived at the time, no events of American Colonial History have more earnestly engaged the attention of men in later years: and while the events themselves can hardly be said to have been viewed in opposite lights, the characters of those who were actors in them have furnished themes of lasting controversy.

Permit me to introduce here an illustration of this—in extracts from two writers both eminent and both belonging to Massachusetts.

“Next to the fugitives whom Moses led out of Egypt, the little ship-load of outcasts who landed at Plymouth two centuries and a half ago are destined to influence the future of the world.” This statement is the key-note of a comparatively recent and sympathetic essay on “New England two Centuries ago,” by James Russell Lowell. I quote it here simply as an introduction to the same writer’s summary of affairs in the latter part of the seventeenth century, when the Witchcraft Delusions of that generation culminated in the Salem tragedies. Mr. LOWELL says: “Till 1660 the Colony was ruled and mostly inhabited by Englishmen closely connected with the party dominant in the mother country, and with their minds broadened by having to deal with questions of state and European policy. After that time they sank rapidly into provincials, narrow in thought, in culture, in creed. Such a pedantic portent as Cotton Mather, would have been impossible in the first generation; he was the natural growth of the third,—the manifest judg-

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*Boston*, ii., 172: “Twenty years afterwards, when the General Court reversed the attainders of the persons executed in 1692,” etc. Mr. PALFREY says: “Twenty years after, the General Court annulled the convictions and attainders, etc.” *Hist. N. E.*, iv., 117. And in another place: “All the attainders, twenty-two in number, were reversed, etc.”

Mr. SIBLEY says: “The General Court, 17 October, 1710, passed an act that ‘the several convictions, judgments and attainders be, and hereby are, reversed and declared to be null and void.’” *Harv. Grad.*, ii., 433. (Printed Dec. 17, 1880, and published since 30 May, 1881.) Other eminent authorities might be cited, but perhaps these will suffice.

<sup>1</sup> See Appendix—*post*.

ment of God on a generation who thought "Words a saving substitute for Things."

From this picture of the younger Mather, turn to that of the elder, drawn by another hand, but not less true to the traditions in which it was trained.

Prof. ENOCH POND, in the "Lives of the Chief Fathers of New England," writing of the Father of Cotton Mather, says:

"Among the stars in the right hand of the great Head of the Church, which glittered upon the Golden Candlesticks of primitive New England, none have shone with a brighter and more attractive lustre than Increase Mather."

These views of the personal character of the Mathers, to whom history has assigned so conspicuous a place in the picture of Witchcraft in Massachusetts, furnish an illustration of the differences which still pervade the discussions of scholars concerning the period of which I have spoken.

The extreme facility of belief that was displayed by these eminent men even in matters that were not deemed supernatural, can only be realized by those who have an intimate acquaintance with their works.<sup>1</sup> Of this, as well the general historical question whether the tendencies of the age, the general spiritual movement and agitation of opinion in Massachusetts, had produced an exceptional amount of credulity during the half century or more before the occurrences at Salem in 1692—it is no part of my present purpose to enter into discussion.

Out of differences such as those to which I have alluded and the collision of critical judgments respecting men and events, the truth of history is ultimately to be developed.

But as it is the essence of history to be true, the judicious student of its records will always be justified in every faithful attempt to correct errors, and to apply the strict principles of historical criticism to every doubtful passage. Doubtless there may be some to whose minds (as Lord Bacon happily expressed it) "the mixture of a lie doth ever add pleasure." "It is not only the difficulty and labour which men take in finding out of truth; nor again that when it is found, it imposeth upon men's thoughts, that doth bring lies in favour; but a naturall, though corrupt love of the lie itself." But such as these do not belong to the School of History in our day. "There is nothing more modern than the critical spirit which dwells upon the difference between the minds of

<sup>1</sup> Both the Mathers were ambitious of distinction as authorities on the subject of witchcraft, and proud of the recognition of Baxter and others. See the letter of Cradock to Increase Mather in the postscript to *Cases of Conscience*, London: 1690. I have myself read in the handwriting of Cotton Mather his own record of an interview with an angel of God. It was written in Latin in one of his Diaries with the following remarkable marginal note, giving the reason for his veiling it in the obscurity of a learned language—"Hæc scribo Latinè, ne chara mea conjux, hæc chartas aliquando inspiciens, intelligat"! "

men in one age and another; which endeavours to make each age its own interpreter, and judge what it did or produced by a relative standard."

Many are the errors produced by the want of this historical feeling and leading to an entire misunderstanding of the nature of events. We may be keenly sensible of the strange contrasts in human nature, as we endeavor to scrutinize the motives of the chief actors, the natural leaders of the people and councillors of the government; and it is easy for us who read the history of that day in the light of those which have followed it, to perceive that these men erred: but we should hesitate before judging the actors of 1692 as we would judge our contemporaries.

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