

## The Trial of Thomas Salthouse and Miles Halhead

THE sufferings of Friends of the first generation have been faithfully recorded and their memory has remained a proud inspiration.

It is, however, comparatively rare to know the circumstances of arrest and trial in so detailed a fashion as in the case of Thomas Salthouse and Miles Halhead, who were arrested by Plymouth magistrates in May, 1655, and brought to trial at Exeter Assizes in July, 1655. Quaker sources for this information are Salthouse's own pamphlet *The Wounds of an Enemy in the House of a Friend*, Sewel's *History* (1722), pages 114-18 and Besse's *Sufferings* (1753), I, pp. 146-7. These are confirmed and supplemented by the records of Devon Quarter Sessions at Devon County Record Office, where the original documents of the trial are excellently preserved.

Salthouse and Halhead were not the first "Publishers of Truth" to visit Plymouth. John Audland had preceded them by six months, but it was Salthouse in particular who was to become the "Apostle of the West" and the love and respect in which he and his co-worker were held is manifest in this brief reference in the minute book of Plymouth Monthly Meeting in June, 1680.

On the 16th day of the third month in the yeare 1655, the Lord's good hand brought amongst us Thomas Salthouse and Miles Halhead, who also came and preached the Gospel of the Kingdom of Christ, and thorrow the Lord's mercie by there ministrie they reached and raised the wittnis of God in divers of us . . . By these two Friends were first our gathering into a meeting, and thorrow the Lord's good hand amongst us and with us through great perrells and sufferings have been to this day continuosly which is more than 24 yeares.<sup>1</sup>

Both men were from Westmorland. Thomas Salthouse had been a "steward" in the Swarthmoor household of the Fells and was convinced there by George Fox in 1652. Halhead, described by a contemporary as a "plain simple man," was, unlike Salthouse, married at this time. The Mayor of Plymouth in the deposition made out at the time of his arrest wrote:

<sup>1</sup> For a variant reading, see *First Publishers of Truth*, ed. Norman Penney, 1907, pp. 77-8.

“He is a married man and left his wife and three children at Kendall aforesaid about three months since.”

Salthouse and Halhead had some difficulty in getting to Plymouth. The Penruddock rebellion had taken place in the Salisbury area in March and, trivial as it proved, the authorities were alarmed. Salthouse mentions in his pamphlet<sup>1</sup> that the guards were out at Honiton. There was indeed a general alarm, Plymouth had even put in hand the rebuilding of Civil War defence works. When the travellers arrived at Exeter they were gaoled as suspicious characters. Released after fourteen days, they made their way back to Bristol, where they were given passes by the Captain of the Fort and a Justice, which stated that they were persons well disposed to the Commonwealth. They were now able to proceed to Plymouth and were accompanied by Nicholas Gannicliffe, a Bristol Friend, born at Exeter.<sup>2</sup>

The travellers arrived in Plymouth on 16th May, 1655. In the next few days they held several peaceable meetings in the houses of Friends. On Sunday the 20th, they held a meeting at the house of John Harris, where, as Salthouse wrote:

The Standard of the Lord being thus set up, many people flockt thereunto, insomuch that the house of John Harris, a friend near the Town . . . being not able to receive them, they went into his garden, and to them both in the fore and afternoon did they declare the truth . . . without using any inveighings against men or opinions, and were approved of by those that heard them, though severall came onely to hear some new thing.<sup>3</sup>

At the end of the meeting, however, a Presbyterian naval chaplain made his presence felt. Salthouse's account continues:

Having both of them spoken, and finished what they had to say, George Brookes then Priest of the Nightingale Friggot, a man whom they knew not, spake to the people a pretty space of time, wholly in the praise and commendation of what they had said, affirming it to be the eternall truth, and exhorting them to perseverance, from that Scripture, *Take heed that yee receive not the grace of God in vaine*,<sup>4</sup> telling them that they must expect to suffer persecution; but the principle from whence he spake being seen in the light of Jesus Christ . . . Thomas Salthouse said that he had spoken many good words, and faire speeches, but asked him

<sup>1</sup> *The Wounds of an Enemie*, 1656, p. 1.

