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# THE STORY OF MARY BAILY

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THE TRUE STORY BEHIND THE SCARLET LETTER.

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## A BEAUTIFUL YOUNG WIDOW

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Our 8g-grandmother Mary Baily came from England when she was a child, and later met Robert Beadle, a fisherman out of Kittery, ME. They got married when she was about 18 years old, and they made their home in Kittery. A devout church-going woman, she was active and respected in her community. They were married for 5 years and had 2 children (Christopher and Elizabeth) when he died, presumably lost at sea. Mary was left alone to raise her young children—she had no extended family, no social security, and no help from the community. In those days, the options for single mothers was to get a menial low-paying job or marry someone else.

Stephen Bachiler, an older widowed minister, invited Mary to be his housekeeper. The community supported this move, as it meant they would not have to provide for her and her children. Stephen was relatively wealthy, lived in a large house with several of his adult children, and was well-known throughout New England. In a letter to his friend, Governor John Winthrop, he wrote on 3 May 1647:

*And whereas, by approbation of the whole plantation of Strawberry Bank, they have assigned an honest neighbor, (a widow) to have some eye and care towards my family, for washing, baking, and other such common services, — it is a world of woes to think what rumors detracting spirits raise up, that I am married to her, or certainly shall be and cast on her such aspersion without ground or proof, that I see not how possibly I shall subsist in the place, to do them that service from which, otherwise they cannot endure to hear I shall depart. The Lord direct and guide us jointly and singularly in all things, to his glory and our rejoicing in the day and at the appearing of our Lord Jesus Christ!*

Although Stephen and Mary were not married at this time, he was concerned that others would accuse him of adultery by having a young, unmarried woman in his household. He wants her to cook and clean for him, and contemplated marriage to protect her reputation (as well as his own!). Stephen had many enemies who were looking for any means to discredit him.

Mary agreed to moved in with her children and be his housekeeper. We don't know what she thought about the marriage idea, but undoubtedly the subject arose.

When Stephen went to Boston on business, his enemies moved to accuse him of adultery. Stephen parried with the statement that he and Mary were married, and that he himself performed the ceremony. He was taken to court.

The court ruled that Stephen and Mary both needed to toe the line. Although their age difference would seem to make their relationship improbable (he was 86 and she was 25), they were fined 10£ (over \$2200 today) for living in the same house while not being married. Stephen was not above bending the rules if he could side-step his enemies. Rather than pay, Stephen announced that he had performed the wedding ceremony himself and had forgotten to record it with the court. On April 9, 1650, the fine was reduced to

5 pounds "for not publishing his marriage according to law," and, in fact, the marriage appears never to have been recorded at all. It was "ordered that Mr. Bachelor and Mary his wife shall live together, as they publicly agreed to do, and if either desert the other, the Marshal to take them to Boston to be kept until next quarter Court of Assistants, to consider a divorce. Bail to be granted if satisfactory security could be obtained. In case Mary Bacheller live out of this jurisdiction without mutual consent for a time, notice of her absence to be given to the Magistrates at Boston." This order was unusually harsh even by Puritan standards and shows how vindictive Stephen's enemies were.

Mary, of course, was not there and couldn't object.

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## POLITICAL INTRIQUE

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At this time, England had just come out of a series of Civil Wars, resulting in the beheading of King Charles I and the installment of Oliver Cromwell. As a consequence, the Church of England was no longer the only religion allowed, and Protestants could walk unmolested. The New England settlers were still very much tied to English politics, and the Puritans were no exception. The Massachusetts Puritans saw the Civil War as a victory and enflamed their desire to impose their strict laws on all of New England. Maine at the time was an independent territory, and their philosophy was live and let live. They were not Puritans, but practical farmers, fishermen, and merchants, and had made peace with the natives and were thriving with their independence. When the English Civil War ended, Massachusetts worked to make Maine a part of the Massachusetts Bay Colony. Maine resisted until 1652, when each town was forced by threat of torture to agree to become part of Massachusetts.

Stephen Batchelder also did not get along with the Puritans in Massachusetts, and had moved to Maine, where he was popularly received and respected. His enemies were always trying to discredit him. In fact, the Massachusetts ruling class had a punitive attitude to everyone in Maine and the punishments the people of Maine received were often excessively harsh compared to the rest of New England.

It should be noted that after Massachusetts annexed Maine, war with the native people really started. The Maine settlers generally got along with the native peoples and worked amicably with them. However, the Massachusetts crowd saw all native people as children of Satan and inherently evil and thought they should be eliminated. Maine suffered some of the most brutal conflicts with natives in New England, starting from this time through the next century.

