Part One: Perspectives

Chapter One

Women's History and Female Verbal Crime in Early-Modern England

Titinius Felix, Orderly to the legate of the 20th Legion. Served 22 years, lived 45 years. Julia Similla, his wife and heiress erected this.¹

To the spirits of the dead Marcus Aurelius and Nepos a Centurion of the 20th Legion, Erected by his devoted wife. He lived 50 years.²

One of the most important debates in women's history today is the controversy about whether, over time, the status of women has declined or improved.³ The 'optimist' proposition, which is the theoretical position most favoured by feminist historians, argues that women have gained in social status in the long term. Those who argue this point claim that an improvement in the position of women can be seen through the gradual empowerment of women through political and economic means by the late nineteenth

¹ C.R.O. D5104/28, Monumental Inscriptions. Inscription of a Roman woman, and 'heiress' which was devoted to her late husband. Found on the North Wall, Chester, Cheshire.
² C.R.O. D5104/28, Monumental inscriptions.
century and early twentieth century. For instance, women have gained through the achievement of voting rights, equal pay and advanced legal status. Ironically, this argument assumes that the position of women in the early-modern period was one of subjugation, and it infers that women had very little independence. The 'pessimist' position, however, is one which argues that the position of women has declined in the early-modern period. Those who argue from this theoretical position do so on the basis that the position of women declined dramatically as a result of the Reformation. The so-called 'pessimists' include those who acknowledge the fact that many women reacted to the set-back of the Reformation and resisted the intensifying attempts to control their lives and movements. In the face of ideological and social pressure, women were neither silent nor invisible.

An additional area of contention, and one of equal importance, is that which raises questions about the level of patriarchal control in early-modern England. Some historians argue that women were subject to patriarchal control, whilst others argue that there was significant female resistance, and even revolt, producing a crisis in gender relations. Thirdly, the involvement of women in the professions is one aspect of study which has received little attention. The healing crafts such as midwifery and nursing, where women have traditionally dominated, have not received the attention they deserve, with only a small number of studies exploring this area.

The evidence presented in this thesis will, firstly, challenge the 'optimistic' assertion outlined above. Secondly, the thesis will consider the current debate about the existence of a 'crisis' in gender relations in the early-modern period. It will explore whether this was exacerbated during the period of religious change and question whether such antagonism grew as English society became more capitalistic. Thirdly, this thesis will examine primary source material to provide an analysis of women which is firmly grounded in the 'lived reality' of women, that is, the role of women within a changing social and economic context. Fourthly, the thesis will study the position of women in the
various healing professions of early-modern northwest England in order to find out more about this possible area of female involvement.

One of the most convincing arguments for demonstrating women's loss of power and position in early-modern England is given by Alice Clark's *Working Life of Women in the Seventeenth Century*. This powerful analysis, which first appeared in 1919, has set the agenda for the study of women's history. Clark argues that, as a result of religious and economic change in the seventeenth century, there was a deterioration in the status of women. Clark consults an impressive range of printed and manuscript sources. Her research into early-modern women's lives sustains a sound thesis of the deterioration in the position of women in seventeenth century England. In this respect its arguments remain unchallenged. It is the one work to which all studies of women's history in England in this period must refer.

The most important feature of Clark’s analysis is the identification of three stages of economic and social development which had a devastating effect on the standing of women in early-modern society. Her analysis charts a transition from 'domestic industry' to 'family industry' and eventually to 'capitalistic industry.' Clark argues that the transition from domestic to capitalistic society began in the sixteenth century. It continued throughout the seventeenth century and by the eighteenth century was almost established. Throughout this transformation Clark charts a steady deterioration of women's status.

Clark perceives her history of working women within the context of the rise of capitalism. She measures the impact of capitalism on family life to find out whether women were better off, the same, worse off, or, alternatively, whether they were simply

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facing different circumstances. Professions and changing female roles are examined in every sector of early-modern society. Agricultural society is divided into the classifications of farmers, husbandmen and wage-earners. The women of the middling sort were found by Clark to be the most influential in the transition from 'domestic' to 'family' and to 'capitalistic industry' in early-modern England.

'Domestic industry', as Clark uses the term, describes a subsistence economy where all production occurred within the household. Clark found that this was the most dominant system in the early sixteenth century. The family consumed what it produced and did not need to buy beyond its productive capacity. The domestic economy was run jointly, and sometimes other family members contributed to the upkeep of the household. Women's work was respected and was central to the proper function of the home.

Clark summarised the second stage of economic development in early-modern England as 'family industry.' This system gradually became more common in the seventeenth century. Some members of the family worked for wages, paid by an external employer, but the work was carried out within the household. Commercial textiles operated a 'putting out' system. A dealer provided raw materials and paid the family for its finished work. Sometimes workers bought materials and sold their products to the dealer.

The third and final stage of economic development in the process of transition is described by Clark as 'capitalistic industry.' In direct opposition to the pre-industrial domestic and family industry, there arose a new capitalistic mode of employment and a conventional wisdom which was eventually to define work as that which one left home to do. From being the core of all economic life, the chores associated with the domestic household became 'women's work'. The wives of those now working for employers under capitalistic arrangements lost their status and were confined within the household, without acknowledgment of the critical importance of their household duties. Though some wives of yeomen farmers and wealthier husbandmen had dairy land and produced food, many husbandmen and craftsmen became labourers and were reliant upon wages.
Labourers' wives had no land and were forced to earn wages. As a whole, women at both ends of the social scale were deprived of their profitability, and wage labourers became increasingly more dependent upon the parish for support. Clark's analysis of the transition from 'domestic' to 'family' to 'capitalistic' society holds true today, even though the terms have changed. Recent historical studies recognise neither corporations nor the management ideology of Puritanism, but the importance of the home in seventeenth century England. The 'progress' of women associated with the 'optimistic' view of feminist argument is based, not on historical evidence, but on the perceived status of the contemporary female population.6

Women's Status, Maternity and Midwifery

Clark's study also analysed the occupations of teaching, nursing, medicine and midwifery in order to measure 'capitalistic' influence upon women's evolution in the professions. Her examination identifies one of the most important changes to affect the professional status of women as an ideological one. This change, she argues, occurred through a move away from the Catholic doctrine of 'divine Motherhood'.7 Womens' status was greatly diminished, according to Clark, through the 'ridicule of the cult of the virgin Mary that was not simply aimed at Catholicism, but also at the ideas associated with honouring motherhood'.8 It was through the constant attack upon the reproductive powers of women that they were devalued. Also, when convents and nunneries closed, Clark argues, there were no institutions to replace them. Subsequently, female spiritual

6 A recent survey found that 70% of the world's poor are women. (SBS Television programme), Sydney, Australia, 15th October, 1996. Source: International Womens' Development Agency, Melbourne, Australia.
7 A. Clark, op. cit., p. 239.
8 A. Clark, op. cit., p. 239. Numerous studies confirm that the early 'Cult of Mary' was a continuity of ancient fertility goddesses. See, for example, Maurice Hammington who argues that Mary's history predates the Christian movement, in Hail Mary? The Struggle For Ultimate Womanhood in Catholicism (London, 1995). See also E. A. Matter, who argues that Marian images were pre-Christian, in 'The Virgin Mary, A Goddess?', Carl Olson (Ed.), The Book of the Goddess (New York, 1990) and Stephen Benko, The Virgin Goddess: Studies in the Pagan and Christian Roots of Mariology (New York, 1993).
development was also undermined, with women combining 'together for religious purposes' regarded with suspicion.9

Clark's research demonstrates that a great number of women practised medicine in both the domestic and public spheres. Until the early-modern period, she explains, midwifery remained an 'inviolable mystery'. She contends that the deterioration of women's status 'cannot be more clearly shown than in the history of midwifery'.10 This profession is summarised by her as 'the most important public function exercised by women'.11 In view of the importance of the history of midwifery to women's history, one of the objectives of this thesis will be to analyse the role of midwives in the community. By analysing the business of midwifery in early-modern Northwest England, the thesis will deal directly with the vocation at the heart of Clark's theory. Additionally, the thesis will investigate whether or not midwives simply allowed their ancient profession to be appropriated by the doctors, the surgeons and the university men of Clark's analysis. A close study of the role of midwives and doctors and physicians in the community will shed light on this area. The thesis will argue that the move to restrain women was resisted, and caused conflict in the community. Secondly, the following pages will question how such change affected the community. In pursuing these themes, this thesis will, therefore, analyse the role of midwives in the town of Nantwich, Cheshire from 1660 to 1670. It will explore the importance of midwives to the female community and investigate the relationship between mothers and midwives.

Clark argues that the medical profession was steadily supplanted by men who created what is now known as 'the professions.' She demonstrates that the skills of midwives did not decline, but rather that scientific knowledge and education were withheld, driving women from this traditional, female-centred and profitable practice. Midwives were powerful community figures. They were the only women in the

9 A. Clark, op. cit., p. 239.
10 A. Clark, op. cit., p. 242.
11 Ibid.
seventeenth century allowed to perform certain religious ceremonies. In certain circumstances they exercised the 'rites of baptism'.

This situation often occurred where new-born babies were not likely to survive. English midwives performed baptisms until the early seventeenth century. The Anglican Church did not approve, and in some Protestant households the practice was forbidden. In any case, the struggles which women undertook against ideological pressures from such groups, are evident in the church court records, the Quarter Sessions and Assizes. For example, the legitimacy of certain rituals associated with childbirth was fiercely contested. The Anglican Church inherited some Catholic childbirth rituals. Protestants continued with the practice of churching, but they stressed that this was a gesture of thanksgiving for a safe birth rather than a rite of purification. The Catholic Church allowed midwives to administer baptismal rites to children.

Protestants disagreed, accusing those involved of a transgression of Calvin's law, and citing Calvin's opinion that 'Christ did not command women, or men of any sort to baptise'.

Patricia Crawford in her essay, 'The Construction and experience of Maternity' explores the ideologies which attempted to shape motherhood. Her view also corresponds with Clark's picture of a general decline in the status of women. Such analyses find support in David Underdown's theory of a looming seventeenth century crisis in gender relations which was presented in his essay entitled The Taming of the Scold.

Underdown traces punitive measures against women for verbal crime. He claims punishments against women increased between 1560 and 1660.

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13 Ibid., p. 277.
15 Ibid.
16 Ibid.
however, acknowledges the ideological pressures placed upon women through the 'new professions', but instead of concentrating upon the ways in which women were forced out of their traditional roles, Crawford emphasises the unique role of motherhood in early-modern England. Crawford contends that the role of women as mothers has been neglected by modern historians who have focused instead on male and female relations. An investigation of midwives, their relationships with the women they worked for, and the social circumstances of childbirth, can, by contrast, tell us more about the dynamics of female to female relationships in early-modern England and may allow an insight into the hidden world of women's business.  

In Cheshire, as everywhere in the early-modern period, bringing forth children was a risky business. Women came close to death and were aware of the dangers they took in experiencing confinements. The circumstances of a woman's delivery were a social equaliser. These circumstances applied to all women regardless of their social standing.

Crawford argues that the biological experiences of maternity, parturition and lactation, were socially constructed. In the seventeenth century they were defined as 'natural to women.' She refers to medical treatises, sermons, domestic advice books

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18. The latter part of this thesis provides an analysis of the social circumstances of childbirth in Nantwich in the seventeenth century.


and Justice handbooks which aimed to understand the biology of reproduction; in so doing they, therefore, give an important account of the ideology of motherhood.\textsuperscript{22}

In many respects Crawford’s views are sound. She notes how preaching ministers taught how ‘the ideal good woman was the good mother’.\textsuperscript{23} The Bible was the authority on the subject. A woman was believed to be ‘saved’ by childbirth. Contraception or abortion was seen as murder. Crawford shows how the pain of childbirth was regarded as a punishment for Eve’s sin. To ease the pain, Protestantism offered prayer, while Catholicism allowed ‘supernatural’ aid to women through relics such as the ‘girdle of a saint’.\textsuperscript{24} Protestant ministers, as with earlier Catholic priests, also affirmed that women should be subject to male authority. Here, Crawford endorses the point upon which most historians of early-modern women’s history appear to agree, namely that the husband’s position ‘was strengthened after the Reformation’.\textsuperscript{25} It is less clear whether they agree with Alice Clark’s additional argument that the veneration of women’s reproductive ability was lost after the Reformation, through the ‘ridicule of the cult of the virgin Mary’ and the Catholic doctrine of ‘divine Motherhood’.\textsuperscript{26} But certainly, as Crawford demonstrates, sexual desire, other than that which was directed at motherhood and marriage, was termed ‘unnatural’.\textsuperscript{27} Male authority was enhanced after the Reformation and the notion of ‘bastardy’ was intensified. The status of women was controlled by an ideology which approved only of motherhood within marriage.\textsuperscript{28}

\textsuperscript{22} P. Crawford, \textit{op. cit.}, p. 6. The treatises referred to are L. Lemnus, \textit{The Secret Miracles of Nature} London, 1658, p. 23. N. Fontanis, \textit{The Woman’s Doctour} (London, 1652), refers to ‘women’s desire for men’s seed.’

\textsuperscript{23} Timothy, Ch. II, Verse, V.

\textsuperscript{24} P. Crawford, \textit{op. cit.}, p. 8.

\textsuperscript{25} P. Crawford, \textit{op. cit.}, p. 9.

\textsuperscript{26} A. Clark, \textit{op. cit.}, p. 239.

\textsuperscript{27} P. Crawford, \textit{op. cit.}, p. 9.


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There is a further aspect to this denigration of womanhood. The Justices of the Peace who punished female verbal crime were also responsible for creating the category of bastardy. The punishments for transgressing the law were severe. Whipping or incarceration in the house of correction were imposed to control reproduction outside of wedlock. Families also attempted to control female sexuality. The daughters of Peers and gentlefolk had to be virgins to marry. At the other end of the spectrum, according to Crawford, dowryless states and greater sexual licence were connected. This may have been how working women came to be known by Puritan ministers, as noted above, as headstrong, yet 'apt to be seduced'.

In Crawford's estimation, the prosecution of pre-nuptial pregnancies varied in seventeenth century England. Presentments in partly-industrialised Wiltshire was 60-75%. 'In more sparsely populated uplands country, only 7% of cases were presented'. Socio-economic issues rather than ideological opposition to female sexuality was the main reason why Justices ruled against women. There was also an increase in the numbers of women brought to court for verbal violence, witchcraft and cursing. In the northwest of England, evidence shows how these crimes disguised issues which were related to land, money or property. In the Cheshire and Lancashire Quarter Sessions and Church Court records, 95% of cases examined for the purposes of this study, involving witchcraft, cursing or scolding, included a dispute about property, land or money.

Crawford argues that, at the time, 'by definition only women were adulterous'. Crawford suggests that 'double standards' operated in religious and parliamentary law. The 'law' certainly made it 'impossible' for a woman to legitimately have more than one lover. But this could depend upon where the crime was tried. Ecclesiastical courts may have differed from parliamentary law, perhaps imposing a lesser sentence. The Puritan

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parliament in 1650 introduced the death penalty for it. Transgressing wives were rarely put to death but were 'strongly criticised.' All children born in wedlock were deemed 'legitimate' unless a husband could prove otherwise. The system whereby the onus was upon a husband to prove the 'legitimacy' of his child may have been true of some regions but not all. Evidence from Lancashire and Cheshire, which relates details of women giving evidence against their husbands for adultery, complicates the issue somewhat. Chester Consistory Court also investigated cases of rape and adultery. Adulterous men were certainly punished, and in one instance, in 1610, a woman allegedly paid to obtain the sexual favour of a man. Whilst such evidence exists we cannot be certain that the church law always operated double standards. Wealth, property and inheritance laws certainly operated in favour of husbands who, by default of an adulterous wife, were at risk of producing illegitimate children or 'bastard heirs'. But, according to Crawford, Puritan divines sought to make men as culpable as women but without success. In some areas they triumphed in persuading some men to conform to the Godly model.

Other aspects of the female experience of maternity have been illuminated by recent research. The numbers of children which women bore was affected by social status. Upper-class women married at an average of twenty years of age in the late sixteenth century. By the end of the seventeenth century the average age at marriage was twenty-two. London daughters of wealthy tradesmen married at twenty, migrant women at age twenty-four. Of course, women gained experience of childbirth and child rearing

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33 P. Crawford, op. cit., p. 10. This was the situation in Nantwich, 1663 when a midwife's words cast doubt upon the parentage of James Cliffe, the heir to the Cliffe estate. See C.R.O. EDC5/1663/16.
34 In those areas with a strong Puritan element, men were also required to conform to the standard of fidelity. See for example, C.R.O. EDC5/1630/45 where Anne Hough brought a legal action against her husband Thomas Hough of Runcorn.
throughout their lives and from generation to generation, and a vast store of social wisdom was passed on. On average they bore a child every two years. They ceased giving birth around forty and were responsible for children until they were in their fifties. Grandmothers helped daughters with maternal responsibilities. However, profound differences in practices between the classes were discernible. Contemporaries observed how large families were produced by 'poore people': "the poore do most of all multiply." 37 One third of the population was poor. An increase in family numbers could 'drop a woman below the poverty line.' 38 The wage-earning capacity of women was reduced by pregnancies and child-care responsibilities. 39 Some women turned their maternity skills to an advantage by offering assistance in nursing and child rearing. Poor relief varied from parish to parish. The numbers of impoverished increased in the seventeenth century. 40 Crawford contends women gained knowledge through the experience of childbirth and child-rearing but argues that the issue of 'How this experience was evaluated by themselves and their society remains to be assessed.' 41 In view of these remarks, this thesis will address the question of female self-evaluation in relation to childbirth.

The social and personal tensions created by the fateful events of pregnancy and childbirth were often very intense. Baptist congregations sometimes coerced men into marrying women who became pregnant by them. 42 Quarter sessions records contain much information about such illegitimate maternity. Crawford describes giving birth as the 'female rite of passage par excellence.' 43 Midwives provided women with support, knowledge and skill. The midwife took an oath to divulge the names of illegitimate fathers

37 Quotation taken from An Ease for Overseers of the Poore (Cambridge, 1601), 25-6, cited in P. Crawford, op. cit., p. 15.
38 Ibid.
39 Ibid.
40 Ibid.
41 Ibid.
42 P. Crawford, op. cit., p. 18.
43 Ibid., p. 21. Crawford refers to Schofield, who argues that 6-7% of women died in childbirth, and many more, of course, were afraid they would not survive.
and she could be called as a witness in infanticide cases. The circumstances of childbirth raises many issues. Crawford produces three cases to demonstrate how women depended upon midwives and their loyalty to them. Some women bequeathed belongings to their midwives in wills. In difficult pregnancies more than one midwife attended. Male physicians were called only in dire circumstances to perform Caesarean sections, and in these cases most women died. Mothers became more inclined to allow male participation after the introduction of obstetric forceps. This innovation is said to have changed attitudes to male participation in childbirth during the seventeenth century. Crawford disputes this point finding 'a strong body of female opinion in favour of female attendants.' Women disliked 'groaping doctors whose fees were too high.' Labouring women procured talismen, pronounced charms, and resorted to prayer. The 'eagle stone', known as aetite, was believed by many to have made childbirth easier. The letters of gentlewomen, and the diaries of their husbands, record the details of the trials associated with births of their children.