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

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

<sup>4</sup> 2 Corinthians vi, 1.

whether he lived the life of what he spake . . . and their friend who came with them from Bristoll as aforesaid, told him, he had spoken of a Trinity in Unity, and a Unity in Trinity, when as no such language was to be found in the Scriptures.<sup>1</sup>

It was this remark of Gannicliffe's which probably did most to incense the Presbyterian minister. The interpretation of the doctrine of the Trinity was a sore point, especially to his sect. A generation later a fierce controversy was to split their congregations in Plymouth and the rest of Devon, with the rise of Unitarianism. In connection with the whole course of subsequent events, it is important to note that Salthouse claims it was Gannicliffe, not Halhead or himself, that challenged Brookes on the issue of the Trinity.

On the following Tuesday (22nd), the three visiting Friends were arrested at a meeting held in the house of Robert Cary. When, next day, they were brought before the mayor and magistracy, a hostile observer was George Hughes,<sup>2</sup> the Presbyterian vicar in whose church Audland had "sounded forth the truth" a few months previously. The constables ejected all the friends of the arrested men, the doors were then closed throughout the examination, which lasted some three hours. The outcome was that Gannicliffe was released and Salthouse and Halhead returned to prison, to await trial at Devon Quarter Sessions. Salthouse says that a hundred people were in the Guildhall, and that they had challenged anyone who had anything against them to say so, but that none had come forward. He showed a degree of political awareness by his comment that the proceedings were "contrary to the Instrument of Government."

The real reason behind the arrest was Presbyterian alarm at the spread of the new doctrine. The Presbyterian magistrates in Plymouth were the enemies of other sects as well as Quakers and were, as elsewhere at this time, only restrained by the influence of the Army. Cromwell had by now been reduced to the expedient of the rule of the major-generals.

There was some difficulty in deciding the exact charges to be preferred at the Assizes. The first charge had been denial of the Trinity, but Salthouse had written the mayor a letter categorically denying this.<sup>3</sup> The Oath of abjuration

<sup>1</sup> *The Wounds of an Enemy*, pp. 3-4.

<sup>2</sup> *Calamy Revised*, 1934, pp. 281-2; Fox, *Cambridge Journal*.

<sup>3</sup> *The Wounds of an Enemy*, pp. 68-9.

had been tendered to Salthouse and Halhead. This is one of the first instances of what became a favourite device in persecuting Friends. The oath was directed against Roman Catholics, requiring them to repudiate the Pope and Catholic doctrine, but all Quakers were unable to swear any oath and thus were bound to fall into this legal trap. In the end, they were committed on the ridiculous charge of the breach of a recent order against duelling. It was stated that they had used provoking words to Georges Brookes.

Here is a transcription of the Committal Order now in the Archives of Devon Quarter Sessions.<sup>1</sup>

Devon.

John Page, Merchant, Maior of the Burrough of Plymouth in the county aforesaid, and one of his Highnesse's Justices of the Peace within the said Burrough.

To the keeper of his Highnesse's Gaol at Exon Castle, or to his lawfull deputy in that behalfe, greeting. I send you herewithall by the bearer hereof the bodies of Thomas Salthouse late of Drugglibeck in the County of Lancaster, Husbandman, and Miles Halhead late of Kendall in the County of Westmoreland, lately apprehended here as disturbers of the public peace, and for divers other high misdemeanours against a late Proclamation prohibiting the disturbing of Ministers and other Christians in their assemblies and meetings and against the Ordinance of his said Highnesse the Lord Protector and his Counsel lately made against Duells, Challenges, and all provocations thereunto, who have refused to give sufficient security for their personall appearance at the next General Sessions of the Peace to be held for the County of Devon, and in the meantime to be of good behaviour against his Highnesse the Lord Protector and all his liege people. These are therefor in his said Highnesse his name to will and command you that, when the bodies of the said Thomas Salthouse and Miles Halhead shall be unto you brought, you them safely detain, and keep them until by due course of the law they shall be thence delivered. Hereof fail not at your perill.

Given under my hand and seal of Plymouth aforesaid the 28th day of May, in the year of our Lord God 1655.

John Page, Maior.