Because of the Indian wars, entire towns were destroyed, and many people fled to the Boston area. These people maintained their Maine independence ideology, and so were considered outsiders by the locals. By 1692, many of these people and their descendants were the victims of the Salem Witch Trials.

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## THE TROUBLE WITH MARY

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Stephen and Mary did not want to be married to each other. Although the court threatened to divorce them, they would not grant it at the couple's request.

Meanwhile, Mary was courted by a neighbor closer to her age, George Rogers, and became pregnant.

In 1651, Mary was sentenced by the Georgiana (York) Court: "We do present George Rogers and Mary Batchelder, the wife of Mr. Stephen Batchelder, minister, for adultery. It is ordered that Mrs. Batchelder, for her adultery, shall receive forty stripes save one, at the first town meeting held at Kittery, 6 weeks after her delivery, and be branded with the letter A." There was no trial or jury—simply a judicial proclamation. Mary was not allowed to defend herself.

Mary had her baby girl, and 6 weeks later was flogged. Although having "illegitimate" children was not uncommon in New England, the punishment was usually a fine of a couple of pounds. Mary's punishment was extremely excessive and harsh, probably to induce her to renounce Stephen Bachiler.

George was also flogged and ordered to leave town. His 3 three children from his previous wife were forced to be raised by neighbors, and George was never heard from again. Subsequent research throughout New England turns up nothing on George Rogers. Likely he changed his name.

Stephen, meanwhile, was angry with Mary, and vowed to never provide further support for her and her family. However, he refused to divorce her. Mary, being stubborn and having endured much on her part, gave her baby daughter Stephen's last name. Stephen, continually dogged with lawsuits and accusations, returned to England. Those of his family who stayed behind attempted to disown Mary and her child, vilifying them at every opportunity.

Years later after Stephen died, the child (named Mary Bachiler) married William Richards. Mr. Richards was granted administrator of Stephen's estate in New England. Undoubtedly, the child Mary finally received some compensation, although to date no records have been found to confirm this.

Mary moved back to Kittery (now Eliot) in a lot granted to her in 1648, adjoining the Piscataqua River, nearly opposite the boundary line between Portsmouth and Newington.

Mary was stigmatized by the events and her actions were closely watched. She generally rejected the local churchgoers as hypocritical, and they were quick to show their disapproval of her. She was accused and fined several times for adultery. Having sex while legally married to someone else was a sin and, therefore, a crime. Mary tried for many years to get a divorce from Stephen, but until it would be granted (even though the marriage was never recorded), any attempt at starting a relationship was illegal. Mary moved to Connecticut and lived with Thomas Hanscom. She was betrayed by a friend, the court ruled, and the couple was ordered to not live together.

In a final appeal, Mary went to the court in Boston. Desperately, she claimed Stephen had taken another wife and that her children were "diseased". Stephen's relatives accused her of going after his property and did their best to further malign her character, pointing out her "loose" character. In 1656, Mary's divorce was finally granted, and ironically, Stephen Bachiler was buried just seventeen days later. By this time, Thomas Hanscom had moved on and Mary was once again alone.

Finally, in 1657, at age 34, she married Thomas Turner and lived the rest of her life in quiet respectability.

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## THE SCARLET LETTER

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[Eleanor Campbell Schoen](#) states "A book written in 1910 states that Mary Magdalene Bailey Beedle Bachiler Turner was the woman upon whom Nathaniel Hawthorne patterned Hester Prynne in "The

Scarlet Letter". The evidence is strong that Hester Prynne was a character derived from Hawthorne's extensive knowledge of the history of Kittery in colonial times."

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## STEPHEN BACHILER

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Other spellings: Batchelder, Bachelor, Batcheller, Batchiller, Batchilder.

[Stephen](#) was a remarkable figure in American History and contributed much to religious tolerance and a culture of acceptance. Although a devout Puritan, he liked to alter the church services and tended to forgive lesser transgressions from his flock. For this he got kicked out of the Puritan churches in England. When King James (inventor of the King James version of the Bible) held the Hampton Court Conference (1604) railing against all Puritans, Stephen left the country.

In the New World, Stephen found the fundamentalist Puritans to be more difficult to deal with than at home in England. He changed his faith to Presbyterian and made several attempts to start his own community, acquiring property in Massachusetts and Maine. He made a lot of enemies, and they in turn set out to make his life difficult. He came seeking religious freedom, but in the end decided he would rather face the persecution in England.