According to Crawford, the pressure of patriarchal ideology took a secondary role to another force which 'shaped the changing social context in which women gave birth.' Crawford instead stresses the importance of motherhood itself in offering 'women an important personal and social role.' The many circumstances surrounding childbirth in early-modern England were dominated by women. It was when men intruded upon traditional women's business as medical 'experts' that conflict arose. This aspect is developed further in this thesis which demonstrates how the world of midwifery was fraught with controversy about who was professionally qualified enough to carry out the

45 P. Crawford, op. cit., p. 21.
46 See, for example, the letters of Elizabeth Winnington and Katherine Shakerley, C.R.O. DSS1/4/57/11, which contain some details of childbirth. Also consult C.R.O. DDX/384/1 (2), the diary of Sir Thomas Mainwaring, 1648-1659, which refers to the births and subsequent deaths of his children.
47 P. Crawford, op. cit., p. 29.
role of midwife. The conflict which surrounded the role of the midwife can be seen very clearly in the church court records relating to Nantwich in 1663. These will also be explored in the following chapters.\textsuperscript{49}

L. M. Beier in \textit{Sufferers and Healers: The Experience of Illness in Seventeenth Century England} provides a definition of the meaning of a 'profession' in early-modern England. It is defined as 'a calling or vocation, exclusive of occupations purely commercial, mechanical, agricultural or the like and what gives it its distinctive social stamp is the fact that, through education and a career-oriented training, a particular body of specialised knowledge is acquired and is then applied to the service of others.'\textsuperscript{50} In Beier's study it was found that 'only seventeenth-century physicians could have claimed to fulfil the requirements of such a definition, and even the physicians claims were suspect because their numbers were very small.' Beier claims that 'relatively few sufferers ever became their patients. Other medical occupations had no pretensions to such professional status in the seventeenth century. Healers such as surgeons, apothecaries, midwives, empirics and the cunning folk sold their services quite openly. Their training, usually by some form of apprenticeship, was similar to that of others trades and crafts'.\textsuperscript{51} Also, according to Beier, 'the truly licensed healers of seventeenth century England were the physicians, surgeons and midwives'.\textsuperscript{52}

Midwives sometimes housed women and cared for them during and after pregnancy, and Beier acknowledges that there was a strong 'time-honoured' association between midwifery and magic. On occasion, midwives helped as cunning women. They

\textsuperscript{49} C.R.O. EDC5/16/1663 Nantwich. Richard Walthall c. Anne Knutsford for an abusive midwife who lies, steals and swears and C.R.O. EDC5/6/1664. Nantwich, Anne Knutsford c. Barbara Croxton for slander on birth of her child and 'advising her to get rid of it.'
\textsuperscript{51} \textit{Ibid.}
\textsuperscript{52} \textit{Ibid.}, p. 9.
carried the reputation of being 'bawds and abortionists.'\textsuperscript{53} Whether licensed or unlicensed, the techniques of healers were strongly connected with traditions of magic.

Throughout England, the Church and civil authorities forcefully regulated the practice of midwifery in the aftermath of the Reformation. Midwives were compelled to take an 'oath of office.' By the seventeenth century the oath was a prerequisite for a licence. Authorities were keen to restrict the midwife's licence to those who resisted the use of 'witchcraft, charms, sorcery, invocation, or other prayers.'\textsuperscript{54} For example, the Bishop of Chester in 1584 to 1585 specifically forbade midwives to use 'any witchcraft or charms.'\textsuperscript{55}

The perspective of continued devaluation of midwives' skills in early-modern England is sustained by a study of provincial midwives in Lancashire and Cheshire between 1660 and 1760.\textsuperscript{56} In the seventeenth century, midwives were women of high status. They were central figures in local women's culture. They were an integral part of a strong network of women and moved as equals with the more affluent of their clientele 'by virtue of their skills and social standing.'\textsuperscript{57} By the mid-eighteenth century there was a shift in attitudes and the traditional midwife had forfeited this status. Harley explains: 'the ever-widening gap between genteel and popular cultures made the village midwife, whatever her skills, an unsuitable person to take into a gentry household.'\textsuperscript{58} Harley argues that the process of social distancing of gentry families and tenants meant that urban midwives were considered to be below the station of gentry and therefore they were ostracised. Harley does not raise questions relating to the female body and space, or

\textsuperscript{53} Ibid., p. 29.
\textsuperscript{54} T. R. Forbes, \textit{op. cit.}, p. 277. In his account of midwifery he includes a midwife's oath administered at Canterbury as early as 1567.
\textsuperscript{55} Ibid., p. 278.
\textsuperscript{57} Ibid.
\textsuperscript{58} Ibid., p. 42.
issues of sexuality associated with the process of social distancing but such issues are important in midwifery. Male midwives who represented 'metropolitan modernity and scientific progress' advertised greater skills. They replaced female midwives and began to govern the space of the women such as the 'elaborate lying-in rituals, [which were] governed by the midwife and excluded the husband'. Males began to 'define the meaning of childbirth and increasingly directed the event'. By the end of the eighteenth century, half of all deliveries were attended by men.

The change to male midwives meant better conditions for paying patients. Those who could not pay were obliged to resort to the insanitary conditions of lying-in hospitals. Alongside the changes from female midwife to male-midwives and surgeon were transformations in the position in which women preferred to give birth. The favoured squatting position, which gave women greater control over childbirth, was discouraged, and replaced with the lying-down or 'lithotomy' position which gave the obstetric surgeon more power. This, it is argued, took away women's authority and encouraged a more passive role in childbirth. It was introduced in early-modern England, and described as a part of a process of reducing women to the status of infants, a process which inevitably resulted in greater female reliance upon the obstetric skills of the hospital surgeon in modern maternity hospitals.

Nursing

Women demonstrated superior medical skills in nursing as well as midwifery. In most cases, nursing was not undertaken out of compassion for the sick, but for money.

59 Ibid., p. 43.
60 Ibid.
61 Ibid.
62 Ibid.
63 Ibid. Harley claims that 'Changes to the lithotomy position for childbirth further increased the passivity of women and encouraged the infantilisation of parturient women that was to reach its apogee in the twentieth century maternity hospitals.'
In the seventeenth century, care of the infirm was carried out according to whether or not a sick person could pay. Professional nursing was low-paid work. Then, as today, it was a low-status occupation. Women of poor families held curative responsibility for the household. The poorer classes were also involved in professional nursing and the rules governing their conduct were strict. For example, nurses at one seventeenth-century hospital were subject to an instruction which read:

See that ye avoid, abhor and detest Scolding and Drunkenness as most pestilent and filthy vices....Ye shall avoid and shun the company and conversation of all men.64

Clark found that one London hospital, St Bartholomew's, made certain that nursing women complied with the rules by imposing strict regulatory measures. The salary was ten pounds per annum without board, there was no training, and money was bequeathed by rich people to be distributed by endowments. The following quotation demonstrates the strict supervision of nurses at St Bartholomew's in the seventeenth century:

If any of the nurses shalbe negligent in their duties or in giving due attendance to the sicke souldiers by daye or night or shall by scoulding, brawlinge or chidinge make any disturbance in the said hospital she shall forfeit 12d for the first offence, a weeks pay for the second, be dismissed for the third.65

Armies of female workers did the unpleasant and dangerous work involved in nursing. Women treated plague victims because nobody else would. In 1570, London Constables and Churchwardens mapped out the duties of the nurse:

women [are] to be Provyders and Deliverers of necessities to infected Houses, attend the infected Persons, bear reed Wandes, so that the sick mai be kept from the whole, as nere as maie be needful attendance weyed.66

64 A. Clark, op. cit., p. 244.
65 Ibid., p. 249.
66 Ibid.
Clark found that women in sixteenth-century Reading, were employed as 'searchers' of dead bodies. They were called upon to diagnose and record the cause of death, to 'certifye of what disease they died' and to 'ayre and cleanse all the bedding and other things.'67 In gentry households, children and servants received training, but 'professional' nurses received none. Because there was no systematic training at such hospitals, the standard of efficiency was higher in the domestic, rather than in the public sphere.

Clark refers to Frazer's remarks in 'The Golden Bough' where he argues: 'science is the lineal descendant of witchcraft.'68 There is much evidence in early literature and in the diaries of gentlewomen to demonstrate how women dominated medicine as a 'domestic art.'69 Faith in the ability of the female to heal is also expressed in manuscripts which will be investigated more closely in chapter five.

The Wise Women

H. J. Cook in The Decline of the Old Medical Regime in Stuart London argues that according to English Common Law, the practice of medicine was open to anyone as long as the patient consented. However, if the patient died and the practitioner was unlicensed the healer 'could be tried for a felony'.70 Medical help beyond the bounds of domestic medicine might also be found by consulting the traditional known healers known as wise women. According to Cook, 'the French word sage-femme points up the tradition of local healing, for it means both "wise woman" and midwife'.71

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67 Ibid.
68 Ibid., p. 254.
71 Ibid., p. 31.
In the Stuart period, medicinal art was practiced by farming women and the wives of husbandmen who were famous for their curative skills and their willingness to help sick people. These skills were often taken for granted. Ordinary folk were reliant upon the expertise of 'wise-women' who did not always accept payment: 'some were paid, some acted out of kindness.' 72 The wise women of the village were often superior in knowledge and skill to the so-called educated 'men who professed medicine and who let blood.' 73 Experience and common sense contrary to science was the key to success over the learned male counterpart of the cunning women. Clark quotes from Adam Martindale's diary who, in 1632, noted his opinion on the skills of doctors in comparison with those of wise women as follows:

Some skillfull man, or so esteemed, being consulted and differing much in their opinions....God sent in his mercie a poore woman who by a salve made of Celandine Mosse of an ashe roote, shred and boyled in May-butter, tooke it clear away in a short time. 74

In 1647, Sir Ralph Verney, convinced of the low level of efficiency among men who professed medicine and surgery, sought the services of the wise woman to cure his child:

Give the child no phisick but such as midwives and old women with the doctors approbation doe proscribe....They, by experience know better than any phisitian how to treat such infants. 75

According to Clark, Hobbes 'took little physick' but preferred 'an experienced old woman' above the 'most learned and inexperienced physician.' 76 The west country eye doctor Dr. Turbeville not only found Court doctors 'wholly ignorant' but accused them of being 'spies upon his practice.' 77 He also venerated the accomplishments of the wise

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72 Clark, op. cit., p. 257.
73 Ibid., p. 258.
74 Ibid.
75 Ibid.
76 Ibid.
77 Ibid.
women: 'he knew several midwives and old women whose advice he would rather follow than theirs.' His sister, Mary after his death in 1696 practised 'with good reputation and success'.

The long tradition of the female practice of medicine was under threat from the introduction of government policy in 1617 to control the practice of medicine and, in particular, witchcraft. Women became suspect who:

boldly and accustomably took upon them great Cures and Things of great difficulty in the which they partly used sorcery and witchcraft and partly applied such medicine unto the Diseased.

The cunning women became liable for fines:

Divers women [who are] Unskilled in the art of chirurgery, who do often times take cures on them to the great danger of the patient [who] shall have or take, any money benefit or other reward would be fined ten shillings.

In 1617, apothecaries also sought to exclude women from their ranks on the grounds that they must be examined and approved after an apprenticeship. The Faculties of Medicine and Surgery excluded women completely, but some apothecaries admitted women by marriage or apprenticeship. The combined consequence of the regulatory measures operated effectively to exclude women from the world of the healing professions and this avenue, like midwifery, was eventually closed to them.

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78 Ibid., p. 259.
79 Ibid.
80 Ibid., p. 260.
81 Ibid., p. 261.
Patriarchy or Female Power?

Historiographical Perspectives

The historiography of early-modern female experience, though not embryonic, is still in the early stages of development, with local historical studies remaining scattered and unsynthesised.\(^2\) This thesis will argue that a perspective which takes account fully of the place of women is indeed important, but without social, economic or cultural understanding of early-modern women, a distorted perspective will remain. The role of women can only be understood by recreating by every means the milieu to which they belonged.

In 1994, a number of essays which demonstrate sound historical practice was published in a collection edited by Jenny Kermode and Garthine Walker, entitled Women, Crime and the Courts in Early Modern England.\(^3\) One essay in particular, by Garthine Walker, entitled 'Women, Theft and the World of Stolen Goods', is an example of an investigation which is conscious of the importance of archival sources in an examination of female activity. Walker's essay examines women's involvement in local crime by analysing the records of Cheshire county and city courts, and, therefore, it avoids the pitfalls of examining only selective literary or anecdotal material. It challenges the view that the social and economic position of women was entirely derived from the men to whom they were related. The focus is shifted to female criminality in order to impart 'a far more complex and instructive view of gendered experience than historians of crime have hitherto acknowledged.'\(^4\)


The evidence produced by Walker challenges the assumptions made in other works regarding female non-participation in crime. It consciously avoids 'sweeping generalisations' in order to recover female experience from the margins of historical investigation.\(^{85}\) It concentrates on women's criminal activity, and localises crime within a regional context. Larceny, burglary and theft, the dynamics of property crime, and other related activities such as receiving stolen goods, are examined by analysing prosecutions made against women at the Cheshire Great Sessions, Quarter Sessions and City of Chester Quarter Sessions. In 'Women, Theft and the World of Stolen Goods', Walker argues that studies of criminality have disguised women's involvement in criminal activities. Female criminality, Walker argues, has been marginalised, and too many generalisations have been based upon too few studies. The problem is partly a methodological one. According to Walker, 'A methodology that has leant so heavily upon the quantification of formal court records has masked the role which women played, and the problem has been exacerbated by the manner in which gender has often been considered simply as a binary model of comparison'.\(^{86}\) This has had the result of diminishing the role that women have appeared to play in crime. A model where male and female roles always appear as direct opposites, prevents historians from seeing the complexities arising from associated issues. As Walker argues, 'a more fluid model increases our range of analysis and allows deeper insights into the role of gender in influencing criminal behaviour in early-modern England'.\(^{87}\) Examination of the 'dynamics of gender relations and human interaction' is a far more fruitful pursuit. Since the quantification method in the analysis of female crime has contributed to diminishing the female role, this thesis will adopt a number of approaches, including both qualitative and quantitative methods of examining the sources relating to female verbal crime. Additionally, since a study of both gender relations and

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ordinary human interactions can be a useful means of eliciting information about women, it is this dimension which will be accentuated in the following chapters.

Walker argues that historical analysis based on the passive and assertive dichotomy of sexual difference has excluded women from the historiography of crime in early-modern England. Walker additionally questions the view that women were little more than accomplices to male criminals, and only stole items of less value. They are usually thought of as less criminally inclined, and therefore less likely to be considered criminally dangerous by contemporaries. One consequence of this attitude, Walker argues, is a historiography that sees women as recipients of generous treatment and clemency within the criminal justice system.

Two other studies typify antithetical opinions about female-centred activity in early-modern England. One is Martin Ingram's 'Scolding Women Cucked and Washed' and the other is an earlier contribution, David Underdown's 'The Taming of the Scold'. Ingram argues that, though female scolds were socially disruptive, males were responsible for the majority of breaches of the peace that followed. According to Ingram, the behaviour of scolds was regarded by contemporaries merely as an 'outrageous breach of manners', or as mischievous behaviour on the part of 'wilful' offenders. Ingram argues that 'It is difficult to see scolding cases as evidence of a crisis of gender. In the sixteenth and seventeenth centuries, as is the case today, males were responsible for the majority of breaches of the peace. Scolding women did, however, represent a significant undercurrent of disorder, especially in the towns. But concern about them was muted in many areas and prosecution was very selective.\textsuperscript{88} Ingram maintains that there were mere crisis 'hotspots' in early-modern England. However, as noted in the introduction to this thesis, there are no chronological, temporal or geographical dimensions suggested in support of the 'hotspot'

theory and Ingram does not support the contention with evidence. In addition, he argues that scolding women represented 'a significant undercurrent' and that this was so 'especially in the towns'. But he does not give any good reason why it should be that women, who perpetrated a very high proportion of breaches of the peace, should be relegated to minority status, or why scolding should be perceived as an undercurrent. In a crime which is essentially female, Ingram's study curiously asserts that males predominated. In contrast, Underdown contends that in the period 1560 to 1640, an examination of local court records discloses 'an intense preoccupation with women who are a visible threat to the patriarchal system.' Underdown, also argues that contemporary action against scolding was the symptom of a 'crisis in gender relations in early-modern England.' Because so little research has been conducted in this area it is not possible to arrive at any conclusive decision. Whilst it is likely that regional variations occurred, some towns may have demonstrated 'crisis' situations while others might not. Only when further intensive and local studies are carried out can we know for certain. For the time being, Ingram's contention remains unsupported by evidence, and neither Underdown nor Ingram has provided conclusive evidence of patriarchy as an invariably dominant ideology. Gowing's model of 'perpetual conflict' provided by studying the London Church Court records is probably the most appropriate reading of gender relations for the early-modern period.

It has been largely accepted that early-modern English society was excessively patriarchal, without taking into account the continuing participation and contributions of women in all areas of society. The varying patterns of patriarchy over time have been glossed over. Variations within the regional context have also been disregarded. Such explanations, which take local variations into account, are important to women's history. Broad-based generalisations about female subordination, and of the inferiority of female

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cultural relationships should all be questioned, especially in relation to the survival of considerable female independence and power. Accordingly, these aspects of women's lives are explored in the following chapters below.

Studies such as Gowing's *Domestic Dangers* and Walker’s 'Women, Theft and the World of Stolen Goods' challenge the established position which sees patriarchy as the dominant ideology which invariably succeeded in excluding women from meaningful discourse. Walker’s article (and her PhD thesis) do so by adopting a realistic approach to women’s history.\(^{90}\) The article provides a thorough analysis of historical documentation over a modest temporal span of the years 1590 to 1660 and confines its conjectures to the manageable geographical domain of Cheshire. It analyses, in depth, hitherto unresearched primary documents relating to women.

It is not unrealistic to raise doubts over generalisations concerning patriarchal dominance nor is it impractical to assert the existence and resilience of specifically female-centred territories. The most solid and convincing argument for female loss of status and power during the advent of capitalism, as we have seen, is that presented by Alice Clark early this century. Clark clearly demonstrates that early-modern England was a time when a profound derogation took place in female status. If this view is accepted, for the sake of argument, it is reasonable to assume also that women must have once occupied a more powerful position in society. Studies are silent about this aspect of early-modern England. The resilience of female power in the female-centred spheres of early-modern society which provide new perspectives on material life and the real dimensions of power of patriarchy and the stages of transition of female power in early-modern England, will all be explored in chapter two of this thesis. In advancing this exploration, the approach taken in this thesis will be to examine primary source material. It will study crucial aspects of the actual experience of women from 1541 to 1755, analysing in particular the battle which

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\(^{90}\) G. Walker, *Crime, Gender and Social Order in Early Modern Cheshire*, PhD thesis (University of Liverpool, 1994).
took place for women to maintain their professional status in one Cheshire town from 1660 to 1670.

**Women and Witchcraft**

Many studies of women's history end up being about witchcraft. Women's role in society is given over to witchcraft because of an inability to perceive women outside the role of victim.\(^1\) A perfect example of the historical marginalisation of female experience can be seen most clearly in the studies of witchcraft. Even though the female presence is transparent, when females appear in witchcraft history they are still identified as a 'victim' of male dominance.\(^2\) Lack of historical context means the female figure remains obscure even when she should feature most prominently. Women, in the historiography of witchcraft studies, invariably appear as a component or tabulation, a percentage, or they may even be relegated to the footnotes in order to support a certain point of view. This is particularly true of 'feminist' accounts such as Marianna Hester's *Lewd Women and Wicked Witches*.\(^3\) This study undermines female power in spite of being a consciously 'feminist' exposé. Highly sensationalised pamphlet information is used to discuss women, considered from the perspective of the 'victim' of patriarchal dominance. As a result of a misreading of the issues, and the avoidance of any actual manuscript sources,

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\(^3\) Ibid.
mistakes are made. A closer examination of the female role in the early-modern community is crucial. An enlightened, sensitive and above all historical approach should analyse all the complexities associated with gender relations in early-modern England.

One investigation which attempts to re-establish women's importance in the witchcraft phenomenon is Lyndal Roper's *Oedipus and the Devil*. Roper questions why women were perceived and prosecuted as witches in Early Modern Europe. Roper concentrates on the psychological dimensions of witchcraft in early-modern Germany. She argues that, because women involved in witchcraft were 'fantasy targets' for their enemies, studies of witchcraft belong to psychology as much as to history. Roper, who identifies what she terms the 'sociological characteristics of women as a group', places a psychological emphasis upon women through a study of the 'dilemmas of the psychic identity of womanhood.' Roper argues that the psychic conflict attendant upon oedipal relations and motherhood that provided witchcraft with a psychic drama allowed the 'fantasy of witchcraft to unfold.' In explanation of the phenomenon, Roper argues that the ambivalent effects of sexual regulation can be dated back to the period before the eighteenth century. Roper's argument operates on the premise that where gender is an issue, and where 'psyche and body are at stake', these are necessarily cultural or psychological areas. Since sexualities and gender issues remain mostly unexplored in early-modern history, *Oedipus and the Devil* charts new ground. It explores the ideas

95 Ibid., p.4.
96 Ibid.
97 Ibid., p. 3. Roper's work emphasises how approaches influenced by Weber have dominated the way subjectivity is conceptualised for the early-modern period. She argues that 'Michel Foucault's emphasis on the power of language and the importance of discourse in the constitution of the individual subject enables exploration of the construction of sexual desire through language.'
98 E. Donoghue, *Passions between Women: British Lesbian Culture 1668-1801* (London, 1993), explores women as a 'distinct sexual and social group'. Euphemisms such as 'lewd women' 'lustful elves', 'abominable women' and 'female fiends' are substituted for women who prefer lesbian relationships or 'secret bias' is discovered in 'texts about women' as distinct from studies which look at lesbians in comparison with gay history. I did not find such references in any of the legal institutions under investigation.
of Weber and Elias arguing that the early-modern period saw a 'renewed interest' in magic and the irrational. Whilst this may have been the situation in early-modern Germany, English sources demonstrate that interest in magic and witchcraft was not 'renewed' but was rather a 'continuity' of popular culture. The evidence supports the view that in England it was the systems for the prosecution and the regulation of witchcraft that were renewed or changed.\textsuperscript{99} Roper's psycho-analytical approach is based upon the inquisitorial proceedings against witchcraft in continental Europe. The same approach cannot be applied to witchcraft in England, firstly, because there were no inquisitions, secondly, because there were no sabbaths, and, thirdly, because there were no witch-hunts. The English legal system simply did not hold inquisitions, unlike the continental courts.