In the Court Archives also is the evidence of the prosecution witnesses, in the depositions they made before Mayor Page. There too, is the bond which showed that they had entered into recognisances in the considerable sum of £40 to appear at the Assize. These witnesses were George Brookes, Peter Popham "lymner", Jacob Jennens merchant, and Ralph Ansley "barker".

<sup>1</sup> Copy printed in *The Wounds of an Enemy*, p. 46.

It will be sufficient to compare the depositions made by Brookes and Popham to show that there was a suspicious degree of co-ordination. Those of Jennens and Ansley are almost a word for word repetition of Popham's evidence.

#### EVIDENCE OF GEORGE BROOKES

The examinacion of George Brookes, Chaplain in the Nightingall Frigott in the States Service, had and taken as aforesaid.

On oath. The said deponent sayth, That on Sabboth day last hee hearinge that there was some men that went by the name of Quakers, and intended to exercise at a howse leadinge to Stonehowse within the Burrough of Plymouth which as this deponent is informed is one John Harris his howse. And this deponent coming into the said howse, where were a great concourse of people, about 70 or 80 persons, and after a little time this deponent had been there, one Thomas Salthouse, one of the people called Quakers, beganne to speak to the people there assembled, without either seekinge of God in prayer or taking any portion of Scripture to speak from itt, did runne on in such a way as was not at all to the edifyinge of the people (in this deponents judgment) but to distraction. Which stirred up this deponent (after the said Salthouse had finished speakinge) to speak somethinge by way of exhortation to the edification of the people then present to and for the glory of God. And then and there this deponent made choice of a portion of Scripture, which was 2, Corinthians VI, 1;<sup>1</sup> from which this deponent exhortinge the people to virtue and love used this simile, that as the Father, Son, and Spiritt, were three in Trinitie but one in Unitie, soe although there were severall sectts of Religions yet wee should bee all one in unitie and love. And afterward this deponent proposed to all the people that they should seeke to God for a blessing by prayer, and if any there present had a larger portion or measure of the true light and Spiritt of God than this deponent had, that then hee should pray, if not, this deponent would. Whereupon the said Salthouse with Myles Halhead and Nicholas Gannicliffe (as this deponent now perceives there names soe to be) being the same three persons which hee this deponent now seeth at the time of his examinacion, and at the time aforesaid were in the said garden, they fell upon this deponent with unsutable and inhumane speeches, sayinge Thou Liest, there is noe such thinge in Scripture as the Trinitie, and therefore Thou Liest and art a thief, and thou hast stollen that which thou hast from others, and brought itt in thy hand, pointinge at the Bible then open in this deponent's hand, and thou, meaninge the deponent, hast a deludinge spiritt, and thou art come to deceave the people, and to draw the hearts of the people from God, and therefore admonished the people that they should not hearken or beleve what this deponent had said.

Witnessed by John Paige, Maior, Ri. Spurwell.

<sup>1</sup> We then, as workers together with Him, beseech you also that ye receive not the grace of God in vain.

## EVIDENCE OF PETER POPHAM

The said deponent sayth on oath, That on Sabbath day last being the 20th, of the moneth of May in the afternoone, hee this deponent goeing towards Stonehouse to heare one Mr. Titchen that is the present Minister there to preach, in his way thither he overtooke one Mr. George Brookes and Ralph Ansley, and this deponent askinge them where they were goinge they said to heare some Quakers neere a place called the Old Mills that were at a howse, as this deponent hath heard, belonging to one John Harris within the Burrough of Plymouth aforesaid. Whereupon this deponent went with them the said George Brookes and Ralph Ansley unto the said Harris his howse, and from there into a garden belonging to the same howse, where were about 70 or 80 persons, among whome this deponent saw three Strangers who went by the name of Quakers, which are the same three persons now present at the time of this deponent's examination, owning themselves by the names of Thomas Salthouse, Myles Halhead, and Nicholas Ganncliffe, as they are written in two papers now showed unto this deponent. And this deponent further sayth, That he heard the said Salthouse (that was then speaking to the people) say, That they should follow noe more their old Ministers, for they are those that will bringe them to destruccon, and they are Baal's priests, and there is that within a man that must carry him to heaven, and there is noe neede of other teachinge. And this deponent further sayth, That the said Salthouse havinge ended his discourse without any prayer, that afterward hee heard the said George Brookes open a place of Scripture which was 2. Cor. VI. 1. In openinge of which said Scripture the said George Brookes spake somethinge of the holy Trinitie. And after the said Brookes had done speakinge the said Thomas Salthouse spake to the said Brookes, and said these words, Thou Liest in sayinge there were Three persons in the Trinitie I deny itt, there is noe such thinge. But thou art a deludinge spiritt come to draw away the hearts of the people from God. And hee the said Salthouse then and there spake to the people, that they should not hearken to him, meaninge the said Brookes, for that hee was a theefe and was come with a Lye in his mouth, and had stollen what hee had from others, and had it in his hand, pointinge to the Bible which was then in the said Mr. Brookes his hand open. And this deponent further sayth, That the said Myles Halhead did speake the same words as aforesaid And said severall times that it was a Lye that the said Brookes had brought.