Some excellent and accurate sources on Stephen:

- [The Batchelder Genealogy](#) - two of his notable descendants are Richard Milhous Nixon and Daniel Webster.
- [The Reverend Stephen Bachiler - Saint or Sinner?](#) - An Examination and Appraisal of the Available Evidence on the Subject of This Puritanical Colonial
- [Our Fascinating Ancestor, Stephen Bachiler](#) - excellent essay
- [Batchelder/Bachiler Family](#) - links to other sites

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## MARY'S DIVORCE PETITION

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The following was filed October 1656:

*To the Honored Governor, Deputy Governor, with the Magistrates and Deputies at the General Court at Boston:*

*The humble petition of Mary Bachelor*

*Sheweth*

*Whereas your petitioner, having formerly lived with Mr. Stephen Bachelor, a minister of this Collany, as his lawfull wife, and not unknown to divers of you, as I conceive, and the said Mr. Bachelor, upon some pretended ends of his owne, hath transported himself unto ould England, for many yeares since, and betaken himself to another wife, as your petitioner hath often been credibly informed, and there continueth, whereby your petitioner is left destitute, not only of a guide to her and her children, but also made uncapable thereby of disposing herselfe in the way of marriage to any other, without a lawful permission; and having now two children upon her hands, that are chargeable unto her, in regard to a*



While Mary claims Stephen had remarried, there is no evidence to support this. It's possible, however, that there were rumors stating so.

Apparently, Mary submitted several petitions for divorce, which were always denied.

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## HER CHARACTER

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Mary must have been highly regarded in the community. She is the only woman to sign the Submission of Maine to the Massachusetts Bay Colony on 16 Nov 1652, at William Everett's tavern. The residents of Kittery were bullied into signing, being threatened with torture. Maine became an unwilling colony of a colony, unable to maintain independence until 1820.

Before this time, Maine enjoyed peace with the natives and adopted a "live and let live" policy. Massachusetts saw all natives as evil children of Satan, and therefore must be destroyed. Maine saw some of the worst native-settler casualties in New England after annexation to Massachusetts. Submitting to Massachusetts also meant submitting to Puritanism. Associating with other religions (such as Quakers) was heavily fined.

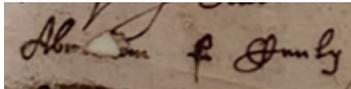
Mary's mark appears on the Kittery Compact: "Mary Baily, widdow."

Minutes from discussions on the "Compact of Submission," dated 16 Nov 1652. This version is from the Maine records.

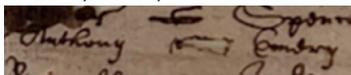
*We whose names are underwritten do acknowledge ourselves subject to the government of Massachusetts Bay in New England.*

Some of the signers:

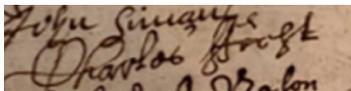
Abraham Conly



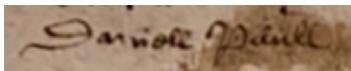
Anthony Emery



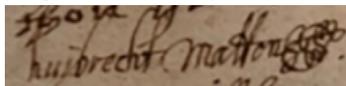
Charles Frost



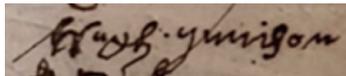
Daniel Paul



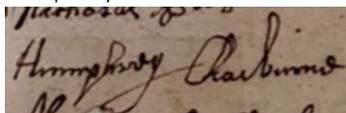
Hugbrecht Matton  
(Hughbert Mattone)



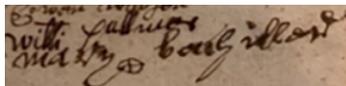
Hugh Jamison



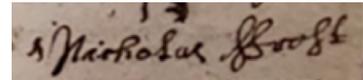
Humphrey Chadbourne



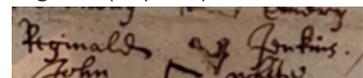
Mary Baily widow



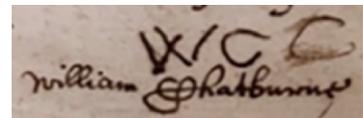
Nicholas Frost



Reginald (Reynold) Jenkins



William Chadbourne



See also "The submission of Maine to Massachusetts: Signed at William Everett's tavern, in Kittery, now Eliot Maine, November 16, 1652 : with brief sketches of the signer by J. L. M Willis.

a Court holden at Litchey by 203  
 Simon Brodshurst, & Samuel Symon, &  
 H. Doughton, Orignon, & Baran Windleton  
 Comissers from y<sup>e</sup> Hon<sup>ble</sup> Court of  
 Admirall, & Council in New Engl<sup>nd</sup>:  
 Present 16<sup>th</sup> 1632.