Lyndal Roper herself expresses doubts about adapting a 'model of psycho-analytical enquiry to an entire society.' These doubts are well founded, for indeed it is not possible. A truly historical analysis of any society relies on all available evidence. In the case of the history of women in seventeenth century England, it is probably fair to say that the most immediately relevant English archival sources remain relatively unexplored, and, in some instances, uncatalogued. Whilst this remains so, any broad-based generalisations about women in early-modern England are pointless until the local and regional variations of female experience are analysed in closer detail. From local studies, and research upon parish and village, a complex and divergent account of local and regional issues is emerging to alter the national picture.\textsuperscript{100} This kind of approach can be extended to include an analysis of female experience. The lived reality of women must be located within a local social and economic milieu if the role of women is to be understood correctly.


A Gendered Approach?

Mariane Hester's *Lewd Women and Wicked Witches* is an example of the limitations attendant upon application of too rigid a gender-based approach to the examination of women and witchcraft in England. In contrast to Roper's claims, it is clear from legal records that the cunning folk, wise women and cunning men, were not selected for punishment according to gender.\(^{101}\) The situation in England was much more complex. At certain periods in early-modern England, white magic was perceived as witchcraft and subsequently such prosecutions intensified. However, the accusations did not simply arise from the legal elite. The accusations were initiated by ordinary people.\(^{102}\) This complicates the situation further. Women were clearly susceptible to prosecution for crimes of verbal violence and witchcraft, but their male counterparts also faced prosecutions for witchcraft, healing and white magic.\(^{103}\) It is clear, therefore, that a so-called 'gendered' approach is not appropriate in every context, and, since the circumstances of such accusations were complex, the circumstances require close scrutiny, and a range of methodological approaches that will allow the complexity of the issue to emerge.

Whilst a gender-based analysis may not always be useful for examining the distribution of power within the community, it is, however, a useful approach for the identification and evaluation of the criteria and circumstances which authorised the criminalisation of certain types of female behaviour. Female power was, and still is,

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\(^{102}\) See chapter three of this thesis.

\(^{103}\) Macfarlane, *op. cit.*, pp. 255-309. Macfarlane analyses the gender distribution of those accused of witchcraft in early-modern Essex. He argues that though the proportion of women accused of witchcraft was high overall, men were accused at a lower rate than women. It is difficult, therefore, to establish a gender bias.
distributed in subtle and complex ways. The investigation of female power in early-modern England is a task which requires a range of analytical approaches. Recent research on the subject of women in early-modern England is challenging the notion of female passivity, and lack of involvement in the community, and does much to recover female experience from the margins of early-modern history. Although females were largely accused of committing crimes of a symbolical nature, such as cursing, scolding and witchcraft, they were also involved in 'real' crimes such as murder and robbery. Evidence has shown that women committed some crimes that are normally attributed to males - 'real' crimes, such as murder and robbery, as well as 'symbolic' crimes, such as witchcraft, cursing and scolding. However, it is important to stress that verbal crime such as cursing and scolding remained almost exclusively female crimes. Further investigation is required, especially research into areas in which women dominated. Until this is carried out it is not possible to argue that females were always the victims of a male-dominated society. Similarly, in 'female' domains, particularly magic and healing, there was a minor male presence. In early-modern England there was one area which women dominated; this was the verbal sphere.

It has been said that two characteristics define being female in a male-dominated society - they are silence and invisibility. In early-modern England, women were neither silent nor were they invisible. As Thompson, Gowing, Walker and others have recently demonstrated, the records relating to female verbal crime are rich in information about the female experience. Since so little is known about female verbal crime in early-modern northwest England, this will be the focus of this thesis.

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Chapter Two

Society and Economy in Northwest England in the Sixteenth and Seventeenth Centuries

The champion grounds make glad the hearts of their tillers; the Meadows imbroidered with sweet-smelling flowers and the Pasture makes the kine's udders to strout to the paile, from whom and wherein the best Cheese in all Europe is made.  

The Northwest

The Northwest region of England that is often described by historians as 'backward' was scarcely that according recent studies of the region. In respect of growth and development it was certainly different from other English regions, but variation in the development of one area from another does not justify a verdict of backwardness.

This chapter will study the region to which Nantwich belonged. At the outset, it should be noted that the chapter depends heavily on the pioneering work undertaken by C. B. Phillips and J. H. Smith in their detailed study, Lancashire and Cheshire from AD 1540: A Regional History of England. This work is the only study of the region to be based largely on the primary sources which exist in the various archival centres of the Northwest. This brief chapter, therefore, makes use of Phillips and Smith's study to explore the broad

2 This view persisted until as recently as 1962. See, for example, R. Lawton who wrote: 'there was a rapid transformation of what in the early eighteenth century had been a remote, under-developed and mainly rural area' in 'Population Trends in Lancashire and Cheshire from 1801' The Historic Society of Lancashire and Cheshire, CXIV (1962), p. 191.
social and economic conditions which prevailed during the period, providing the social and
economic context within which female verbal crime occurred.

The Northwest consists of two main counties, Lancashire and Cheshire. Lancashire is the larger area, containing 1,183 square miles and Cheshire contains 900 square miles. The combined total area of the region is 2,083 square miles, representing 5.83% of England's total area of 50,331 square miles.

The population density of the Northwest was low. In 1563 the population of the Northwest is estimated to have been 146,000 or 4 per cent of the three million total population in England. By 1664 this number had risen to 240,000 or 4.6% of the 5.1 million a total population of England. The population of Lancashire in 1664 was 141,641 and Cheshire was 94,170. The two populations combined, show a figure of 235,811, representing 4.6% of the 5.1 million total population of England.

The diocese of Chester was one of the six English dioceses established in 1541 by Henry VIII. Its function was to exercise religious and moral control over the region's population. Its territory included Lancashire and Cheshire. The diocese was geographically diverse. Cheshire was a prosperous area which consisted of flat arable land with pastures, meadows and large areas of parks and woodlands. Market gardening was an essential part of the economy. It produced oats, barley, rye and wheat. Its inhabitants also bred cattle and poultry. Medieval Lancashire in its southwest possessed large forests and moorland, however, this was cleared, divided and enclosed by the seventeenth century. East Lancashire by contrast with Cheshire was mountainous with some moorlands. Peat mosses and marshes made communications between Cheshire and Lancashire difficult. The diocese of Chester was 120 miles long and 570 miles in

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circumference. It included 533 churches and parochial chapels. It also took into its boundaries Flintshire parishes, parts of Westmorland and Cumberland as far as Workington, and, in the east, large areas of Yorkshire. The following deaneries were established to make administration easier: Copeland, Furness, Kendal, Lonsdale, Richmond, Catterick, Boroughbridge, Amounderness, Blackburn, Leyland, Warrington, Manchester, Frodsham, Wirral, Chester, Middlewich, Macclesfield, Nantwich, Malpas, Bangor and parts of Flintshire.

The size of the diocese presented difficulties for the authorities. It was described by Bishop Downham in 1561 as 'a poorly endowed, monstrously large and administratively unmanageable ecclesiastical unit'. Religious authorities were concerned about the region’s moral and spiritual welfare. Pagan superstitions and witchcraft were common, and in the western parts of Lancashire, Catholicism retained its hold. The irreligious characteristics, notably common in the Northwest, may have contributed to the view that the region was backward. Though the region's population may well have been irreligious, it is important to recognise that such beliefs co-existed in a society with a remarkably developed economy; it was an economic system which for most of the time was able to feed, clothe and shelter those who lived there.

The communities of Lancashire and Cheshire cannot be classified as wholly rural. Some were rural, some were urban and some were both. The combination of exceptional pasture and the manufacture of salt made Cheshire a wealthy county. The Weaver valley ran through the heart of Cheshire where the salt towns of Nantwich and Northwich were situated. Salt was extracted from brine-springs and produced an industry which aided the

7 Ibid.
8 The Victoria County History of Cheshire, Volume III (London, 1980).
10 Ibid., pp. 1-22.
manufacture of cheese for which Cheshire was famous. Salt-making in the three 'wiches' ('wic' being the old English term for trading place) of Nantwich, Northwich and Middlewich had taken place since Roman times. Details of the salt industry were included in the Domesday book. Nantwich, a market town in southeast Cheshire, was involved in the salt industry, but did not become important as a salt town until Anglo-Saxon times.

Christopher Saxton's map of Cheshire illustrates the lie of the land and the distribution of parishes in 1577. According to John Speed's maps of Cheshire and Lancashire, in 1627 there were 123 settlements in Cheshire and 70 settlements in Lancashire; a total of 193 settlements in all.

Society: The Geography of Population Growth and the Social Structure of Lancashire and Cheshire

The years 1563 and 1664 are significant for the estimation of the region's population. In parochial returns of 1563 families were counted by chapelry and parish, and grouped into rural deaneries. The Hearth Tax returns for 1664 list the names of heads of households in townships of hundreds. Because many poor households were listed as 'tax exempt', with the very poorest excluded from some records, the 1664 Hearth Tax returns are only able to provide minimum figures for the population. Although not absolutely exact, these figures at least provide a working estimate, particularly when they are converted with the average multiplier of 4.75 (being the calculated size of the average family) to arrive at the numbers of individuals probably resident within each household. Deaneries and hundreds had different boundaries, but nevertheless the population figures

11 R. A. Skelton, Christopher Saxton's Cheshire, Saxton's Survey of England and Wales (Amsterdam, 1974).
12 J. Speed, op cit., p. 6.
of the Hearth Tax of 1664 can be compared with the 1563 Parochial returns to demonstrate the change in population size and distribution during this period.\textsuperscript{14}

According to the parochial returns of 1563 there were 12,703 households in Cheshire and 17,314 in Lancashire. The returns counted only the male head of the household, and ignored the rest of the family, so there is no definite population figure. Presuming the average family was 4.75, the population of Cheshire was approximately 60,339 and Lancashire 82,241. The Hearth Tax returns of 1664 indicate a rise in the population of the region. Cheshire's number of heads of household was 19,825; multiplied by 4.75 the population figure is 94,168; while for Lancashire a heads of households figure of 29,819, multiplied by 4.75 gives a population figure of 141,640.\textsuperscript{15}

When the population figures of the areas for 1563 and 1664 are compared by deaneries, an increase in the growth of the region's population can be measured. Wrigley and Schofield estimate the national growth figure as 68\%.\textsuperscript{16} The population growth percentage for the period 1563 to 1664 for Cheshire is 56\%, and for Lancashire the increase is 72\%.

Phillips and Smith present evidence for continued growth in the region.\textsuperscript{17} Using a constant multiplier of 4.75 per cent, a rough indication of the population of the region of about 146,000 in the mid sixteenth century is reached, rising to 240,000 in 1664. Thus, there is disagreement about the population of the region, Phillips and Smith claim that Cheshire's population rose by 64 percent and Lancashire's by 74 percent. Wrigley and Schofield claim that Cheshire's population growth is below the national average of 68\%. The lack of consensus on the growth in the region suggests that qualitative research is required to shed light on this area of debate. This thesis will, therefore, explore some of

\textsuperscript{17} C. B. Phillips and J. H. Smith \textit{op. cit.} p. 67.
the implications of population growth suggested by these quantitative studies, in the chapters below.

**Growth of Population in Urban Centres**

Although seventeenth-century England has been described as a predominantly rural society with an urban element, Cheshire towns were both rural and urban. Some towns like Nantwich were more urban than rural. In Tudor and Stuart times Chester was considered to be Cheshire’s major city, yet it had a population of only 5,400 in 1563. In 1664 the population was 7,828. Over 100 years this figure represents only a 45 per cent growth, much lower than the national average of 68 per cent. In 1664, Nantwich and Macclesfield had populations of 2,500 and above. In 1563, deanery Nantwich: had a head of households figure of 1,904, giving an estimated population of 9,044. In 1664 there were 3,052 heads of households, suggesting a population of 14,497, which is a 60 per cent population increase on 1563.18

**Possible Reasons for Lack of Population Growth**

Because it was unusual for parish population sizes to change notably in the short term, a large short-term increase in the number of deaths is an indication of a rise in mortality.19 High levels of mortality indicate disease and famine. The distribution and chronology of burials over deaths varied in the region, with growth measurable up to the late 1580s, after which losses followed. There were fluctuations again to the mid-1620s,

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followed by a resumption of growth which halted in the 1650s. Crisis levels of mortality were scattered among the parishes. In Cheadle in 1587 and 1589 deaths increased by a third. In southeast Cheshire, Nantwich had burials of 114 and 117 in 1623 and 1624 respectively. These represented increases of 40 per cent and 43 per cent respectively on the decennial average. Another peak occurred in 1629, when 134 people were buried.\(^{20}\) In Lancashire, studies show that famine, and probably famine fevers, was responsible for the excess mortality in 1623. It was found that there was crisis mortality in all the North but it was desperate in Lancashire where famine 'swept away 5 percent of the county's population.'\(^{21}\)

**Economic Growth**

The development of coal, salt and stone resources provided the impetus for substantial economic growth in the region. The expansion of agriculture into woodland and moorland areas sustained the population growth. A domestic industry produced small manufacturers. Local merchants expanded the numbers of smallholdings by providing a retail link. Such mercantile activity supported the increase in the population and provided a dynamic economic network which extended to include satellite towns which had previously been relatively isolated from the main centres. Phillips and Smith's studies of households support the conclusion that growth occurred between the counts of 1563 and 1664.

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\(^{20}\) C. B. Phillips and J. H. Smith, *op cit.*, p. 11. and see also E. A. Wrigley and R. S. Schofield, *op. cit.*, p. 651, which shows that in some decades, such as the 1590s, 1620s, 1630s and 1740s, the incidence of local crises was higher than usual: 'During these decades the national death rate fluctuated violently upwards in one or more years, indicating that the crises in these decades were widespread and that the surges in the national death rates were not simply the product of heavy mortality in a few large parishes.' See also D. Hirst, 'Locating the 1650s in England's Seventeenth Century' *History*, Volume 81, Number 263, (July 1996), pp. 359-383. Hirst refers to the crisis conditions that were experienced throughout England during the period of the Restoration. He argues that: 'Locally devastating outbreaks of plague at the start of the 1650s were followed by a virulent and almost nationwide fever at the end of the decade.'

According to Phillips and Smith, when measured by Deaneries the Northwest reveals extraordinary growth levels. Evidence suggests that growth continued after 1660.  

The Geography of Population Growth

The geographical distribution of population growth in the region was varied and uneven and most places did not arrive at Wrigley and Schofield’s 68% national growth level. Those areas that did experience growth did so in extraordinary proportions. Macclesfield deanery outside Prestbury grew by between 100% and 200%, Witton chapel exceeded 100%, and Grappenhall and Warton did likewise. The most spectacular increase occurred in the parishes of Nantwich and Cheadle with 200% growth. Lancashire experienced higher growth in the centre with Warrington increasing by 75%. In the east, Manchester, with the parishes of Bury and Bolton, grew by 89%.

It has not yet been explained why some towns grew and others did not. It may be that those places which were situated near to a major communication artery grew, whilst those further away did not. The town of Nantwich lies in close proximity to the two main arterial roads leading from London. It is situated directly upon the London to Holyhead road, and about three miles away from the ‘Great Northwestern’ road which runs from London to Carlisle. Its proximity to these two major communications routes between the north and south may, to some extent, explain the unusual growth rate of this area in the seventeenth century.

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23 Ibid., p. 8.
24 Ibid.
25 John Ogilby, Britannia: Volume the First, or, an Illustration of the Kingdom of England and Dominion of Wales, By a Geographical and Historical Description of the Principal Roads thereof: By John Ogilby Esq., His Majesty's Cosmographer, Theatrum Orbis Terrarum, series of Atlases in Facsimile, 5th Series, Vol. II (Chicago, 1979).
The Social Structure

Society in the Northwest was structured according to wealth and ownership of land. The landed nobility was at the highest point in the hierarchy and the poor the lowest. A seating plan of a church in Acton illustrates the social hierarchy exactly as it was in Cheshire in 1635. The chief landowners, peers, gentlefolk had the best seats closest to the chancel. The yeomanry and husbandry had the remaining seats with all other churchgoers standing at the back of the church.26

Below the monarch were the peers who in the Northwest numbered 120 in 1641.27 The crown was an absentee landlord and held large estates but no royal family members lived locally. The Stanleys, and the earls of Derby, who held much land in Lancashire, also held large estates and major office in Cheshire. There was a decline in the prestige of the peerage as a result of the selling of titles between 1624 and 1628, and the social order within the aristocracy changed abruptly when three new Irish peerages were created for four families in the region.28 Sir Thomas Savage of Rock Savage, Cheshire, became a viscount in 1640 and his son inherited the title of Earl Rivers. In 1642 the Earl of Derby had an annual income of £6,000, Viscount Cholmondeley £3,400, and a Lancashire gentry man (an unnamed baronet) £3,240.29

Next in rank below the peers were the gentry. The main privilege enjoyed by the gentry was not having to do manual work. Titles of baronet or knight were given to few families. There were six knights in Lancashire and five in Cheshire before the Civil War. The chief families of Cheshire shared a similar name. There were nine Legh families, nine

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26 C. B. Phillips and J. H. Smith, op. cit., p. 19. The seating plan they refer to is examined by J. Livesey, 'Acton Church Seating Arrangements', Transactions of Historic Society of Lancashire and Cheshire, LXIV. See also my analysis of a seating plan of St. Mary's church in Nantwich, 1635, in Part Two of this thesis.
28 Ibid., p. 12.
Masseys, seven Egertons, six Davenports and six Breretons.\(^{30}\) Next in the social hierarchy came the esquire and gentleman, the two lower divisions of the gentry, lesser gentry and the wealthier yeomen. Distinguished gentry were prominent office-holders of the county. In Cheshire between 1529 and 1558 there were nineteen Justices of the peace serving, and there were fifty in Lancashire.

The yeomen, husbandmen, rural artisans, labourers and poor people comprised the great bulk of the population. A yeoman probably held some land and was more wealthy than a husbandman. The 1660 Poll Tax of the Northwich hundred in Cheshire showed that 38% of yeomen paid tax on landed estates valued at less than five pounds per annum, compared with only 2% of husbandmen, while 33% of yeoman paid at values of thirty pounds or more, compared with only 6% of the husbandmen. A study of the properties of yeomen confirms that they spent considerable sums on new houses and made alterations to existing homes. Their properties, however, lacked the external decoration of the more wealthy homes and their houses never became purely residential because they usually retained an industrial workshop.\(^{31}\) The bequest of heirlooms revealed by examinations of wills and inventories, and the spending of funds on better houses, are all indicative of the rise in the position of yeoman during the early seventeenth century.\(^ {32}\)

The situation in Cheshire is much in keeping with the rest of England where the yeomanry possessed a greater proportion of land than they did in the late medieval period, because rising prices of produce meant greater profits. This is only partly true of Cheshire where the land was pastoral. It appears that the profits of industry played a greater part in the increase of wealth in this region.\(^{33}\)

It is generally accepted that the English gentry benefited greatly by the dissolution of the monasteries and that by the Civil War they owned twice as much property. This was not the case with the Northwest, which was distinct from the rest of England in this regard since substantial amounts of monastic property remained in the hands of the crown, or was controlled by the ancient hospitals of places like Nantwich, or was consumed in the administrative costs of the huge diocese of Chester.\textsuperscript{34}

The ranks of landowning society of 1660 were much the same in 1780. The terms 'husbandman' 'yeoman' and 'gentleman' persisted; the latter by this time was not necessarily an indication of land-owning gentry. In 1677 the Earl of Derby's annual income of £5,300 had increased to £7,809. The £2,000 in casual sales is perhaps an indication that he was beginning to get involved in trade. In 1680 the Leysters of Tabley's rental income in Cheshire was £647, in 1779 it was £6,331.\textsuperscript{35} The national estimates of the proportion of land owned by the yeomantry shows a peak in the late seventeenth century. The evidence suggests that their regional position changed by 1780 but the detailed work involved in evaluating the changes has not yet been carried out.