Witnessed by John Paige, Maior, Ri. Spurwell.

The accusation of Halhead in the last few words of this deposition of speaking "the same words" as Salthouse is a particularly transparent device.

The record of Salthouse's examination before the mayor, demonstrates his shrewd intelligence and cool head. Mention is made in his evidence of some of the first Friends in

Plymouth. Arthur Cotton (d. 1708) a shopkeeper was later a correspondent of William Penn and of the Meeting for Sufferings. Nicholas Cole was a considerable merchant, who had as a Baptist preacher been gaoled as early as 1645 for his unorthodox religious opinions. Richard Lippincott had come to Plymouth from Massachusetts in 1653 and returned to the Rhode Island Colony in 1660. He is the ancestor of the American publishing family. John Harris was a prosperous yeoman farmer.

#### EVIDENCE OF THOMAS SALTHOUSE

The Examinacion of Thomas Salthouse of Druglebecke, in the County of Lancaster, husbandman, aged thirtie years or thereabout, taken before the Right Worshipfull John Paige, Maior of the Burrough of Plymouth in the County of Devon, and Richard Spurwell, Robert Gubbs and William Birch, fower Justices of the Peace within the same Burrough, the 23rd day of May, 1655.

The said examinee being demanded the Cause of his cominge to this towne sayth itt was to visitt some friends, and beinge asked what those friends were and if hee had any friends or relacons in Plymouth, sayth hee knew Nicholas Cole and Arthur Cotton and some other persons, and beinge demaunded where and how longe since hee became acquainted with the said Cole and Cotton sayth, That about the end of March last this examt. being under restraint att Exon together with one Myles Halhead, the said Cotton and Cole came thither to this examt. and the said Halhead, and that after they had been under restraint 16 daies they were sent with a guard by Col. Coplestone to Taunton, and from thence were sent from tithinge to tithinge to Bristow, by Col. Buffet of Taunton, but the messenger that went with this examt. and the said Halhead from Taunton, beinge, (as this examt. conceiveth) drunke and fallinge on the ground about a myle from Taunton, and itt growinge towards night, this deponent with the said Halhead and the messenger returned to Taunton to the said Col. Buffet, and two daies afterward this examt. and the said Halhead by leave of the said Col. Buffet departed and went to Bristow. And this examt. further sayth that he came hither to this towne of Plymouth on Friday [sic] last to Arthur Cotton, and afterwarde that eveninge went to Stonehouse, at the howse of one Lippincott. And being demaunded where this examt. was the last Lord's day, sayth that he was the last *first day* in a garden of one John Harris within the Burrough of Plymouth, where there were a companie of people met together, and this examt. spake something to them both in the house and in the garden. And this deponent further being demaunded whether he did not in his discourse to the people say these words following (viz) That they should follow noe more their old Ministers, for they are those that will bring them to destruccon, and they are Baal's preists, and there is that within a man that must carry him to heaven, and