John Burly complained of for speaking of taking  
 away the land of the Indians, & that as should be  
 of witness. In answer thereto the said Burly  
 confessed, and upon his submission he was discharged.

The names are under written in acknowledgement  
 our selves subject to the government of the Massachusetts  
 Bay in New England.

W <sup>m</sup> Chaburne	John De Witt
W <sup>m</sup> Yungison	John Gungay
Thomas F. of s	Thomas Frost
Nicholas Frost	Richard O. Frazer
Humphrey Chaburne	Robert O. Weymouth
Abraham F. Dunly	John M. M.
Charles E. Embury	Andrecht Marton
Reginald J. Jones	George Willson
John M. M.	Will. Cabins
Thomas J. Downing	John W. Bayliff
Thomas Spicketon	Thomas P. Cresset
	John W. Dainant
	Robert M. Minton
	Samuel M. M.

## TIMELINE OF EVENTS

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1632. Rev Stephen Bachiler immigrates to Boston, Massachusetts, having been ousted from his church in England.

1633. Rev Stephen Bachiler moved to Lynn, Massachusetts and started preaching without permission.

1635. Rev Bachiler is kicked out of Lynn and goes to Ipswich to start a new church.

1638. Rev Bachiler moves to Winnacunnet, to start a new church. He names the area "Hampton."

1639. Rev Bachiler is ousted from the Church of Hampton, New Hampshire, which he founded, after a feud with his assistant minister and the solicitation of his neighbor's wife while he was still married.

1646. Rev Bachiler is barred from preaching in the Massachusetts Bay Colony and moves in with his grandson, Stephen Sanborn, in Kittery, Maine.

1647. Mary is widowed without means of support.

1647. Stephen offers to take in Mary and her children in exchange for housework.

1647. Stephen complains to John Winthrop that he is being accused of living with a woman that was not his wife. His household consisted of his some of adult children and their families, & Mary and her children. Mary is about 25 years old and Stephen is about 85.

1650. While Stephen is in Boston and Mary in Kittery, Stephen claims that he has married Mary, performing the ceremony himself. It seems there were no witnesses. The marriage was never filed.

Apr 1650. Stephen petitions for a divorce, but instead is ordered to live with Mary, which they apparently agreed to. If either "desert the other," they are to be taken to Boston and the Court would consider a divorce. Instead, Stephen moves back to Hampton. Mary is not allowed to leave the area.

Oct 1650. Mary and George Rogers are tried for "living in one house together and lying in one room."

Jan 1651. The child, Mary, is born.

Mar 1651. Mary and George are punished: George get 40 strokes and Mary 39. Mary is to be "branded with the letter A". George disappears.

31 May 1642. Massachusetts passes a bill integrating Maine with itself, preventing Maine independence. This includes all settlements of Sir Ferdinando Gorges up to the Bay of Saco.

Oct 1652. Mary was presented at the district court for entertaining idle people on the Sabbath (probably Quakers).

Nov 1652. Mary (and the leading townsmen) is forced to sign the Certificate of Submission, annexing Maine to the Massachusetts Bay Colony.

1652. Stephen petitions for a divorce. Denied.

1654. Stephen returns to England.

Jun 1654. Mary is forbidden to keep company with Thomas Hanscom.

Oct 1656. Mary petitions for divorce. Granted. Stephen is 94 and dies soon after.

1656. Stephen dies in England. The Rev. Bachiler was buried on 31 Oct. 1656 in the Allhallows Staining Church cemetery, in London, England! (N.H. Genealogical Record, 8:1, 1991)

1656. Mary marries Thomas Turner.

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## THOUGHTS

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In true Puritan fashion, Mary is described as “graceless”, “disreputable”, committing “sexual irregularities”, accused of “falsehoods”, “notorious”. This is typical of how women are treated throughout history. However, no one besides Stephen’s defenders had anything negative to say about her, and in fact praised her for her “kindness” and “godliness”. To this day, Stephen’s descendants malign Mary while holding Stephen blameless.

Stephen is described as a “victim of his enemies” and “deceived”. Poor guy.