\textbf{Society: Government, Politics, Religion and the Civil War}

\textbf{Government and Politics}

The Northwest region was disciplined in the same way as other English regions were, by a three-way structure of civil, military and ecclesiastical control. The civil courts were supervised by the Justices of the Peace who held Quarter Sessions at four annual

\textsuperscript{35} C. B. Phillips and J. H. Smith, \textit{op. cit.}, p. 70. The top bracket of Earl of Derby in 1677 is given by Gregory King’s estimation in 1688. The second figure for the Derby Rental is derived from P. Laslett \textit{The World We have Lost}, (London, 1983). Leysters of Tabley Rental, of Cheshire in 1680 was £647, by 1779 it was £6,331, see John Rylands University Library, Tabley Mss, Rental books 1647-97 and 1758 - 97, as illustrated in C. B. Phillips and J. H. Smith, \textit{op. cit.}, p. 70.
meetings and moved intermittently between them. Both counties were Palatinates which controlled assize courts and civil courts. In Cheshire, Quarter Sessions were held at Chester, Nantwich, Knutsford, Middlewich and Northwich. The county was large and very difficult to oversee. 36 Military supervision was exercised by the Lord-Lieutenant (the Earl of Derby) and his deputies. The sheriff had a formal role, and was an important figure in legal administration, but was not involved in parliamentary elections. 37 There was a routine connection with the Privy Council in London and the local governors through judges of the assizes who visited twice yearly. After 1578 the Justices of the Peace, sheriff and assize judges met twice a year in Lancashire (Lancaster) in contrast with Cheshire (Chester) where Justices attended sessions infrequently. Justices did, however, meet regularly at monthly intervals in their hundreds. 38

Members of Parliament were chosen from the elite group of Cheshire gentry. The yeomanry and minor gentlemen were alerted to the importance of carrying out communal responsibilities. The routine work of the Justices involved supervising the licensing of ale houses, crime, poor relief, regulation of wages, and road and bridge maintenance. Their power was wide-ranging and support of central government policy was vital.

**Religion: Catholicism**

The continuity of Catholicism in the Northwest was striking in the seventeenth century. Lancashire, next to Monmouth, shows the highest proportion of Catholics in England. It is believed that more than 20 per cent of the population was Catholic. There were 4,000 Catholics in Preston, Wigan and Liverpool. By 1642, over a quarter of the communicant population of Prescot Parish in Lancashire were recusant and over a third of

gentry families were Roman Catholic. \footnote{C. A. Haigh, \textit{Reformation and Resistance in Tudor Lancashire} (London, 1975).} In Lancashire in 1639, recusants were dismissed from the bench. \footnote{C. B. Phillips and J. H. Smith, \textit{op. cit.}, p. 57.} Catholicism, however, is believed to have 'stopped at the Mersey.' \footnote{J. Bossy, \textit{The English Catholic Community 1570-1850} (London, 1975), p. 95.} Cheshire is described as 'resolutely conformist' with 'insignificant proportions of Catholics.' \footnote{Ibid.} At the end of Elizabeth's reign, Haigh argues there was organised revolt against Protestant landowners, government officials, and ecclesiastics enforcing a variety of anti-catholic laws. \footnote{C. A. Haigh, \textit{Reformation and Resistance in Tudor Lancashire}, (London, 1975).} Evidence examined in relation to agitation in Childwall, in West Derby hundred in Lancashire, indicates that after some disturbance, Childwall in 1590 began to conform to the requirements of the religious establishment. The evidence of this study does not support the view of organised resistance or rebellion against Protestantism in the Northwest, but suggests rather that such outbreaks were sporadic. \footnote{R. C. Dottie, 'The Recusant Riots at Childwall in May 1600: A Reappraisal', in \textit{Seventeenth-century Lancashire, Essays Presented to J. J. Bagley}, published by the Transactions of the Historic Society of Lancashire and Cheshire, Vol. 132 (Liverpool, 1983), pp. 1-23.} 

\textbf{Calvinism and Puritanism}

The radical doctrines of Calvinism were carried through trade connections with London. \footnote{C. B. Phillips and J. H. Smith, \textit{op. cit.}, p. 60.} Protestant preachers were employed to convert Catholics to the reformed Church. In south-east Lancashire and north-east Cheshire, Calvinist clergy refused to conform to the prescribed liturgy and became established there. There are several opposing views regarding the effectiveness of non-conformist preaching ministers. Some historians argue that, owing to organisational and financial problems in the diocese, the effectiveness
of preaching ministers in a large unruly diocese is open to question. An alternative argument proposes that radical preaching was well received. The favourable reception given to Calvinism promoted radical thinking. According to expert opinion, the growth and spread of Puritanism in the diocese went unchecked. Pastoral and woodland areas, like those of Cheshire, were the most conducive backgrounds to Puritanism. Puritanism, based on the Godly household, was strongest in the eastern, pastoral areas of Lancashire and Cheshire. All three of these elements, the pastoral background, family solidarity and Puritanism were connected.

The numbers of Puritan ministers increased principally between the years of 1620-1642. Their sermons were designed to have emotional appeal 'to stir up the people's affections with pithy matter and a warm delivery.' The power of the ministers increased as they occupied more influential positions within secular law. Christopher Hudson's lecture opposing Sabbath-breaking and the sin of drunkenness at Lancashire assizes in Preston, in 1631, was well received, and this incident serves to emphasise the influence Puritan ministers had upon the community through the justice system. Between 1646 and 1658 the magistrates were very active in prosecuting ale houses. Puritans associated the rituals of Catholicism with popular superstitious belief and condemned them both. The popular healing traditions of the 'cunning folk' were mistaken for witchcraft. Sunday sports, ale-churches and dancing were frowned upon whilst attitudes towards bastard-bearers hardened. Lancashire was more vulnerable to radical Puritan thought. This was probably because ministers, who believed Catholicism was rife, felt that the moral welfare of Lancashire was more at risk. Even though the Cheshire authorities were more moderate in dealing with witchcraft, eleven persons were hanged for this crime between 1580 and

46 Ibid.
48 Ibid., p. 94.
49 Ibid.
50 R. C. Richardson, op. cit., p. 42.
51 R. C. Richardson, op. cit., p. 52.
1709. 52 Hangings for witchcraft and Catholicism took place with greater regularity in Lancashire. At Lancaster assizes fifteen women and five men were brought to trial on one occasion in 1612. Eight women and two men were hanged, while the oldest woman died in prison. 53 In some areas, women made up the majority in the Puritan contingent. Some, like Elizabeth Symons of Nantwich, refused to go to church. In 1611 she was charged at the Chester Consistory Court, not with recusancy but with 'wilful forwardness.' 54 Such unmitigated opposition to strict religious control indicates that women were assertive, despite the obvious pressures to conform to a required standard of Puritan femininity.

The basic structure of local and ecclesiastical government remained in place throughout the seventeenth century. The hold of the church court began to weaken and the strength of the secular court and the numbers of Justices increased. In 1675 there were 44 and in 1715 there were 90. 55 The Cheshire Palatinate court of grand sessions was an assize with equity jurisdiction until the late eighteenth century. Quarter sessions at Middlewich ceased after 1723. At Nantwich and Northwich they ended in 1760 leaving only Chester and Knutsford. The range of business was large, with more time being spent upon examining those accused of anti-monarchist plots of the 1660's, Jacobite threats of the 1690's and those opposing the government after the 1745 rising. 56 The increase in grain prices in 1750's and 1760's saw the Justices dealing with food riots. 57

The intellectual turbulence of the 1640s and 1650s remained after the Restoration. 58 The regional basis of Presbyterianism that had been strong in Chester, and officially

54 R. C. Richardson, op. cit., p. 108.
56 See, for example, C.R.O. EDCS/1663/Nantwich, Ann Wright v Maria Briscoe, 1663. Wright's husband was accused of 'committing treason to the King'.
58 Recent surveys of the period are provided by R. Hutton, The British Republic 1649-1660 (London, 1990), N. Keeble, The Literary Culture of Nonconformity (Leicester, 1987). Post-Restoration development
dominated Lancashire, was destroyed. The Act of Uniformity forced 100 dissenting Ministers in Lancashire, and 64 in Cheshire and North Derbyshire out of their parishes. Quakers and Baptists, despite their small numbers, still managed to cause concern as did the Independents of northeast Cheshire. Manchester became the leading centre for Unitarians, and Cheshire, with Dean Row, had the largest dissenting congregation of 1,309 in 1718. By 1715 the Protestant Nonconformists had 43 congregations in Lancashire, and in Cheshire 58 per cent were Nonconformists.

The Civil War in the Northwest left in its wake many casualties. In the aftermath of the fighting there were many crippled soldiers, as well as widows and orphans, and the after-effects of the civil war were felt by the inhabitants of the Northwest for decades to come.

The Economy: Agriculture, Towns, Trade and Industry

Agriculture - Tenurial Relationships

Between 1540-1680 either directly or indirectly nearly all the population had some sort of relationship with the land. Some received income from the land by directly husbanding the soil for crops or animals or by receiving rent from those who farmed. The view that Cheshire was a society that did not change is not supported by recent studies which demonstrate that only 20% of Cheshire landowning families could be traced back beyond the Tudors. Changes took place in landownership through marriage alliance, failure of primogeniture, voluntary sales of properties and through bankruptcy. In

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60 Ibid., p. 119.
Lancashire between 1600-1642 20 gentry families failed to produce a male heir, 35 sold up through bankruptcy and 12 moved to another county. The yeomanry held more land than they did in the late-medieval period. Between 1640-1650 yeoman were among those who made permanent purchases of land. Farming tenants became better organised and farming skills improved production. The increase in prices of produce and therefore profits in Cheshire was limited because it was a mainly pastoral area and Phillips and Smith suggest 'that the profits of industry may have played a part.'

In Lancashire and Cheshire customary tenure regulated the relationship between the manorial lord and tenants, it fell into three variants: tenant-right in North Lancashire, customary leases in south Lancashire and parts of Cheshire, and copyhold in east Lancashire and most of Cheshire. Tenants paid a fixed annual rent despite fluctuating land values or prices and tenants heirs had rights of inheritance. A new tenant paid a negotiable and reasonable 'fine' for an estate and tenants could sue in the royal equity courts which were troubled with such disputes. The advantage of tenurial arrangements was with the tenant as prices rose after 1540. In the early seventeenth century landlords pursued an aggressive policy to replace customary tenure with a lease for more control. Tenants were forced to pay large cash sums during times of bad harvest. The acreage of customary land holding was minor, with farmers holding between fifteen and sixty acres.

It is commonly accepted that the enclosure of common fields began in the medieval periods and continued until 1660.

65 There is evidence of enclosures in Cheshire as late as 1664. See, for instance, C.R.O. EDC5/1664 Innkeeper Peter Durringe v Susanne Wilcocks, regarding 'inclosing a peece of ground on the back side of the house'.
Dairying and Cheese Markets

In Cheshire the emphasis was upon pastoral farming but Lancashire and Cheshire are classified as pastoral vale country. Contributing factors in agricultural transformation were customary tenure, changing field patterns, and farmers who were enlightened by the husbandry literature of Thomas Tusser and John Norden. Pastoral farming produced cheese in south and west Cheshire.

The cartographer John Speed gave an eye-witness description of Cheshire in 1627. A native of Cheshire he was proud of its attractive and fertile acreage and boasted of the international reputation of its dairy produce:

The champion grounds make glad the hearts of their tillers; the Meadows imbrodered with sweet-smelling flowers and the Pasture makes the kine's udders to strout to the paile, from whom and wherein the best Cheese in all Europe is made.  

The national reputation for dairying and cattle, and the extent of cheese production from Cheshire indicates that much of it went to market. The period 1640 to 1750 saw a change in methods of marketing and structures which formed the background to the final advances engendered by the canal, railway and eventually, free trade. There was a change towards a more effective system of marketing. Markets and fairs were important centres for the extensive transactions which took place and remained centres for livestock trade. More competition and transport changes meant that markets and fairs were insufficient outlets for the growing markets. Inn yards, parlours and shop doorways began to be more

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66 J. Thirsk, op. cit., p. 574.
67 J. Speed, op. cit., p. 6.
effective places of trade with the growth of private marketing. Improved transport, sophisticated market structures and active middlemen encouraged the production of agricultural goods for a more efficient market with regular transactions with the capital.

Towns, Markets and Fairs

A seventeenth-century town is defined as a vicinity which has specialist economic functions, a complex social structure; influence outside town boundaries; and a sophisticated political structure. The towns in the Northwest which come within the parameters of this definition are Preston, Lancaster, Ormskirk, Wigan, Manchester, Northwich, Middlewich, Nantwich, Knutsford and Chester. England and Wales inherited a large number of market towns from the middle ages. Market charters were still being granted in the seventeenth and eighteenth centuries. Between the fifteenth century and 1640 there were seven hundred and fifty or more markets in England. In 1690 in England and Wales there were eight hundred and seventy-four. Some markets disappeared between 1640 and 1750 and new markets replaced old, but they had changed substantially. Cheshire had very few market towns in comparison with Lancashire which had almost three times as many. This may have been because Lancashire had more mouths to feed over a greater distance. Cheshire in 1690 had thirteen market towns. This number did not change until 1792 when there were twelve. There were radical regional differences in the density of fairs. In the north, fair towns and villages occurred at one per 44,500 acres, in

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69 Ibid., p. 409.
Wales, one per 29,000, in West England one per 23,000 acres, in the south and east one per 20,000.

**Industry: Salt**

Salt was a distinctive Cheshire industry and was chiefly urban. Dairying and fishing stimulated the demand for salt and were reliant upon it. Middlewich, Northwich and Nantwich were the most important salt manufacturers in the region. Its production was straightforward. Brine was piped to a 'wich' house and boiled. Crystals were removed and packed into cones to dry by a furnace, then salt was ready for sale. Brine ownership was separate from salt-making and was supervised by the manorial court officers. Between 1540 and 1660 two technological changes occurred: pumps replaced labour in Nantwich and coal was used to boil brine. The Cheshire salt industry changed rapidly during the middle quarters of seventeenth century, and in Nantwich it was a dying industry at the end of the seventeenth century, since the industry was replaced when salt-pits were found at nearby Marbury. New industries were established in the Northwest during 1660-1780. Water became crucially important as bleach works, dyers, printers, hatters, papermills and brewers sought clean water and fought for the rights for their own use.

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70 Ibid., p. 426. Fairs were held in Altrincham (2) Greater Budworth (3) Chester, Congleton (4) Frodsham (2) Knutsford (20) Macclesfield (5) Malpas (3) Middlewich (2) Nantwich (3) Northwich (2) Sandbach (2) Stockport (4) and Tarpory (3).

71 The Victoria County History of Chester, Volume I (Oxford, 1987).

The Continuation of Regional Growth

The growth of regional population from 1540 to 1660 was based on an expansion of settlement and agriculture in largely previously underpopulated parishes, in particular the Cheshire plain. The growth of mining and the associated occupations of the textile industry, providing employment for people, were important features of this growth. The populations of Blackburn and Manchester doubled, but the growth was not confined solely to areas of new industries of coal, metal-working and textiles. The landed interests of the Stanleys and Cholmondeleys remained stable, but growth in rural areas and dairying and cheese production was supported by the salt industry in Nantwich deanery. Dynasties of merchants emerged with yeoman-clothiers amassing capital for trade or land.

By 1660 the parishes of the west of Cheshire were richer, aided by the permeation of the wealth from nearby Chester. The saltworks required large numbers of wage labourers in an industry which was made unstable by internal competition and technological change.\(^{73}\)

Transport routes improved in the late seventeenth century and early eighteenth century. Major routes were developed by the salt industry in Cheshire: through Macclesfield via Whalley bridge to Sheffield, from Buxton to Mottram. Stage coaches from the Northwest were introduced in Chester using the Chester-Nantwich road in 1660's.\(^{74}\)

The spectacular population growth of 200 per cent experienced by Cheshire parishes Cheadle, Nantwich and Macclesfield, was well above the national average of 68 per cent. Innovations in the marketing of dairy goods, agricultural expansion, improved

\(^{73}\) C. B. Phillips and J. H. Smith, *op. cit.* p. 124. The information is provided by exemptions from the hearth-tax in 1664 as a measure of regional poverty.

\(^{74}\) C. B. Phillips and J. H. Smith, *op. cit.* p. 84.
transport systems, the spread of cottage industries in textiles and the mining of coal were an important part of a dynamic transformation. This change modified the existing social and economic infrastructures of the Northwest in the sixteenth and seventeenth centuries. The extraordinary proportion of growth of the Cheshire parishes has not yet been explained. The economic growth and development that took place in the seventeenth century was uneven, however, and such unevenness created social problems. Consequently Nantwich will be the subject of an investigation to find out why and how such development occurred, and to assess and analyse the effects that such changes had upon the community.

This study of the society and economy of northwest England has demonstrated that the region was not backward. It was by any traditional measure an increasingly sophisticated economy, largely as a result of the production of salt, an industry, which, especially in Cheshire, was highly developed. By the mid-seventeenth century, this, however, was in decline. Some areas of Cheshire were highly prosperous, whilst others, endured great poverty and hardship. There was also particular economic hardship in the region owing to the disruption caused by the pressure of the Civil War. There were many people who suffered for a long time after the wars were over, especially, the many widows and orphans who were left behind. Politically speaking, the area was much divided. At certain times, in Nantwich, especially during the mid 1620s, and particularly in 1629, there was an exceptionally high mortality rate. It was during periods of extreme social crisis that female verbal crime was to escalate in the region. These periods, as the following chapter will demonstrate more specifically, occurred during the decades of 1610 to 1620, 1630 to 1640 and 1660 to 1670. The escalation of female verbal crime in the Northwest during periods of social dislocation, as it appeared in the records of the Chester Consistory Court, is explored more thoroughly in the following chapter.
Chapter Three

'Foul Mouths'

The Nature of Female Verbal Crime

It is not the fashion in Cheshire for wifes to be either threatened or throttled into cindness. I wish for this 7 yeres I had no grete cas to have wepte and gronned under the mightye borden of your oncindneses to me.¹

During the early-modern period governing authorities imposed legal restraints on women's language. These restraints not only eliminated what was once a powerful female voice from public and private affairs, but also progressively criminalised certain aspects of female behaviour.² The competing ideologies of legal, religious and social groups were united in their efforts to exert legal demands. Such coercion eventually compelled 'contentious' women to comply with the rigorous standards of behaviour expected by non-conformist groups.³ It was through such deliberate attempts to govern women that the regulation of female opinion was finally accomplished.

It was, however, both the secular and ecclesiastical institutions that were responsible for policing the local population. During the course of their operations, these establishments produced a vast volume of records which reveal their efforts to achieve tighter control of community affairs. For example, the Chester Consistory Court papers are so voluminous that they are still mainly 'unsorted and unlisted.'⁴ These papers, the essential source for this study, record the circumstances of moral crimes from 1525 to

¹ C.R.O. DSS1/4/57/11. This sentiment was expressed in 1682 in a letter of Mrs Elizabeth Dobson of Birches and Morthwaite, 1628-1695.
³ The term 'non-conformist' in this thesis corresponds with the contemporary terminology as it appears in the manuscripts.
1755. For this study, similar data has been examined from the records of Lancashire and Cheshire Quarter Sessions, the Liverpool Town Book, the various Manorial Courts of Cheshire, and other subsidiary regulating bodies of the Northwest. Investigation of the documentary evidence produced by each of these influential bodies largely corresponds with the research of the Chester Consistory Court papers, the details of which are examined below.

### Table 1: The Distribution of Chester Consistory Court Papers in Decades From 1610 to 1670

<table>
<thead>
<tr>
<th>Years in Decades</th>
<th>Number of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1600 to 1610</td>
<td>766</td>
</tr>
<tr>
<td>1610 to 1620</td>
<td>1,168</td>
</tr>
<tr>
<td>1620 to 1630</td>
<td>722</td>
</tr>
<tr>
<td>1630 to 1640</td>
<td>1,284</td>
</tr>
<tr>
<td>1640 to 1650</td>
<td>119</td>
</tr>
<tr>
<td>1650 to 1660</td>
<td>0</td>
</tr>
<tr>
<td>1660 to 1670</td>
<td>841</td>
</tr>
</tbody>
</table>

Consistory Court Papers shows a steady increase in court business with three distinct high points in the distribution of prosecutions. These periods were 1610 to 1620, 1630 to 1640 and 1660 to 1670. Table 1 also shows the distribution of the 'causes', that is, legal instances that were heard between the years 1541 and 1755. The Chester Consistory Court heard a total of 7,227 causes during this period. From 1541 to 1600 court business rose steadily, but after this period there were three peaks in what was an otherwise even rhythm of prosecutions. The first increase occurred in the decade 1610 to 1620, when the numbers of cases increased sharply from 766 in 1600, to 1,168 cases in 1610. After a decrease between 1620 and 1630 to 722 causes, a second dramatic increase occurred in 1630 to 1640, when the Consistory Court instances peaked at 1,284. The rise was then followed
by a sharp decrease. The obvious fall in causes is accounted for by the upheaval of the Civil War, when from 1642 to 1650 there were only 119 causes, and no court matters heard during the interregnum between 1650 and 1660. When the Consistory Court resumed business in 1660, however, there was a third rise with 841 causes being heard between 1660 and 1670. The highest annual increase within the second peak decade of 1660 to 1670, took place in 1663, when 126 causes were heard by the court in a single year. Twelve of these causes arose from the Knutsford cursing case which took place in Nantwich in 1663. These cases will be examined in Part Two of this thesis.