there is noe need of other teachinge, denyeth the same. And being further demaunded whether hee did not speake these followinge words to one George Brookes (who had also then spoken to the people, in which discourse of the said Brookes he menconed the holy Trinitie and the Three Persons in the Trinitie) Thou lyest in sayinge there were Three Persons in the Trinitie; I deny itt, there is noe such thinge, but thou art a deludinge spiritt come to draw away the hearts of the people from God, and that they should not hearken to him the said Brookes for that hee was a Theefe and was come with a Lye in his mouth, and had stollen what hee had from others and had itt in his hand, pointinge at the Bible which was in the said Brookes his hand open, denyeth the same. And being further demaunded by what authority hee spake to the people in that publique way, sayth hee was imediately called of God to goe out and declare the truth as hee is moved. And beinge deamunded if hee bee not one of those that are called Quakers sayth hee is one of them and somtimes hee has had shakings on him. And this examt. being demaunded att what place hee intendeth to goe from this towne, sayth to Bristow. And beinge demaunded when hee did make use of his callinge as a husbandman or any other lawfull callinge to procure a lyvelyhood, sayth itt was about three months since, And beinge demaunded where hee hath mony for his subsistence since that time, sayth, That if hee come to any Towne or Citty hee hath mony to pay for what hee calls for, and if hee goe into any friend's howse hee can eat bread or drink water with them. And this deponent beinge asked whether Nicholas Gannicliffe and Myles Halhead bee of the same judgment and opinion with this examt., sayth they are, and doe goe under the name of Quakers.

The oath of Abjuration conteyned in his highnesse the Lord Protector's proclamacon was tendred to the said Thomas Salthouse, and hee refused to take itt, sayinge the Lord Jesus forbids him to sweare.

John Paige, maior, Ri. Spurwell.

The record of Halhead's examination shows that he too was questioned as to his reasons for coming to Plymouth; a similar question was put to him about his calling and source of income, in a vain attempt to establish vagrancy. This would have given the magistrates a convenient pretext to pack them off to their native parishes. He also refused to take the Oath of abjuration. Halhead was closely questioned as to his view of the Trinity, and his answer gives some colour to the view that the ideas of at least some Friends on this subject were not quite orthodox.

And this examt. beinge further demaunded if hee doe acknowledge the Trinitie of Persons in the Unitie of essence, and whether the Father bee God, the son God, and the Spirit God, sayth hee

owneth the Father, Sonne, and Spiritt, but refuseth to gyve an answeare and will not say that they are God.

While Salthouse and Halhead lay in prison awaiting trial, their Plymouth friends were doing all they could to help them. An indignant letter was written to Major-General Desborough denying all the charges made against them. In particular, it gave the lie to the accusation that they had refused to give security for appearance in court.

Two of us whose names are Robert Cary and Arthur Cotton had given security to the Mayor, by entry into recognisance for their appearance at the next sessions, the day before their sending to prison, but that the Town Clerk made it void the next day, pretending that it could not be according to law.<sup>1</sup>

General Desborough, having received this letter, which was signed by all the male members of Plymouth Meeting, wrote to Captain Henry Hatsell, the Army's representative in Plymouth, for information and advice. Hatsell had already expressed his opinion of the case in a letter to the Secretary to the Admiralty Commissioners.

Plymouth

28th May 1655.

The Quakers are still in prison being very stiffe and are like to be sent to the Common Gaole, our quiet west country people do judge them to be men of a strange humour.<sup>2</sup>

Hatsell now passed on Desborough's letter to the Mayor who then wrote to the Major-General what Salthouse called with some justice a "filthy flattering letter." Here is an extract:

Their carriage here was not becoming men much less Christians and besides their contempt of authority and all the while they were in prison they never sought God by prayer at any time, nor desired a blessing on any creature they received, or gave thanks for them. They wander up and down in all parts to vent their wicked opinions, and discover their irregular practices in the breach of Peace, and disturbance of all good people. Indeed sir they hold many sad opinions, destructive to the true Religion, and power of Godliness. I have hereby according to my duty given your honour an account of what passed here in reference to their examination, and discourse with them, but I fear I have already trespassed upon your Honours patience in the perusal of these lines and humbly desire your excuse for giving you this trouble, and do most thankfully acknowledge your Honours continued favours

<sup>1</sup> Also printed in *The Wounds of an Enemie*, p. 52. This Town Clerk, Samuel Yeo, was, for many years, the moving spirit in the persecution of Quakers. He himself as a Presbyterian was dismissed from his post in 1662 by the commissioners appointed to regulate corporations.