Some of the Consistory Court papers give precise details of the attitudes of the people involved in female verbal crime. These sources, however, are problematic. There is a gap owing to the Civil War when the functions of the court stopped. Fortunately, during the Civil War period, Quarter Sessions courts continued, and where a gap in the evidence occurs, the documents from Lancashire and Cheshire Quarter Sessions are consulted and provide evidence from testimonies. These documents, as with the Consistory Court papers, confirm that prosecutions intensified during the period from 1630 to 1640. These sources are rich in evidence which is informative about the issues relating to the charges of verbal crime. The thesis finds that the petitions, that were often brought by many troubled members of the community, hold data that is informative on the social dimensions of cursing and speaking 'inchauntments' as well as some other kinds of verbal crime with which this thesis is concerned. The documents from the Quarter Sessions Courts, unlike the Chester Consistory Court, reveal something about the attitudes of the Lancashire Justices of the Peace, many of whom were Puritan.

Whilst the analysis presented here does not include all evidence relating to defamation, it does incorporate all of the evidence concerned with the crime of cursing from

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5 There were also 44 citations to individuals to appear during this period which I have not included in the overall figure.
the secular and ecclesiastical courts, and all evidence which relates specifically to female verbal crime. The documents demonstrate that cursing was regarded more tolerantly by Church Court authorities, than it was by the Justices of the Lancashire and Cheshire Quarter Sessions. Justices of Lancashire Quarter Sessions, whose religious background was Puritan, were exceptionally severe in the prosecution of verbal crime, particularly incidents involving cursing. Even though the Justices took a stern view of such activity, their reaction in the early seventeenth century was mild in comparison to the judiciaries of continental Europe. The documents disclose that the Chester Consistory Court often dealt with accusations of cursing in an even-handed way, whilst accusations of witchcraft, by 1663, were hardly taken seriously at all.

The evidence discloses that ordinary people were well accustomed to rituals of cursing. The testimonies and depositions of litigants indicate that cursing was common in the Northwest. There was a steady pattern of prosecutions for scolding, cursing and magic throughout the sixteenth century. The evidence also substantiates a reading which supports the view of cursing as a cultural continuity of popular belief. The evidence refutes the interpretation of a spontaneous 'witch craze' spreading across Europe, said to have been instigated by an 'ideological elite' during the early-modern period. English witchcraft was different from the rest of Europe. Scolding and cursing and witchcraft were ordinary

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6 Lancashire Justices of the Peace, Roger Nowell, Edmund Assheton [sic] and William Leigh, were also Puritan Ministers. They prosecuted cursing severely.
7 Studies of continental witchcraft demonstrate an inquisitorial dimension to witchcraft. Such inquisitions did not occur in Northwest England.
8 See C.R.O. EDC5/1662/63, Nantwich, Anne Wright contestes [sic] Mary Briscoe, April 1663. The manuscript contains the libel, depositions, interrogations, confessions, and sentence. This case is discussed in chapter eight.
9 P. Rushton, 'Women, Witchcraft and Slander in Early Modern England: Cases from the Church Courts of Durham, 1560-1675', *Northern History* Volume XVII-XVIII (Manchester, 1986). Rushton highlights the 'ordinariness' of the social circumstances of female verbal crime in Northumberland and Durham where cases arose in the domestic setting, in the home or on the street.
and commonplace features of everyday life, but during periods of urgency in the community accusations of this nature increased. Investigation of Quarter Sessions sources clearly identifies a transition from a degree of tolerance often extended to the acceptable face of white magic, that is, charms and blessings for healing purposes, to one of stern disapproval of sorcery. There were increases in prosecutions which occurred in the periods 1610 to 1620, 1630 to 1640, and 1660 to 1670, which require explanation. Consequently, evidence from the records which sheds light on these three intervals will form the basis of the enquiry to be undertaken in the subsequent chapters.

Alan Macfarlane's *The Justice and the Mare's Ale* provides a good example of how depositions are useful in offering an unusually intimate picture of events during a particular period. Macfarlane argues: 'an extended case study provides a limited area of transparency on the otherwise opaque surface of regular, uneventful social life. Through it we are enabled to observe the crucial principles of the social structure in their operation.' A quantitative analysis of the Chester Consistory Court records provides only limited statistical information about the social and economic dimensions of female crime in early-modern northwest England. In Part Two of this thesis, however, an intensive qualitative analysis of one controversial crime, the Knutsford case, affords an exploration of female verbal crime within a social and economic context. As Macfarlane suggests, a qualitative approach to the sources will be taken in examining the evidence of the period 1660 to 1670, where a large number of cases relating to Nantwich and verbal crime emerged. The circumstances of female verbal crime in Nantwich 1660 to 1670, will, therefore, form the basis of a micro-history providing a more detailed view of the issues and will explore the 'crucial principles' that Macfarlane deems necessary to achieve a more intimate understanding of society. In this thesis, however, it will be undertaken in order to better

understand the various types of female verbal crime and how such crime made the situation of those in distress all the more urgent.

**Table 2: Distribution of Cases of Cursing in Decades from Chester Consistory Court from 1590 to 1700***

<table>
<thead>
<tr>
<th>Years in Decades</th>
<th>Number of Cases</th>
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<tbody>
<tr>
<td>1590 to 1600</td>
<td>5</td>
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<tr>
<td>1600 to 1610</td>
<td>7</td>
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<td>1680 to 1690</td>
<td>5</td>
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<tr>
<td>1690 to 1700</td>
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</table>

Examination of the documents relating to cursing from the Chester Consistory Court between 1590 to 1700 reveals a steady increase in cases of cursing. However, one peak, that of 1660 to 1670, shows an unusually high proportion of cases relating to cursing from one area, with some incidents relating to one particular series continuing to as late as 1675. Although the numbers represented here are a very small proportion of the overall total of 7,227 causes heard by the Consistory Court between the years 1541 and 1755, it must be remembered that while there were many incidents involving cursing, formal cursing charges were rare elsewhere in England during this period. Therefore, any
information at all on the subject of cursing is worthy of close attention and especially those with a long history centred in one area, since these are the kinds of sources which will be most informative.

Analysis of the Quarter Sessions depositions found that the decade of 1630 to 1640 was a particularly unstable one. During this period the records reveal that those who practised the healing arts were pursued, since their practices were perceived as 'sorcery.' Much of the business of the Consistory Court, however, related to moral crime and a large proportion of its business involved defamation causes.

In the Northwest, as with the other areas of England, women were well represented in the defamation cases. Women were involved in more than ninety percent of Consistory Court cases. One hundred percent of cursing cases were carried out by women. Just under seventy-five percent of the cases of cursing were provoked as a result of the deaths of children. Forty percent of curses invoked starvation, plague or death upon a recipient. However, since cursing was an exclusively female crime, it will be worthwhile to concentrate on these sources to examine the background of such cases to see whether there was anything different about the Northwest that might set it apart from such areas as Devon, London, Somerset and Wiltshire. The increase in numbers of cases relating to female verbal crime increased in proportion to the general rate of increase in Consistory Court business. The records from the period 1660 to 1670, however, in addition to cursing, contain more details about women's experiences, details about such matters as midwifery, childbirth, women's work, and attitudes to women, these shed light on a range of social questions relevant to women's history and the debate about the erosion of their position in society. Attitudes to women are also clearly represented in the documents and these provide some important insights into gender relationships and the association between women and the law. The evidence from these sources, therefore, will be used to provide a
portrait of the social and economic dimensions of female verbal crime and the micro-political circumstances relating to a Nantwich midwife between 1660 and 1670.

The records of the Consistory Church Court incorporate detailed data about the language and behaviour which the ruling authorities considered to be offensive. Contentious female language was associated with regions of the cultural and bodily 'low'. The societal taboos which were progressively introduced also had clear-cut associations with female sexuality. Women who disturbed the peace of the community were reprehended. The curses, charms, magic and spells which were unacceptable were perceived as word-magic and taboo. Bakhtin explains that the 'grotesque' body of the carnival and popular culture is one of ambivalence. Orifice, protuberance, apertures, the genitalia, particularly the phallus and bowels, are exaggerated. Copulation, defecation and over-indulgence are accentuated. Most important in this analysis is the continuous flow of speech. The grotesque body exists in perfect opposition to the manners and culture of polite society. The association of such imagery with the marketplace is mapped out geographically and bodily. In the early-modern Northwest, certain geographical areas were ruled 'out of bounds' to women. The alehouse was connected with the bodily 'low' and womens' speech. Gambling, cursing, scolding, witchcraft, and ill-wishing were connected with the symbolic 'low' and were deemed undesirable feminine behaviour which existed in perfect opposition to the standards imposed by 'polite' society. Between the years 1630 and 1670 popular traditional verbal rituals became associated with Catholicism and as a consequence were more rigorously controlled by Puritan Justices of the Peace.

12 For more details on the origins of 'foul language,' see Mikhail Bakhtin, Rabelais and His World, translated by Helene Iswolsky (Bloomington, 1984), and P. Stallybrass and A. White, The Politics and Poetics of Transgression (London, 1986).
13 Underdown, op. cit., p. 128. Underdown broadly argues that an increase in verbal crime was recorded in most southern counties, particularly towns which had a high economic profile with high immigration and passing tradesfolk between the years 1560 and 1640.
Cursing

Geoffrey Hughes in *Swearing: A Social History of Foul Language, Oaths and Profanity in English* explains how a curse produced a 'whole family of words in exact parallel.' Cultural verbal taboos, he argues, are greatly intensified and complicated because the language in the social setting is highly charged. He takes Malinowski's view that language is more potent in non-literate societies. He argues that 'the word has power of its own; it is a means of bringing things about' and that 'language in its primitive function is to be regarded as a mode of action rather than as a countersign of thought.' According to Hughes, the semantic history of 'curse' is unknown. He believes that its meaning in old English was 'to damn.' 'Flying', he explains, was a convention of a ritual insult which means 'to contend or strive.' He argues that 'flying' also had a verbal association which meant 'to chide, wrangle or scold.' According to Hughes, insults are 'deliberately provocative' and designed to 'egg' people into action. Of such language in the early English North, he states the following:

> Although the language is often gross, even grotesque and astonishingly scatological, there is a certain element of play. Skill in barbed insult, dexterity in the wounding phrase, is very much part of the heroic language of the North, where the complexity of word-play reaches astonishing proportions in skaldic verse, which was delivered *ex tempore*. It is the verbal equivalent of virtuoso sword-play.

In a similar vein, Hughes explains how insults in a restrained linguistic regime acted as a 'safety-valve' in society allowing for the alleviation of unresolved tensions.

\[15\] *Ibid.* p. 9,
\[20\] *Ibid.* Hughes argues the following: 'the existence of this acceptable convention of insult in such a restrained linguistic regime suggests that cursing was a species of safety-valve of the kind which has been described among the Australian Aborigines.'
This may have been true of early-modern Cheshire when the speech of popular culture underwent a transformation and new 'polite' modes of conduct and terms of reference were introduced. Explicit verbal dexterity was at odds with the restraint of the more austere etiquette of the genteel classes in Northwest England. The evidence explored below demonstrates the ways in which inhibitive restraints were imposed upon female rhetoric in order to restrict language opposed to that of polite society.

Cursing has a long history. The earliest evidence in England and Northern Europe can be traced to the Celtic period, 50 years B.C. Tablets bearing magical inscriptions have been found in several parts of the country.\textsuperscript{21} Evidence of formulaic cursing was found in Northern England inscribed upon stone tablets. A curse, discovered at Covetina's Well near Hadrian's Wall, was written on a tablet of lead. The curse invoked the wrath of the local goddess upon an unknown person.\textsuperscript{22} Whether the goddess was familiar to popular culture, or brought to Britain by German troops is not known.\textsuperscript{23} Cursing was practiced in Anglo-Saxon England. It was common throughout the Middle Ages and continued throughout the medieval period.\textsuperscript{24} Cursing was an elaborate form of ritual magic. Curses bearing magical signs were written on stones and buried. A stone found at Lincoln's Inn bore an inscription that said: 'that nothing may prosper nor go forward that Ralph Scrope taketh in hand.'\textsuperscript{25} Thomas argues that such curses were a substitute for political action, and that they took many forms. There was the curse of the beggar; the priest's curse; the curse of individuals against enclosing landlords; the widow's curse against those taking her property; and the most potent of all - the curse of the desperately impoverished. The belief that the poor possessed unparalleled maledictory prowess was strong in popular culture.

\textsuperscript{21} Thomas, \textit{op. cit.}, p. 607.
\textsuperscript{22} H. E. Davidson, \textit{The Lost Beliefs of Northern Europe} (London, 1993), p. 131.
\textsuperscript{23} \textit{Ibid.}, p. 131.
\textsuperscript{24} K. Thomas, \textit{op. cit.}, pp. 599-637. Thomas argues that the connection with cursing contributed very strongly to the reputation of an individual as a witch.
\textsuperscript{25} K. Thomas, \textit{op. cit.}, p. 607.
The main hypothesis of Thomas is that the refusal of charity to the unfortunate was followed by a much feared curse. Religious ideas provided cursing with a powerful impact and though the community felt it was wrong to pronounce a curse, they never undermined its destructive potential.

The curse was a powerful weapon. Thomas argues that 'it exploited the universally held belief in the possibility of divine vengeance upon human evil-doers and it could strike terror into the hearts of the credulous and guilty.' Thomas’s evidence from a scattered number of regions suggests an undisclosed socio-economic impetus for cursing. During the middle ages the church had the power to pronounce curses. Priests used curses to control the behaviour of parishioners. Maledictions were pronounced against robbery, violence and against those who sinned against the church. Churchwardens and constables were alerted to members of the community who would swear, bann or curse. During the visitations, church officers inquired whether any members of the community had offended. Church Wardens reported cursers, swearers, scolders and chiders and the reports they provided were the first step on the road to presentment before the church courts where offenders were excommunicated.

Because the church court had dominion over public morality it was often involved with sexual matters. Scolding, cursing, witchcraft, ill-wishing and defamation often appear associated with crimes of a sexual nature like adultery and cuckoldry. This is how the church court became known as the 'bawdy' court. It employed church wardens to guard the sexual and religious morality of the community. Whilst the church courts were usually involved with moral offences against the community, they also had control over incidents which disrupted the peace, such as verbal violence. Individuals were cited to

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27 K. Thomas, *op. cit.*, p. 608. Thomas highlights the importance of cursing to issues relating to property and ownership of land, particularly enclosures.
appear on the report of the churchwardens who kept a close eye on local affairs. They listened carefully to rumour and gossip which was circulating in the community.

In 1624 an Act of Parliament was passed which tightened the laws against swearing and cursing, making individuals more susceptible to these charges, and later a similar ordinance was issued against offenders under the Commonwealth. Nevertheless, the law was defied. Puritan ministers, aware of the power of the imprecation, cursed those who did not sit through sermons, and during the Civil War, Royalist clergy, as did the Ranters and Quakers, invoked the wrath of God upon the Anglican church.

The Church used the power of cursing to its advantage, but the efficacy of the curse was derived, not from theological sources, but from common belief. Cursing was powerful not because it had ritual connections with the church, but because people believed it could work. It was owing to such beliefs that the curser was endowed with power. A powerful weapon against adversaries, the reputation for being a successful curser, could and often did result in a formal charge of witchcraft. Unlike other forms of power, such as high-ranking social status or financial power, the power of cursing could be wielded by any member of society. According to Thomas, it was most destructive when the curse was uttered by the least successful member of the community. The impotent resorted to the power of the imagination because it was as 'effective a means of destruction as it was of healing.' It is clear from the records that the reputation for successful cursing could easily lead to a formal charge of witchcraft. As Thomas explains, people in the early-modern period perceived the link clearly: 'Cursers are murderers, for if it please God to suffer their curse to take effect, the party cursed is murdered by the Devil.'

29 Ibid.
30 Ibid.
31 Ibid.
32 Ibid., p. 609.
33 Ibid., p. 610.
Religion and the Decline of Magic confirms that cursing cases were sparse and unconnected to any particular region, although the evidence also suggests cursing was more common in the North than in the South of the British Isles. The evidence from the Northwest suggests that cursing and witchcraft had a clearly defined social and economic function. Witchcraft, cursing, and scolding in early-modern Cheshire and Lancashire concealed uncertainty and anxiety. In addition, the female influence in areas of verbal crime is obvious. Investigation of the records reveals the methods by which women dominated the 'symbolic' domain of cursing, swearing and scolding, and records reveal also their close involvement with herbal medicine. Furthermore, the documents from the same region prove how women committed the kinds of crimes that were usually associated with men. Spoken affronts, sexual slander and defamation, were the most common criminal charges levelled against females. In the Northwest, the social background of women involved in verbal crimes of cursing, scolding, chiding and witchcraft remains unexplained.

Cursing was regarded by contemporaries as a blameworthy practice. It was a means favoured by the powerless to procure some power over the powerful. As a system of revenge, it was often considered to have worked efficiently. It achieved better results when cursed persons were racked with guilt or anxiety, or when the recipient of a curse believed themselves to have offended against the well-defined laws of morality.

According to Martin Ingram, 'barratry' is the male equivalent of scolding, but mysteriously, there are no records in the Northwest that might connect scolding with a male offender. Neither are there any which describe 'barratry.' The records of the Oxfordshire

archives, which yielded a number of scolding cases, are also silent in this respect. Some sources demonstrate the punishment of the spouse, lover, or partner-in-crime of those women who commit verbally related crimes. Men who associated with women accused of verbal crime or drunkenness, prostitution and physical violence were also subjected to regulation, but in no record is there any reference to implicate males as the chief perpetrators of verbal crime.

The cucking stool was used for the punishment of verbal violence. It was usually applied to punish scolds. Martin Ingram suggests that this kind of punishment occurred infrequently, but this view is not borne out by the evidence from Lancashire and Cheshire. The cucking stool was used regularly to punish verbal crime in the Northwest from 1542 and according to local folklorists and antiquarians, it was a common instrument of punishment in Lancashire. James Hall found that the same was true of Cheshire. Martin Ingram also contends that associated crimes of chiding, brawling and verbal abuse were ascribed aspects of female behaviour, yet he denies that scolding was an exclusively female crime. He argues that women were verbally aggressive because they did not have access to litigation. This is not the case with the Chester Consistory Court where women frequently resorted to legal action. They were well aware of the legal system and of its manipulation. As this thesis will demonstrate in subsequent chapters, women regularly fought, and won, legal cases in church courts and initiated the presentation of petitions to Justices of Quarter Sessions. What is more, the records leave little doubt that in this region, scolding, like cursing, was an exclusively female crime.

36 Analysis of the Oxfordshire Church Court Depositions from 1542 to 1660 revealed no cases of cursing. There were no incidents of 'barratry,' although scolding, which involved women, was frequently punished.
37 Evidence from the Liverpool Town Books, reveals that Tugar Bolde of Liverpool, in 1597 was fined six shillings and eight pence for his association with a scold, p. 660, f224r.
38 J. Harland and T. Wilkinson, Customs, Lancashire Legends, Traditions (1883).
39 See J. Hall, A History of the Town and Parish of Nantwich (Manchester, 1883).
40 Ingram, op. cit., p. 51. 'Women tended to eschew physical violence and did not ordinarily have access to effective substitutes such as manipulation of the legal system; and such verbal aggression, when perpetrated by women, had come to be labelled as a specific category of female offence.'
The presence of women in figurative crime is well documented. Although Ingram suggests women were 'predisposed' to verbal crime he does not explain how, or why it came about that women 'came to be labelled' as scolds. Secondly, but more importantly, Ingram's argument that women tended to avoid physical violence is not borne out by evidence from the Northwest. Manuscript evidence from this region suggests that female participation in this area of crime was high. Women frequently violated the law and were involved in crimes like stealing and receiving stolen goods. What is more, there is evidence to suggest that they were frequently involved in violent crimes such as assault. The evidence on this issue can be swiftly summarised. Firstly, evidence from Susan Amussen's *Punishment, Discipline and Power: The Social Meanings of Violence in Early Modern England* indicates that violence within the household was a regular event in early-modern England.41 Secondly, as the studies of Thompson, Gowing and Erickson have indicated, it is inaccurate to suggest that women did not have access to legal channels. Studies show that litigation taken against women, by women, was commonplace.42 As this thesis will demonstrate, suit and counter-suit were executed regularly in the Chester Consistory Court. Women were unquestionably aware of the procedures of the legal system in the church and secular courts. The evidence below illustrates that women took lawsuits out against each other, against relatives, neighbours and, in some instances, against husbands. Women of high and low standing in the community were tested in legal battles which in some cases went on for three years, sometimes longer, in a maze of suit and counter-suit. Some women took successful legal action against their husbands for violent affray. In the Northwest it was not remarkable for a woman to bring a husband to court for domestic violence. Some women fought, and won, legal battles against their

42 See J. A. Thompson's analysis of defamation in Devon, from the records of the Diocese of Exeter in her PhD thesis entitled 'Her Good Name and Credit: The Reputation of Women in Seventeenth-Century Devon (University of Cincinnati, 1984), p. 124. Her analysis shows that between the years 1634-1688 the lowest percentage of cases in which both plaintiff and defendant were female was 13%, and this was during the year 1675-76. The highest percentage occurred during the years 1661-63, and this was 57%. See also L. Gowing, *Domestic Dangers: Women, Words and Sex in Early Modern England* (Oxford, 1996).
husbands for rape. It was not considered to be outlandish for women to fight. In some cases men terrorised the women they were married to, but as the evidence below will demonstrate, women in turn sometimes resorted to physical violence to resolve issues.\textsuperscript{43} Similarly, some women resorted to the court for legal redress and cases such as these which occurred in the Northwest are explored below.

**Violence and Women in the Northwest**

That women in Cheshire and Lancashire initiated legal actions against others is certain. Women often retaliated by taking legal action, bringing violent behaviour to the attention of the court. There is evidence that neighbours were outraged by violent actions against women. Some women were offered support by neighbours who, in some cases, appeared as witnesses. Some actions involved physical violence. Two lawsuits in particular illustrate very clearly that not all women were passive victims of domestic brutality. In one incident, in Cheshire in 1630, the injured wife won her case and received financial compensation from her husband for her injuries.\textsuperscript{44} In another, in the same year, a wife took her husband to court for attempted murder and rape. Her case records how she was dealt with sympathetically by the court.\textsuperscript{45}

Another such case was that of Anne Houghe of Runcorn, who gave evidence against her husband, Thomas Houghe, in a case heard by Thomas Stafford in 1630, concerning numerous and persistent acts of physical abuse. Thomas Houghe of Runcorn was quite well off, owning 'copyhold' land and earning twenty shillings a year from

\textsuperscript{43} See, for example, C.R.O. DDX96/5, 'The misdemeanours of Elizabeth Brynne of Tarvin.'
\textsuperscript{44} C.R.O. EDCS/1630/45.
\textsuperscript{45} C.R.O. EDCS/1630/45, EDCS/73/1638.
running a ferry boat.\textsuperscript{46} The court found Houghe, a renowned drinker, guilty of inhumane
behaviour. A charge against him was recorded as follows:

Thomas Houghe hath given himselfe to immoderate and excessive drinkinge
and hath bine often distempered with drinke and then as well in his
drunkenness or att other times hath often inhumanely beaten Anne his
wifie.\textsuperscript{47}

In December 1630, afraid of being killed, Anne Houghe escaped Houghe's violence and
was assisted by neighbours who took her into their home and concealed her:

by reason of his crueltie Thomas Houghe hath forced her at nighte to rune
naked and without clothes forth of her bed and to shelter and hide her selfe
from him in a neighbours house.\textsuperscript{48}

The neighbours contended that Houghe followed her, forcing his way into their home
where he searched for her armed with a weapon. They were convinced that if he had
cought up with her he would have killed her.\textsuperscript{49} Also in December 1630, the court took a
dim view of Houghe's assaults upon Ann Houghe with a pair of fire tongs especially as he
also put their young child in danger:

Thomas Houghe did strike and beate the said Anne his wifie with a paire of
Iron fire tongues in such fierce cruel and inhumane manner that by reason of
his force and longe continued beatinge up, the most pte of her armes, sides,
backe, thighs and legges were and are bruised and made blacke and blewe,
and her childe then being in her arme she could not save herselfe but rather
submitted herselfe to his violence than to endanger the liefe of her childe.\textsuperscript{50}

The court had detailed knowledge of Houghe's income. It is not clear from the manuscript
whether they separated or not. What is clear is that Thomas Houghe was forced to pay

\textsuperscript{46} It is possible that Houghe's belongings were confiscated.
\textsuperscript{47} C.R.O. EDC5/1630/45.
\textsuperscript{48} C.R.O. EDC5/1630/45.
\textsuperscript{49} C.R.O. EDC5/1630/45.
\textsuperscript{50} C.R.O. EDC5/1630/45.
compensation to his wife for her injuries, though exactly how much is not clear from the manuscript.

The Consistory Court also exercised authority over those who committed adultery. Some historians claim that only women could be accused of adultery. However, Chester church court records demonstrate that in 1638, when Mary Bennett was assaulted by her husband, she not only gave evidence against him, but found the authorities to be sympathetic. The church issued a citation to force John Bennett of Willaston, parish of Neston to appear. Subsequently the church court found him guilty of adultery. Sir Edmund Mainwaringe at Chester Consistory Court read out the charges against Bennett who had a history of cruelty. Bennett had threatened and beaten Mary between 1634 to 1637 on occasions which the court declared were too numerable to count. He had also threatened to kill her. In March and April of 1638, he also committed adultery. The occasion which proved almost fatal was when he had threatened to kill her. After almost drowning her, he raped her. The Items read out against him included the following offences:

John Bennett within the tyme mentioned in the first article before going, hath diverse and sundry tymes threatened to kill and drown Mary Bennett and hath forced and compelled her within the tyme aforesaid to goe with him to the sea-side or some other water side, and there hath vowed and sworne many bloody and executible oaths, that he would drown the said Mary Bennett, if she would not condescend to the said John Bennetts unreasonable and wicked demands and requests. And the said John Bennett hath likewise previously beaten, stricken and wounded the said Mary Bennett within the tyme aforesaid.\(^{51}\)

There is no evidence to suggest what Bennett's punishment was. He was, however, found guilty.

\(^{51}\) C.R.O. EDC5/73/1638.
It was not solely men who were violent. The church court records contain evidence which implicates women in extremely violent behaviour. For example, in November 1616 thirty-one year old Elizabeth Corkerton of Wyburnburie was accused of murdering Bridget Wood of Winwick by supernatural means.\(^{52}\) The records, however, make no explicit reference to Corkerton’s fate.

A more closely documented sequence of violent events involving a female offender, though, transpired in Tarvin, near Chester in 1607, when Elizabeth Brynne terrorised the local community in words and in action. She was accused of soliciting, of prostitution, of behaving in a drunk and disorderly way, of immoral behaviour and attempted murder. Often at odds with other inhabitants, she was reputed to have ‘carried a knyffe under her apparel.’\(^{53}\) The most serious charge against her was attempted murder. An unlucky individual entered into a heated exchange of words with her. He gave evidence to the court as follows:

She [Brynne] was buying a mantle in Margery Massies entrye and because he gave her some crosse wordes she wente home and fetched a knyffe under her apparell and would have stabbed him.\(^{54}\)

Brynne was also the proprietor of an alehouse. The records show that she was both a prostitute and a customer of gigolos. Amongst other violations she was accused of harlotry, pimping and of exhorting women to prostitution. A deponent claimed as much in the following statement:

Anne Horkenhull (being then her house mayde) was to occupy a man and she shulde give her 20 shillings ...and she would have the other....also she keepeth herself to her house a younger man with money...\(^{55}\)

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\(^{52}\) C.R.O. EDCS/1616/30 Winwick.
\(^{53}\) C.R.O. DDX/96/5/1610 List of Misdemeanours of Elizabeth Bruyne (sic) of Tarvin.
\(^{54}\) Ibid.
\(^{55}\) Ibid.
Brynne was not averse to ale and was often discovered in the alehouse drunk. Previously she had been bound over to keep the peace for drunkenness when she approached the husband of Elizabeth Browne making indecent suggestions. As deponent, Elizabeth Brown, claimed:

She had been bounde for drinking and was drunke when she went to Ralph Browne and would have been nought with him. Elizabeth Browne wyeff of Ralph Brown did affirm this the last day of August 1607.\textsuperscript{56}

Elizabeth Brynne threatened several individuals in Tarvin. According to the records she obtained a great deal of satisfaction from doing so. It was claimed by one deponent that she 'fought with John Tibson and broke his heade and was merrie for the sinne.' In a petition brought by the community, fourteen distinct charges were made against her. Whilst wielding a knife, she fought with a neighbour, John Woodwarde, and was almost successful in achieving his decapitation, as the following deponent states: 'she fought with John Woodwarde and would have had his head.'\textsuperscript{57} She also had no qualms about attacking and stealing at knife-point. The same deponent also claimed she was a thief:

In the falling out with John Tibson she carried a knyffe under her apparel and meetinge him at the Crosse in Tarvinne would have robbed him.\textsuperscript{58}

Those who drank in Brynne's alehouse did so at their own risk. According to the Quarter Sessions records she almost killed a customer. One deponent testified that: 'she would have killed James Hignette in her owne house.'\textsuperscript{59} Brynne jealously guarded her property, goods and livestock. According to reports she did not hesitate to defend them by violent means: 'Hynrie Sympson chaced her swyne out of the church yarde, she sayde if she had him out of the town she would kill him.' According to the reports above, it was

\textsuperscript{56} Ibid.
\textsuperscript{57} Ibid.
\textsuperscript{58} Ibid.
\textsuperscript{59} Ibid.
commonplace for her to carry arms, but the accounts about her behaviour with offensive
weapons do not correspond. Some said she actually bore weapons for assault, for
example: 'she carried a dagger or longe knyffe to have stopped Thomas Sympson'. Some
said, however, she threatened to use weapons with force, as follows: 'seeinge Simpson
come into the towne said that if she had a knyffe she would thrust it into his guttes.'

Whilst the Chester Consistory Court recorded in detail the misdemeanours of
Elizabeth Brynne, it did not establish how she responded to the charges, or what her
punishment was. She may have received a fine, or a public whipping, or incarceration.

The Chester Consistory Court provided recourse for females who were themselves
threatened, beaten or suffered other physical abuse. Though women were sometimes the
victims of domestic violence and assault in marriage, the community and church court
recognised these actions as wrongful, and ruled against the offenders. Legal action against
domestic violence and rape within marriage is perceived as a recent occurrence. The
evidence of this study casts new light upon the subject of violence in marriage, raising new
questions about the distribution of community power. It questions whether pre-industrial
women had more legal power to prosecute physical crime against them than historians have
acknowledged. The above evidence demonstrates that women were aware of the legal
system. Some were the victims of violent women attempting to protect themselves. Some
women sought protection from the court from violent husbands. In some instances,
women brought lawsuits against other women. One thing is clear, however, and that is that
in legal matters, women had a high profile. In suit and counter-suit, some women were
successful in their attempts to seek justice.

Scolding was prevalent according to the records of the Chester Consistory Court, in
the Manorial Court records of Cheshire and in the Liverpool Town Book. The evidence
from these sources will be explored in the following chapter. Cursing, however, was a

60 Ibid.
completely different matter. It had a particularly high profile in the church court at Chester and it was reported with greater frequency than it was in other parts of the country. Indeed, as noted above, Keith Thomas has correctly suggested that cursing, unlike scolding, may have been a phenomenon that was especially common in the Northwest regions of England.

The numbers of people involved in any single incident of verbal crime in the Northwest varied from a handful to as many as 100 people.\textsuperscript{61} Whilst this thesis is based on an analysis of all reported cases of cursing, in the Northwest, between 1590 and 1670, it will concentrate more precisely on those which involved large numbers of people. Large scale occurrences such as those to be found in the records of the Chester Consistory Court also provide a window onto aspects of popular consciousness. Because verbal crime largely involved women, the evidence will also reflect upon the female sphere and the society in which verbal crime emerged. Whether women were scolding, chiding, casting spells, or cursing, it is clear from the evidence that women were prominent in this sphere. Thus, the extent of female verbal crime in northwest England, and the material context of these crimes, will be explored in the following pages in greater detail.

\textsuperscript{61} The case of Anne Knutsford, midwife of Nantwich in 1663, analysed in chapters seven and eight, involved 10 separate litigations. One incident involved 100 people.
Chapter Four

'Desperate Voices'

The Material Context of Cursing and Scolding

What thou forsworne man, thou villain, I hope to see hellish
divelles to steale awaie thy soule when thou art deade. May god
looke upon Robert Jure and poore his plague upon him for he hath
molestede me and troubled me this manie yeares.¹

Women were the mass media of the seventeenth century. They were the 'mouths' of
community affairs. Their conversation was closely monitored by Church Wardens, the
whistle-blowers on gossip, and the 'ears' of the community ruling body, which was the
church court. This was the route that rumour followed before it eventually came to the
attention of the church court functionaries. It is not surprising to find that Church Wardens
were unpopular community figures who were frequently cursed by the women they
reported.² The approach to women's speech was an ambivalent one. On the one hand, it
might be regarded as mere tittle-tattle, whilst on the other, beyond certain bounds, it was
rigorously censured.³

Verbal crime was constantly reported to the local authorities. According to York
Consistory Court records, it increased four times in the seventeenth century.⁴ In
Lancashire and Cheshire it doubled.⁵ David Underdown has argued that the rise in

¹ C.R.O. EDC5/1616/12, Chester, Holy Trinity, Cursing.
² See, for example, Thomas, op. cit., p. 600. Joanna Westhide of Herefordshire, in 1617 cursed the
churchwarden John Smith 'in words he could not understand.'
³ F. G. Bailey, Gifts and Poison: The Politics of Reputation (Oxford, 1971). This study examines the
function of gossip in communities. See also A. Clark, 'Whores and Gossips: Sexual Reputation in
London 1770-1825', in A. Angerman, G. Binnema, A. Keunan, V. Poels and J. Zirkzee (Eds.), Current
⁵ See Table 1.
litigation was a sign of the failure of the mechanisms of informal social control. This chapter, in three sections, examines female verbal crime to find out more about the social context of this dramatic increase and to investigate if Underdown's thesis applies to the Northwest. The first section examines some early evidence of female verbal crime from its prosecution by secular and ecclesiastical ruling bodies, the Chester Consistory Court Papers and Lancashire and Cheshire Quarter Sessions, highlighting the social and economic circumstances underlying the curse. The second part analyses more closely the broad range of issues involved in female verbal crime during what was a peak decade in Consistory Court business between 1630 and 1640, whilst the final section analyses the third rise in court business between 1660 and 1670.

Abundant evidence of the regulation of female verbal crime appears in the documents of ruling bodies in the Northwest. Regulatory measures were frequently imposed on women's speech. Cursing, scolding, and witchcraft were repeatedly connected with terms such as 'whore.' According to the records of the Chester Consistory Court, drinking, gambling, fornication and adultery became less well tolerated in the early seventeenth century. The regulation of female language between 1610 and 1670 was also accompanied by restrictions upon the social space of women. This ensured that not only the female professional areas were progressively prohibited to women, but also particular social territories, such as the alehouse and places of gambling.

The criminalisation of aspects of female speech was progressive. The records show a consistent pattern of prosecution in the sixteenth century, which increased suddenly at specific times during the seventeenth century. Harsh punitive measures were imposed on

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7. In the same period, in Devon, numbers of female ale-house keepers decreased. There was also an increase in defamation cases involving sexual slander of women. See J. A. Thompson, "'Her Good Name and Credit': The Reputation of Women in Seventeenth-Century Devon" (University of Cincinnati, 1984), p. 103.
women who were at odds with others in the neighbourhood. Prosecutions increased against females who expressed their opinions too vehemently, and they were charged with disrupting the peace. Their behaviour was resolved to be unsociable and contrary to Christian charity.

**Punishments**

The legal infrastructure had existed since the thirteenth century to deal with such social problems. The functions of the court and the 'complexities of applying the law in specific situations' are well known. Assize courts and Quarter Sessions gave the names of those accused, occupation, residence, the names of the people involved and some details of the punishment they received. Residents of the Northwest who were disturbed by 'troublesome' females resorted to the consistory court.

In sixteenth century northwest England, members of the community were sometimes reported to Manorial courts or Portmoot courts. In Cheshire, verbal crime was reported to, and controlled by, the Baronial and Manorial courts. Other ruling bodies such as the Court Leets and Baron, the Manor Court Rolls of Audley Fee, in Nantwich, and the Countess of Warwick Fee, in Nantwich, also contain details of verbal crime. In Lancashire, the regulation of female verbal crime was recorded in Prescot Court Leet and the Liverpool Town Books. In general, regulatory procedures were frequent against females at odds with

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8 C. R. Chapman, *Ecclesiastical Courts: Their Officials and Their Records* (Dursley, 1992), p. 17. Chapman argues that 'From at least the mid-twelfth century the ecclesiastical courts in England and Wales operated at four levels in increasing seniority from archdeaconal, diocesan and provincial to papal, presided over originally by an archdeacon, bishop, archbishop and the Pope.'

the status quo. This continued throughout the seventeenth century. Punishments varied according to the institution which dealt with the crime. Women were fined, imprisoned, whipped, or banished from the town. Offenders were subjected to shaming rituals. In Cheshire, for example they were 'proclaimed' at the cross.\(^{10}\) The cuckingstool was used to punish scolds in Lancashire and Cheshire. Where cursing involved death, a women could be hanged.\(^{11}\)

Cheshire scolds were punished by use of the 'thewe' or 'cuckingstooole'. The 'cuckingstooole' was an instrument of punishment which subjected the scold to great public humiliation. It was erected close to the most public arena in the vicinity, and the locals jeered and heaped humiliation on the offender. On occasion, some vehement individual might be tempted to throw rotten vegetables or rubbish, from the local cesspit, at the unfortunate victim. The Court Rolls of Nantwich, in 1590 record the erection of one such 'cuckingstooole' in 'cartlake' in High Town near the site of the old market:

we present yt we want a cuckingstooole and we request yt Sir Hugh Cholmely, a cuckingstooole to be made and erected and a fine new cage were both made and set up at the proper costs of Sir Hugh Chormley.\(^{12}\)

Soon after, Elizabeth Crew, Anne Kyneston, and Margery Beel were reported: 'for Comon Scoulds very turbulent scoulding people to the great disturbance of their neighbours'.\(^{13}\) There was no record of a fine for this incident, but in 1632, when Ellen Walley and Margaret Stockton of Cholmston were presented for 'skowlds', each was fined two shillings and threepence 'a pce'.\(^{14}\)

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\(^{10}\) The Consistory Court papers record numerous cases where offenders were punished in this way.

\(^{11}\) For further information about the legal proceedings regarding the execution of women accused of cursing children, see Chester City Records Office, Town Hall, Chester, Extracts of Fines (QSPF) Rolls of Offences, Gaol and House of Corrections, (QAG) 1575, and see also J. P. Earwaker, The History of the Church and Parish of St. Mary on the Hill, Chester (London, 1898), p. 28.

\(^{12}\) See, for example, J. Hall, Nantwich (1899), p. 72.

\(^{13}\) Ibid.

\(^{14}\) See, for example the Countess of Warwick Fee, Nantwich 23 October, 1632, in D4059/30 James Hall's notebook, Cheshire Record Office. Hall wrote: 'they were not put on the ducking-stool.' He claim that there is no proof such an instrument of punishment for this liberty existed, but also notes that there was in Nantwich.
Verbal Crime in the Manorial Court, Portmoot, and Liverpool Town Book

Prescot Court Leet reveals the fact that verbal violence was regularly punished in this area. For example, John Eccleston and thirteen gentlemen jurors on 9 June 1531 issued an 'Amercement' against Jane Smith, a local wise-woman who was accused of incantation and sorcery. They asserted that she transgressed 'good faith' but it is not clear whose good faith she offended, nor who she charmed. What is certain is that she was a wise-woman: 'Jane Smeth, for delyng with charms and sorcores contrary to gud ffaith, and callis her a wise womon.'¹⁵ She received a fine, but there is no record of the amount.