<sup>2</sup> *Extracts from State Papers* (ed. N. Penney), p. 4.

to this place, and for which we stand very much obliged, desiring your Honour still to retain such an opinion of us, as those that desire to do nothing unbecoming Christians, and persons that desire the welfare and peace of this Commonwealth and Government, and shall ever labour to appear.

Your Honour's very Humble Servant,

John Page, Mayor.  
for myself and brethren.<sup>1</sup>

The attitude of the Mayor to the Major-General was thus anything but dignified. It is small wonder that Salthouse accused him of "feigned humility."

The Sessions opened at Exeter Castle on 10th July, 1655; Major-General Desborough took the chair. The main charge against the Quakers was the farcical one of provoking George Brookes to a duel. At the very start of the trial, Salthouse and Halhead refused to accept the legal formula that they would be tried by "God and the Country," for this, explained Salthouse in his pamphlet, was a form of words used in cases where life was involved, and was not appropriate to such trivial charges.

The Quakers' behaviour was construed as contempt. Having been sent out of court for an hour, they were recalled and required to take the Oath of abjuration, which it was known they were bound to refuse. They did, however, state, "in the presence of the Eternal God," that they denied and detested the Pope and his supremacy and the Purgatory, thus depriving the court of all but the barest legal quibble on which to base action against them. The trial ended on the following day in this way:

*Court*

Will ye confesse that ye wronged G. Brookes, in calling of him Thief, and be sorry for it, and make him satisfaction?

*Answer*

One of us did not speak one word to him, and therefore I deny to make him satisfaction, or to be sorry for it, and what was spoken was no such thing; therefore we will not lye for our liberty, nor confesse that we are sorry for that which we never spoke.

*Court*

You are fined five pound apiece, and must goe to the House of Correction till payment, and to find Sureties for your good behaviour; and for refusing to take the Oath, we shall take course to send to the North to seize on your Estates, according to the Proclamation.<sup>2</sup>

<sup>1</sup> Also printed in *The Wounds of an Enemy*, pp. 53-4.

<sup>2</sup> *Ibid.*, pp. 26-7.

The Quakers were kept in the Bridewell at Exeter for almost a year. The Bridewell not being a regular prison, they could not, as Salthouse pointed out, be released by the normal process of law:

and such an Imprisonment as from it Appeals cannot be had to the Higher Courts for Justice, as House[s] of Correction are, which are no Prisons in law, and therefore without the Cognizance of the judges in the Circuits, or the Upper Bench by Habeas Corpus.<sup>1</sup>

Their loyal friends at Plymouth made strenuous efforts to clear their names and effect their release. Evidence was collected with a view to destroying the credibility of Brookes as a witness. Letters, from his two former commanders and another naval captain, establish that he was a drunken trouble-maker, who had been dismissed from his chaplain's post.<sup>2</sup>

John Jeffery, captain of the "Nantwich" gave this testimony:

Mr. Brookes being formerly with me in the *Nightingale*, I found him very idle, and continually drunk, which once made me to put *a quarter can about his necke*.

The two ministers remained in Exeter Bridewell until early in 1657. When released, Salthouse returned to Plymouth to continue his work there and in Cornwall. Halhead, with his family ties in the North, did not settle permanently in the West country; he did, however, make frequent visits. Both men died in 1690, by which time many meetings had been set up in the two western counties, and even a "Plymouth Meeting" been established in Pennsylvania, by a group of Plymouth Friends who had emigrated in 1686 with the idea of setting up a woollen industry there.

A. D. SELLECK

*Note*

This is an extract from *Plymouth Friends* (the history of the Society of Friends in Plymouth and west Devon from 1654 to the early nineteenth century) [London M.A. thesis]. The work, which concerns most aspects of the life of Friends in this community over some three centuries, and their links with other Friends in both Britain and Pennsylvania is not yet available in published form, but will, possibly, be so if sufficient demand is forthcoming.

<sup>1</sup> Also printed in *The Wounds of an Enemy*, p. 37 (footnotes).

<sup>2</sup> *Ibid.*, p. 45.