The equipment used for the punishment of scolds was kept in good repair in Lancashire. The 'cuckingstoole' was the most common instrument of punishment for scolds. This device was used specifically for the regulation of scolds and the cost of its maintenance was borne by the members of the community.¹⁶ Edward, Earl of Derby, Deputy Steward of Prescot court on 9 June 1542, ordered Prescot townsfolk to pay for such a cuckingstool. Shaming instruments such as 'stocks' were also manufactured in readiness for 'midsomer'.

The Liverpool Town Book similarly records how the local assembly of the common councils of the town of Liverpool in 1578 on October 30, the day before All Hallows Eve, arranged for a cuckingstool to be made and paid for by a levy imposed upon the locals.¹⁷ The instrument was in need of repair, but whether this was owing to over or under-use is not clear. Perhaps William More and the other elected officers of the assembly were

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¹⁵ F. A. Bailey, (Ed.), Prescot Quarter Sessions Records, 1447-1600. The Record Society of Lancashire and Cheshire, Volume 89 (1937), pp. 80-81. An 'amercement' was the term used to describe a judgement.
¹⁶ Ibid., pp. 96-97. A note read: 'a payne of xxs. upon the inhabitants of Prescot for makinge of a cuclestool before Michelmas next to be levied from the goods of the tenants.'
¹⁷ All Hallows eve was a significant date in witchcraft folklore.
expecting brisk business, because they issued an order to have the instrument fixed: 'Wee ffynde yt necessarie that the cuckingstoole shal be repaired.'

Prescot Court Leet also delivered a similar form of punishment for the crime and this court too kept its instrument in good repair.

Scolds were generally widows. In Liverpool, in 1589, for example, three women, two of them widows, Mrs Lathom and Mrs Harrington, were fined 12d each. 'The late relite of Thomas Lathom, the wife of Edward Glover and the late relite of James Harrington, are comon brawlers and scoulds, and hurtfull to theire neighbours.' Also presented was Mrs Wilson, for scolding and chiding: 'Alice, the wyef of Edward Wilson, Slater, for a comon chider.'

The documents clearly demonstrate that not only were women censured for this type of verbal violence, but so too were those with whom they associated. For example, John Corbett on 15 November, 1593, was fined eight pence for: 'lodging in his house light and unchaste women and other evill disposed persons.' An alehouse keeper, on October 25th, 1591, was also fined twelve pence for the same crime. The charge read: 'we find fynable Roger Smyth for retaling ale and for kepyng a woman of evil conversation in his house, twelve pence.'

Liverpool Town Books also record that, on October 23rd 1592, a woman was fined six pence for providing accommodation for a woman accused of a verbal crime: 'Anne Monely [is] fineable for harbouring and succouring one Mary Sakey in her house being a woman of evil convercacion.' Similarly, Tugar Bolde, of Liverpool, in

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18 J. A. Twemlow, (Ed.), Liverpool Town Books, Proceedings of Assemblies, Common Councils, Portmoot Courts, 1550-1862, Volume II, 1571-1603 (Liverpool, 1935), pp. 308 and p. 423. 'Also we fynede that the lord shuld make a payre of stocks, and a kucose.'
21 Ibid., p. 600.
22 Ibid.
23 Ibid., p. 635.
24 Ibid., p. 635.
1597 was fined six shillings and eight pence for his encounter with a scold. The charge against him was: 'for keeping a woman of evill conversacion in his house.'

By the late sixteenth century, verbal violence was beginning to cause more concern to the court. The Mayor advised the Liverpool Assemblies to put an end to the increasing problem of verbal violence. In 1597 they agreed upon stern measures for the punishment of the crime:

Concerninge scolders and chiders to the nusance of theire neighbours, yt is ordered and agreed as above, that all suche as shall from henceforth be founde offenders in that behalfe shalbe punished as ensueth, viz. everie offender aforesaid, duelie approved and founde by sufficiene testimonie of witnes, shall either paye the somme of tenne shillings in money, or else to have and suffer inprisonment by the space of tenne dayes withoute baile or mainprice, at the descreacion of the maier of this towne for the tyme beinge or his deputie. And that there shall not be anie wyne, beare, ale, or other kinde of drincke brought or conveyed to anie such prisoner or prisoners during the tyme of their imprisonment, excepte onelie their due and ordinarie meales, which shalbe sufficient for their ordinarie diett, and not otherwise, upon suche penalties as therefore shall be imposed and assessed by mayster maier or his deputie upon the bringers and senders thereof, and this order to have continuance from henceforth.

The above evidence illustrates that the legal machinery of a number of governing authorities was in place to systematically punish verbal violence throughout the sixteenth century. A number of authorities penalised women whose language or behaviour was at odds with others in the community. The evidence above demonstrates that there was a consistent regulation of female language from an early period of time.

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25 Ibid., p. 740.
26 Ibid., pp. 530-531.
Cursing and the Female Sphere

In contrast to the consistent, even rhythm of prosecutions against women for scolding, cursing and witchcraft demonstrated above, the numbers of accusations dealt with at the Chester Consistory Court rose sharply during 1630-40, which is a significant period because it is also the period of the build-up to the Civil War. The evidence demonstrates that accusations rose because of discontent in the community. The agitation which led to the Civil War also found expression through the court and provoked much litigation. The records contain information to show that arguments over land and property were the main areas of contention, and that female verbal crime was very often connected with concerns about socio-economic issues.

Curses were designed to wreak destruction. In most cases they related to controversy about belongings, goods and livestock. In some lawsuits, women who were accused of verbal violence had been abandoned by spouse and family. For example, a libel case in 1633 lays open a connection between a very material grievance and a woman who was slandered as a 'whore' and 'witch' and was alleged to have been 'cursed.' In this case, in place of the predictable supernatural issues, such issues as violence, threats, extortion and thieving surfaced. The case was heard by Edmund Mainwaring of the Chester Consistory Court in 1633.\(^{27}\) It concerned Ellen Pemberton who was brought before the court for cursing. The accusations levelled against her, however, were a thin disguise for issues of socio-economic concern. Arguments about money, property and goods were at the heart of the affair, and, over these concerns, the depositions of the defendant and plaintiff conflicted considerably. Richard Bradley swore that he acted on behalf of his betrothed, Ellen Pemberton, when he attempted to extract money from debtors. When his attempts failed to reclaim Pemberton's money, he reneged upon his

\(^{27}\) C.R.O. EDC5/1633/60.
contractual obligation to marry. Ellen Pemberton was abandoned for a woman called Margaret Leigh, with whom Bradley had been involved in a previous relationship. Margaret Leigh became Mrs Bradley shortly before the case was heard. Richard Bradley argued that Ellen Pemberton was cursed and gave this as the reason for concluding his relationship with her. Pemberton, supported by her friend Janet Rothwell, argued that she was contracted in marriage to Richard Bradley but was then forsaken by him in preference for Margaret Bradley. Margaret Bradley accused Ellen Pemberton and Janet Rothwell of attempting to kill her with a knife. Pemberton's ill-spoken words, which were greatly feared, were recorded as follows:

Richard Bradley is a whoremaster and a foresworne raskall, Margaret Bradley is a whore and Richard Barnsoms whore, and should be banned, and said Ellen Pemberton and Jane Rothwell or both or one of them would kyll her with a knife.28

Much of what was said at the hearing related to a contractual agreement between Bradley and Pemberton to marry. The charge of 'whore' forced the Bradleys into taking the matter to the church court but it appears from the substance of the case that Ellen Pemberton was not to blame. What emerged from this cause is an issue of bigamy. According to the court, technically, Richard Bradley was contractually bound to Ellen Pemberton. Abraham Partington and his family witnessed the 'marriage' between Ellen Pemberton and Richard Bradley, and Janet Rothwell swore that she was present at the ceremony. It emerged that the cursing allegation was in fact an excuse to get rid of Ellen Pemberton. The situation was clarified when the court heard about Richard Bradley's attempts to extort money from individuals who owed money to Ellen Pemberton. He terrified her debtors, and threatened to have them thrown into prison if they did not repay to him the money they owed her. Ellen Pemberton, apparently unaware of this, permitted her creditors to repay their debts in their own time. The evidence heard made the Bradleys more culpable than Ellen

28 Ibid.
Pemberton. It was Richard Bradley, who, although 'defamed', was clearly guilty of bigamy, extortion and attempted murder. The court, however, did not record his sentence.

The events considered below take into account both the circumstances of cursing, and the characteristics of those women, such as Ellen Pemberton above, who were typically vulnerable to charges of cursing. In all circumstances they were presented to court having first been suspected by locals of cursing a family which had encountered bad luck. It followed that when a woman was suspected of cursing, when she had a history of cursing, or indeed had an association with one accused of cursing, she would inevitably find herself charged with cursing at some stage. When an incident reached the harsh Puritan Justices of the Quarter Sessions, a woman was in danger of her life. Often, soon after indictment on suspicion of cursing, a woman would then be presented for witchcraft. It is at this point that cursing 'shades' into witchcraft. A large proportion of the cases of cursing examined in this thesis corresponds with Keith Thomas' interpretation of witchcraft as a 'redress for adversity'.29 The evidence from the Northwest shows an obvious connection between cursing and scolding and socio-economic deprivation. Such crimes were not restricted to the poor starving old lady living on the margins who cursed the very rich. Cursing charges were indeed directed at the wealthy. They were, however, more often aimed at the middling sort, and in some situations were directed by the desperate poor at the marginally better off poor. Most of the evidence from the Chester Consistory Court supports the view that cursing was directed more often at the middling sort. Most clear, however, is the evidence that demonstrates that crimes of cursing and witchcraft in northwest England belonged as much to the material world as they did to the symbolic world.

Failure to conform to the requirements of the religious authorities was, in some instances, found to be a contributing factor behind a charge of cursing. Some courts accused a defendant's husband of being an accomplice. But even in situations where men

were involved, it was always women who were charged with cursing because it was believed that the words uttered in anger or desperation by women were their most potent weapon in bringing down supernatural judgement upon society.

Some manuscripts, such as those relating to the following incident, provide only the barest details of a charge of cursing. Depositions often record merely the names of those involved, information about was charged, and why they were charged, the details of the curse, and the name of the official who presided over the case. Despite the brevity of the information, what was recorded in the following case from 1594, however, reveals the importance of gossip amongst the townsfolk. Richard Masterton, in his deposition, told the court that gossip was responsible for drawing attention to him and his wife, for 'there was much talke' he said. When, in 1594, Anne Masterton issued a curse, with the words 'a plague of god light upon you', at an unnamed victim in the town, such utterings were sufficient to land Ann Masterton and her husband before David Yale of the Chester Consistory Court. The outcome of each of the cases was not recorded on the document.

Similarly, in 1588, Katherine Lawton was accused of a serious charge of cursing. It was said that her words had the power to bring about the death of gentleman, Richard Massey. The evidence illustrates that she was exceptionally vulnerable to the charge because she had not been to church to receive holy communion. The case arose from a bitter personal disagreement between Lawton and Massey. The court eventually blamed his death upon her cursing, although there was little evidence to support this view. Richard Massey's friends, described as 'two men of credit', were sent to reconcile the disagreement, but to no avail. Robert Lawton, Katherine's husband, was charged with having not prevented Richard Massey's death. He was found guilty merely by association; his crime was in allowing the curse to continue. Considered to possess

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31 C.R.O. EDC5/1588/2.
32 Ibid.
especially potent verbal power, Katherine's curse invoked Massey's speedy death without
the aid of religious comfort:

Katherine Lawton, contrary to gods commandement, and contrary to Christian
charity, as thy most wicked and malicious minde, and diabolicall stomache,
hast sundry and many tymes in most detestable and execurable manner
cursed the foresaide Richard Massy gent. wishing a suddayne death and
shameful end to fall upon him and that god so only do wronge upon him and
quitte him.\textsuperscript{33}

Some cursings were delivered out of sheer desperation. One such occasion
transpired in Manchester, in April 1601, when Margaret Cheetham made paternity
allegations against Ellis Prestwyche who had previously reported her for cursing him.
After the death of her husband, John Cheetham, she gave birth to a son. She named the
child Samuel Cheetham in spite of uncertainty about his parentage. Margaret told the
court that Ellis Prestwyche's recent 'good fortune' was brought about by magic.
Prestwyche claimed she cursed him with the words below:

\begin{quote}
thou Ellis Prestwyche, art a foresworne man, and thou hast foresworn thyself
for two years and thou hast given thy soul to faireies, and thou hast gotten thy
goodes with it and the fairies have brought thee thy goodes.\textsuperscript{34}
\end{quote}

For speaking these words Margaret was charged with witchcraft. Her curse was in fact a
disguised attack upon Ellis Prestwych who \textit{she} claimed was the father of her child.
Margaret claimed that Ellis Prestwyche was 'forsworn' and 'bewitched' and had made a
deal with the fairies. Her words were tinged with bitter irony and resentment. She not
only cursed him, but scornfully suggested that Ellis strike up a Faustian exchange with the
fairies, using their child as a commodity:

\begin{quote}
beckoning or pointing towards Samuel Cheetham sonne of John Cheetham's
deceased, being yours, is thy sone, take him awaie for you shalt have him, for
\end{quote}

\textsuperscript{33} Ibid.
\textsuperscript{34} C.R.O. EDC5/1601/7 Parish of Manchester, diocese of Chester. Margaret Cheetham, Ellis
Prestwyche.
he is thyne, ... meaninge that the said Ellis Prestwyche was father of the said Samuel Cheetham...these words were spoken in the parish of Manchester.\footnote{Ibid.}

Margaret Cheetham’s evidence confirms that the cause had little to do with witchcraft, but was rather a bastardy issue. The curse upon Ellis Prestwych in fact disguised a paternity suit. This was a struggle about the maintenance of a family. The words of the grief-stricken Margaret Cheetham revealed concern about how she would maintain a family, in the absence of an additional provider.

\textit{'Knaves, Whores and Chyders'}} \footnote{L.R.O. QSB1/170/55. The term 'Knaves, whores and chyders' is derived from a transcript of a case that came before the Lancashire Quarter Sessions in 1630.}

Evidence from Chester Consistory Court and the Oxford Church Court demonstrates how the criminalisation of the female voice took place progressively during the sixteenth century. Occasionally women were involved in robberies and were charged with receiving stolen goods. The associates of scolds or cursers were also charged and often found guilty by association. In such cases, some men who were involved with those women charged with immoral behaviour could also find themselves on the wrong side of the law. Accusations of robbery or extortion directed against females were usually accompanied by criticism directed at a woman’s sexual activity. They were referred to as prostitutes, or accused of being in the company of prostitutes.\footnote{L.R.O. QSB1/170/58.} Female behaviour, particularly sexual behaviour, was subject to the steady scrutiny of the authorities. The conduct of women was constantly supervised and was subject to moral regulation. A pattern of continuity in the regulation of female sexuality and its connection with verbal violence is clearly demonstrated by many examples from the church court records in the
mid-sixteenth century. These regulatory measures imposed by the church courts were intensified in the seventeenth century in the Northwest. More women were prosecuted in church courts for verbal violence. The cases considered below show a steady rise in the early seventeenth century, a pattern which continued throughout the seventeenth century, until there was a sudden increase in the ten year period from 1630 to 1640.

Evidence from Chester Consistory Court demonstrates that sexual immorality was often associated with cursing. Regulation of this type of crime gradually became more common in the Northwest throughout the century.\textsuperscript{38} Social control was attempted through the criminalisation of female sexuality. In 1592, for example, Cicilia Collinge of Prestwich was accused of immoral behaviour. David Yale, who was then the deputy registrar of the Chester Consistory Church Court, heard the case. Cicilia’s husband, Arthur Collinge, gave evidence at the proceedings. He successfully produced an unnamed witness who gave details based on his personal experience of what he claimed was her immoral conduct:

She is a lewde and naughte woman, for that I myself have had carnall dealing with her dyverse times.\textsuperscript{39}

It is remarkable that in this instance, Cicilia Collinge was accused of 'lewde and naughte' behaviour but her male partner was not.

In the parish of Manchester in 1611, Elizabeth Whitlowe, Margaret Ratcliffe, Elizabeth Jackson, and Maria Rose were said to have damaged the reputation of Alice Brook. The general consensus amongst the townspeople was that she was a 'whore', more particularly, a 'millers whore'.\textsuperscript{40} Such quarrelling amongst neighbours was to lead

\textsuperscript{38} See for example, C.R.O. EDC5/1635/72. In this case a woman is cited for cursing and for behaving in a 'lewde' way. See also EDC5/1637/27 where a woman is cited for cursing, and described as a 'Jesebel'. Also see EDC5/1635/87 where a woman is cited for behaving immorally, for associating with undesirables, for drinking, betting and attending cockfights.

\textsuperscript{39} C.R.O. EDC5/1592/35. Cicilia Collinge of Prestwich named as a 'lewde and naughte woman.'

\textsuperscript{40} C.R.O. EDC5/1611/27.
eventually to a charge in which Alice Brook was accused of cursing and pronouncing: 'lewde speeches, cursings, magic and other words.' The evidence demonstrates that aspects of female sexuality were closely related to the symbolic sphere of witchcraft and magic. The case is also representative of the close relationship between cursing and allegations of sexually immoral behaviour. The situation was indeed so dangerous that Alice Brook was confined to her home for fear she would be attacked. The records disclosed: 'if the plaintiff durst come out of her house the dept. [deponent] would beate her.' Thomas Jackson, aged 28, gave support to her evidence. In Manchester he was present to hear Alice Brook maligned as 'a witch, a whore and an arrant whore, and the millers whore'. Jackson, however, denied such allegations were true. He argued the opposite, that the plaintiff was an 'honest poore woman'.

The association of female sexuality with verbal violence and magic, such as in the case above, is obvious in many cases, but they cannot be examined in this thesis which is primarily concerned with cursing. The above situation, however, is typical of the situation and ably demonstrates the ways in which a woman's sexual behaviour was closely associated with many kinds of verbal crime. Alice Brook, for example, was accused of being both a 'whore' and a 'witch', mixing her 'lewde speeches' with 'cursings' and 'magic'. Female sexuality was criminalised and closely connected with activities that were more easily regarded as criminal and hence more indictable. Whilst the charge of being a 'witch' sometimes appeared with the description of 'whore', the charges of 'scolding' or 'railing' appeared very commonly with the description of 'whore'. The sources also disclose that it was also common for a 'witch' to be charged with cursing. Sometimes the terms witchcraft and cursing, however, were used interchangeably.

41 Ibid.
42 Ibid.
43 Ibid.
Women, Witchcraft and Slander in Early Modern England: Cases from the Church Courts of Durham, 1560-1675' has observed that cases varied from 'crude name-calling to extraordinary fantasy to direct, dangerous accusations of maleficium.' Some were straightforward attacks on character, some incidental insults, some smear tactics of guilt by association. A situation such as that described above is true of the records of the Chester Consistory Court.

In some instances the term 'thiefe' was also associated with 'whore' and 'witch'. For example, David Yale, in the Chester Consistory Court in 1617, heard Elizabeth Boude, from Rostherne near Chester, acquaint the court with details of accusations against her of prostitution, thieving and witchcraft. She was, the records note, 'publicly defamed as a thiefe a whore and a witch.'\textsuperscript{45} She protested that the incident damaged her reputation and honour.

Amongst those women who were vulnerable to these types of accusations were women who were involved in the retailing of ale. Female alehouse keepers were a prime target of suspicion. The following incident was the first of a chain of accusations against an alehouse-keeper. In 1636, Joane Elderson of Ashton, Lancashire, was the proprietor of a popular alehouse. She was in trouble for receiving stolen goods and for running a brothel. These initial accusations mark the beginning of a number of similar allegations, which eventually concluded with her being accused of cursing. The case illustrates a history of the evolution of a charge of cursing, from thief, to prostitute, to curser. The evidence below establishes the feelings of the townsfolk:

the wyffe of John Elderson of Asheton hath of Longe tyme kept a most badd and dispoised [sic] house receivenge and recettinge into the house all the knaves whores and Chiders in the cuntrie and all the stolen goods that came to

\textsuperscript{45} See C.R.O. EDCS/1618/45, Elizabeth Boude, Rostherne, Chester, which contains the words 'thiefe whore and witch.'
her house soe that noe honest man can come to her house but in great danger of
his lyffe.\textsuperscript{46}

Mrs Elderson's neighbours accused her of extortion and of obliging the local criminal
element. She was found culpable of keeping a brothel, and of exerting a bad influence over
the male population of the Ashton community. The neighbours asserted that she kept
'mens sons and servants' from more productive endeavours:

Alsoe she doth continually kepe in her house Lewde and light women of theire
bodyes to the great undoinge of mens sons and servants that dwell neare unto
her.\textsuperscript{47}

Amongst other charges the alehouse keeper was accused of soliciting. For example, John
Wally and friend agreed to pay her for the service of a prostitute.\textsuperscript{48} The evidence tells of
honest maids who trembled for fear of falling into Elderson's evil ways. It was disclosed
by a maid who was innocently delivering bread that Mrs Elderson suggested she could earn
more money as a prostitute.\textsuperscript{49} The Elderson's neighbours approached the Justice of the
Peace with a petition. They wanted to see her alehouse closed. The petitioners, in the
statement below, claimed it would badly influence children and servants:

and if there be no course taken for they Reforminge of these badd demeanours
noe neighbour can live neare her butt in great perill of their lyves theire
children and servants and the lyffe of their goods.\textsuperscript{50}

\textsuperscript{46} L.R.O. QSB1/170/58
\textsuperscript{47} Ibid.
\textsuperscript{48} Ibid.
\textsuperscript{49} Ibid.
\textsuperscript{50} Ibid.

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This incident was to have repercussions at a later date. In subsequent years, Joane Elderson was accused of a serious charge of cursing, and of causing the deaths of children in Ashton. This evidence will be explored at a later stage in the chapter below.\(^{51}\)

Not all the cases of cursing were related to other crimes. Some were straightforward rituals of cursing. The formulaic curses which were typical of social discontent are examined below and whilst there is no history or background information available, for each and every case, the names of those involved, the place, date and details of the curses which were spoken were recorded. In Clitheroe, in 1607, Anne Jenning cursed a local man’s goods, wished an evil illness would descend upon him, and cursed all of his actions with plague and trouble. The curse she uttered was ‘the plague or curse of god take him and I pray god that with nothinge thou do any tyme will come to good’.\(^{52}\) In a similar situation, during the winter of 1608, Elizabeth Booth of the parish of Alford cursed John Leigh. Although her husband was also accused, only she was charged. There is no evidence about the punishment involved, nor whether Elizabeth Booth was found guilty, but the evidence implies that curses had greater impact when spoken by a woman. Elizabeth’s curse, called forth supernatural power, and offended ‘Christiane charite’, when she invoked the wrath of God against neighbour, John Leigh and his family in the following words:

I praise to god that all the plages of god maie light upon thee and thy children [and I] praise god that John Leigh maie rot in prison and I hope God to see John Leigh to rott in prison...\(^{53}\)

The outcome of the matter is not recorded.

\(^{51}\) See L.R.O. Quarter Sessions records, QSB1/170/60, QSB1/170/55 and QSB1/170/64, which contains details of accusations against Joane Elderson that she cursed children to death.

\(^{52}\) C.R.O. EDC5/1607/25 Cursing Libel, Clitheroe.

Another intriguing case from 1616 reveals the very different reactions of the courts to accusations of male and female cursing. During a 'public interrogation', David and Elizabeth Rogers of Holy Trinity, Chester, were accused of cursing the mayor, Robert Jure. David Rogers claimed that he was forced to defend his wife from Robert Jure who had victimised her for years. Robert Jure told the court of 'scandalous and opprobrious speeches uttered unto him by David Rogers.' He said that Rogers cursed him by saying the following words:

Robert Jure art or is a raskal, a false knave, a tainted knave and was a wasted drunkard in Aldersoyt house where he was Maior, and thy tongue should have an ende of thee, thou art a dissembleinge knave, curse thou Robt. Jure, thou art fortified, thou art solitious, thou art an asse and a fool, thou art a base fellow, a curse on you and yours.\(^{54}\)

Intriguingly, the precise charge of cursing was not made by Jure against David Rogers. Rogers accused Jure of lying, perjury, and libel.\(^{55}\) In cursing terms, his words were severe enough, but apparently, the curses uttered by his wife, Elizabeth Rogers were considered still more potent and therefore more incriminating. In part, this was because of the duration of her curse. It was said that she consistently cursed Robert Jure from 1615 to 1616. Obviously, the duration of the curse was as important as the severity of the words spoken. Additionally, Elizabeth's evidence revealed that Jure had assaulted her, a claim that was consistent with her husband's evidence. Her words resounded with fear and a deep hatred fanned by a long-standing enmity. The curse was repeated in the court as follows:

What thou forsworne man, thou villaine, I hope to see hellish divelles to steale awaie thy soule when thou art deade. May god looke upon Robert Jure and poore thy plague upon him for he hath molested me and troubled me this manie yeares.\(^{56}\)

\(^{54}\) Ibid. Deposition of Robert Jure.
\(^{55}\) C.R.O. EDCS/1616/12 Chester, Holy Trinity, Cursing
\(^{56}\) Ibid.
Although the Rogers were jointly brought to book for defamation, only Elizabeth Rogers was charged with cursing. The mayor's behaviour was not judged at all. Moreover, in spite of his having pronounced curses, David Rogers was not charged. What this particular case demonstrates is that cursing women were a lot more likely to be charged with cursing than were their cursing male counterparts.

In general, what the above instances of cursing demonstrate is that imprecations were not merely a matter of public ritual with supernatural associations. They also disguised a variety of specific and complex social grievances. Offenders were often those who transgressed religious and social norms and values, by such acts as avoiding church, or indulging in fornication, bullying, victimisation, prostitution and adultery - as demonstrated by some of the cases examined here. The surviving records sometimes relinquish only a tantalisingly small amount of information such as the charge and the personal details of those involved. What they do reveal is that some instances of cursing went on for months and some for years. Certain manuscripts have only one or two lines relating to a charge whilst others continue for scores of pages. From the above evidence one thing is certain: that women played the most conspicuous role in each of these cursings. Indeed, the instances above demonstrate that only women were charged, even when their partners were involved. In addition, it is clear that the concealed social dimension behind the instances of cursing is one which may hold the key to understanding the crime of cursing itself, and the social and material conditions of life that affected the people of the Northwest.

**Hardship: The Theme of the Decade of 1630 to 1640**

Fear of impoverishment and starvation was a frequent motive which drove women to cursing. In the Northwest this was especially the situation between the years 1630 and
1640. Insights into the plight of women facing material deprivation are present in a great
many of the records of the cursing cases in secular and church courts - the distress behind
ritual baning is manifest in the depositions of the women who were accused of this
particular verbal crime. Careful investigation of these cursing allegations frequently
reveals a deep emotional torment that arose from sickness, material loss, poverty or the
untimely death of family members. Such difficulties multiplied as women then faced such
personal tragedies as the loss of cattle and goods, infertility, affliction, family breakdown,
infidelity, hunger and death. The details of the social distress responsible for the initiation
of many instances of verbal crime are examined in the cases below. But first it is important
to note an example in the documents of the kind of broad environmental circumstances
which could provoke cases of cursing. These were outlined by a gentlewoman and
widow, Margaret Slade, of Poole, who left a charity in her will in 1631 to 60 poor
householders in Nantwich. In her will she wrote of the terrible circumstances which the
poor in general endured. She wrote of a plague which devastated at least six places in
England, including the Northwest, in her lifetime: 'London, Yorke, Lancashire,
Shrewsbury, parts of Wales and especially in Preston which town was almost depopulated
and corn rotted on the ground for want of reapers [because of the plague] .... [but]
Cheshire was graciously preserved where many public fasts kept for the turning away of
God's hand.' She wrote of 'a terrible thunder and lightening' [sic] and 'a hail, the like
of which hath not been seen. The storm tore down a windmill and killed 23 sheep on
Houghton Mosse.' Such natural disasters exacerbated social distress.

One year earlier, on 24th September 1630, Sybill Lingard appeared before the
Chester Consistory Court accused of cursing, of witchcraft and of having an 'abusive
tongue'. The evidence suggests that her absence from church made her more susceptible
to accusations of cursing. Sybill was reluctant to speak of her desperate situation. She

57 Burgell Diary, Cole MSS, British Museum in J. Hall, Nantwich, p.128.
58 C.R.O. EDCS/1630/50.
did, however, after much questioning, eventually disclose that she was ashamed to be seen in public because her husband was involved in a love affair with a neighbour, Cicily Pointer. She described a situation where, throughout the affair, her husband locked away her clothes and made her stay indoors. Humiliated, she withdrew and did not attend church. When her husband became ill and her child died she was charged with cursing them. Although Sybill Lingard categorically denied having cursed her husband and child, the records tell of her being resigned to accepting the punishment of the court but they are not explicit about the outcome of the matter.

Although some events, such as the one above, highlight the problem of adultery, most situations of cursing attest to a passionate reaction to sickness and death. By far the most recurrent disaster in cases of cursing was the death of children. Those cursings which related to the loss of a child also incurred the wrath of the community. Cursing a pregnant woman was regarded as doubly evil. For example, in 1632, Elanora Patrickson cursed Maria Robinson who was then pregnant. She was required to answer charges in the Chester Consistory Court before Thomas Staffords. The timing of the curse was perfectly executed by Patrickson to coincide with the farthest extremes of what was a difficult labour for Maria Robinson. The curse, described below, was delivered in the ritual manner, on bended knees, with the hands and eyes raised upwards. Two neighbours, Dorothy Cowpland and Jenett Sittel dall witnessed the exhibition and gave evidence as follows:

the one assaid the other, how Mary Robinson did, and the other replyed, very sicke, and more like to die than live, or to that effect, and you the said Elanora

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59 Ibid.
60 Ibid.
61 Ibid.
62 Ibid.
63 C.R.O. EDC5/1632/32. Cursinge of a pregnant woman. 'Mary Robinson being in her owne house in extreme paine and travell of childbearing'.
64 Ibid., Elanora Patrickson was questioned by Thomas Staffords about the ritual curses she pronounced on Maria Robinson who was in labour. Her husband, Thomas Patrickson, was also present.
Pattrickson hearing these speeches, held up your hands and prayed, or rather cursed saying 'I pray God shee may never goe otherwise.'

There is no evidence to say whether Maria Robinson lived or died. In any case, the Robinsons were appalled by the curse, and subsequently brought the matter to court. Since legal action was usually taken as a preventive or as a retaliatory measure against the fulfilment of some dreaded scenario, the most likely outcome was that Maria Robinson's child had died. The records in this action, as in many others, do not say whether the allegations were found to be true or false. They do illustrate, however, the fact that cursing was regarded most seriously when it involved the death of children. The implications of this are explored further instances of cursing associated with children outlined below.

Cursing lawsuits demonstrate overwhelmingly that a woman with imprecatory power was often held responsible for the misfortune of others. Such was the predicament of Sybill Farclough of Orrell, Lancashire. In 1634, the name 'Sybill Farclough' was connected with illness, decayed crops and bad luck. The charges against her were many and varied. Between 1634 and 1638 she was accused of cursing and witchcraft. Her manner of speaking was described as 'lewd' and it was alleged that she procured a number of deaths in the neighbourhood. Her appearance was reason to suspect disaster because it was said that wherever she went she created havoc. When she looked too long in one direction she was accused of 'bewitchment' or 'magick'.

Sybill Farclough had a controversial history. She was implicated in numerous disputes with relatives and neighbours. When children began to fall ill and die one by one, she was held responsible. In more than one case, she was charged with bringing about the death of a child. Sybill's cousin, Margery Ireland, who brought one of several proceedings against her, believed Sybill had access to destructive supernatural power. It was common

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65 Ibid.
66 L.R.O. QSP/1634-1638. Sybill Farclough.
67 Ibid.

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knowledge that Sybill Farclough's curses were potent. With a few well-chosen words she could bring about the death of her enemies. Through the use of 'magick' her enemies' lives were ruined.

On 22 July 1638, Margery Ireland and neighbours presented a petition to the Justices of the Peace to remove Sybill from the community. The petition recorded some details of the incidents which had taken place and included Ireland's request that the Justices deal with the offender:

may itt please your goode worshippes to take into your consideration your poor petitioners case and by some speedy meanes to take such courses with the said Sybill that your poore petitioner may live quietly and without feare of her life and goods.68

Ireland complained, in the statement below, that whenever she met Farclough, she endured curses from her:

Sybill Farclough being a very wicked lewd and malicious woman hath dyvers and sundry tymes with violent and wicked speeches meeting your poore petitioner threatened her in that regard and her husband.69

Gossip amongst neighbours ensured that such activities reached the ears of others in the neighbourhood. According to the evidence, the local people were experiencing hard times. When they were sick or experienced a turn for the worse in their fortune, they referred to the curses issued by Farclough. The petition they drew up acquainted the Justices with details of cursings and witchcraft. Farclough, it was said, persistently cursed Mr and Mrs Ireland. It was soon after they were cursed that their children became ill. When they were taken with 'strange and sudden diseases' the turn of events was attributed to Farclough's

68 Ibid.
69 Ibid.
'cursing', 'violent and wicked speeches' 'magick' and 'wicked and malicious tongue.'\textsuperscript{70}

The petitioners recounted the following:

Dyvers of your petitioners had fell into strange and sudden diseases and some of them dyed as alsoe shee threatens her father with the like speeches, and shortly after shee had been, a child dyed in regard whereof your poore petitioner is putt into a continuable and dayly fear both of her lyef and goods by that wicked and malicious tongue of hers.\textsuperscript{71}

Soon after the above petition was presented, Sybill Farclough was arrested and charged with witchcraft. She did not give evidence to the Justices, nor are there details about her circumstances, other than the elementary details presented to the Justices. What the evidence does reveal is that between 1634 and 1638, a significant number of people, especially children, were dying very suddenly. It was at such times that cursing women were held responsible. The evidence, however, leaves a number of questions unanswered. Why was Farclough so often at odds with other close relatives and neighbours, even with her father? Why did she curse her relatives and what were the implications of her curses? Why did those around her feel threatened by her? The manuscript is silent on these aspects of the question. It does reveal that death, 'sudden diseases' and anxiety about property were commonplace in Orrell during this period. The evidence of Sybill's neighbours demonstrates that they were in deep distress. That the circumstances of Sybill's cursing occurred over a four year period is suggestive of an acute crisis in the Orrell community. The themes of loss and sickness which lay behind cursing and are documented in the Lancashire Quarter Sessions records are echoed many times in the evidence of the Chester Consistory Court records as well as in the Quarter Sessions of Cheshire. Such evidence is indicative of the circumstances of some kind of sporadic crisis in certain isolated towns and villages throughout northwest England between the years 1630 and 1640.\textsuperscript{72}

\textsuperscript{70} Ibid.
\textsuperscript{71} Ibid.
Sybill Farclough's case lays bare three important and common themes related to cursing. Firstly, it demonstrates how the death of children was often associated with charges of cursing. Secondly, it reveals a great fear of cursing women and the ways in which a fatal cursing power was commonly assigned to women. Thirdly, it clarifies to some extent a number of the adverse social conditions accompanying a situation of cursing, and the close connection that existed between cursing and accusations of witchcraft in these particular areas.

In similar circumstances to those of Sybill Farclough, Jenet Wilkinson of Ellel, Lancashire, was involved in a cursing case that began in the year 1629, but which had an extended history of over ten years. The state of affairs behind Jenet's situation was different from Sybill Farclough's because this situation, as with numerous other instances of cursing, was in origin a dispute about property ownership. The key people involved were landowners, Anne and Thomas Harrison, a Freemason, John Wilson, and Ellen and John Clarke. The case demonstrates connections between women and cursing, property, and guilt. The initial incidents from which the dispute grew provide a classic example of how rising tensions in the community might often result in accusations of cursing against one Jenet Wilkinson. The case was brought to book in October 1629, when Thomas Covell, Justice of the Peace in the county of Lancaster, heard a case of cursing. In actuality, the case had escalated from an original dispute connected with issues of property, goods and money, which resulted eventually in Jenet Wilkinson being pushed out of her home. The owners of the property, when questioned, revealed their anxiety and guilt about taking such harsh measures. When afterwards they experienced bad luck, Jenet Wilkinson was held responsible and was subsequently accused of cursing.

147. These studies support the view that there were a number of spasmodic local crises in the Northwest, especially during the 1590s, 1620s and 1630s.
73 L.R.O. QSB1/64/21-23, 1629.
74 Ibid.
The underlying basis of this imprecation was an argument about the use of a property inhabited by Jenet Wilkinson. According to the deposition of Anne Harrison of Ellel, it was shortly after the time that Jenet was ordered to leave the house that strange occurrences took place:

About nyne or tenne years agoonne, Jenet Wilkinson of Ellel, widowe, takinge some displeasure against this Informer and her husband by reason she was debarred of dwelling in a house of theires, shee the said Jenet Wilkinson came to this Informers husbands house And Cursed this informer and her husband verie bitterly sayinge unto Thomas Harrison, 'hearest thou, hearest thou (clappinge her hands together) if thou and I live together this shall bee fortie pounds losse to thee.\(^75\)

The preceding evidence suggested that Jenet Wilkinson was an evil being who took pleasure in cursing. The clapping and chanting which accompanied Jenet's curse portrays her as an evil villain whose anticipation of the bad luck she invoked gave her pleasure. Soon after the words were spoken, the Harrison's cattle began to die, mysteriously, one by one. Anne Harrison also experienced strange hauntings. Even when she was sleeping, the face of Jenet Wilkinson appeared before her. She proclaimed:

that yearly since the said Thomas Harrison had dyvers of his goods that dyed, which seemed to bee bewitched, amongst which was an heffer three kyne and foure oxen, one of which oxen this Informer caused to bee burnde, And sayth that in the night whylest the said oxe was in burninge, shee was soe troubled with the said Jenet Wilkinson that shee could not rest in her bedd shee still thinckinge the said Jenet was at the bedd syde disquieting her, whereupon this Informer fell to her prayers.\(^76\)

Elizabeth Gervis was present to witness her father's bewitchment. She also believed that Jenet's curses were responsible for the family's bad luck:

Elizabeth the wyfe of Edward Gervis upon her oath Informeth that about Nyne or tenne yeares since Jenet Wilkinson aforesaid came to the house of Thomas Harrison aforesaid this Informers father And there Curssethe the said

\(^{75}\) Ibid.  
\(^{76}\) Ibid.
Thomas and his wyfe saying if I live this shall bee Fortie pounds losse to thee, And further Informeth that the said Thomas Harrison hath since that tyme had great losse in his goods through death of them.77

The Harrisons were not the only ones to experience such unfavourable reversals of fortune. The Freemason, John Wilson of Ellel, claimed that when he was ill and lying in his sick bed, Jenet came to haunt him. No details are given concerning any dispute between the two. But Wilson complained that he too was afraid of her curse. He believed that without a doubt, Wilkinson possessed destructive powers and was capable of inflicting bodily harm upon him. Even in his dreams he believed she was tearing him to pieces:

Who upon his oath Informeth that about three weekes before the takeinge of this Informacion hee this Informer fell sicke, And that about Eight or tenne daies after hee began with the said sicknes hee did see one Jenett Wilkinson of Ellill aforesaid widowe, or the shape of her the said Jenet, come three several nights together to him this Informer being in bedd, And that hee then verily thought shee the said Jenet did teare him in peeces.78

His wife, then believing him to be 'forsworne', went to a cunning women for a cure. There she appealed for a counter-bewitchment. Even the cunning woman refused a counter-spell for fear of the consequences, as the words below will illustrate:

And thereupon this Informer suspectinge hee was bewitched hee sent his wyfe twoe several tymes to a woman whose name hee knoweth not who dwelleth in Morton, which was holden to bee a skillfull woman, which woman told this Informers wyfe the latter tyme that hee this Informer was forespoken, And tould his said wyfe that shee trusted to mend him, And further sayeth that this Informers said wyfe tould him this Informer that shee asked the said woeman who had forespoken him which woman answered shee would not tell for a thousand pounds, And further hee hath taken his corporall oath that hee is affraide of bodily hurt to bee done to him this Informer his wyfe or his goods by the said Jenet Wilkinson.79

77 Ibid.
78 Ibid.
79 Ibid.
According to Ellen Clarke, the widow of John Clarke, the widow's curses were fatal. She enlightened the Justices with details of the circumstances connected with Jenet's bewitchment of her husband. Again, no details are given concerning any dispute or relationship behind the incident but Ellen Clarke claimed that her husband was completely under Wilkinson's spell. When he became ill, Jenet's curse proved fatal. John Clarke never recovered:

that about four years since her said late husband being at the Plover, Jenet Wilkinson, widow came by the draught and held up her hand and said 'speed', (as her said late husband told this Informer) whereupon the said John Clarke fell sick presently, and came home where he languished for a month or thereabouts and dyed, And sayeth that divers times in his sickness hee complained that the said Jenet Wilkinson was still in his mynd, and that hee verily thought shee had bewitched him.  

The circumstances of Jenet Wilkinson's case exhibits the strong psychological elements involved in cursing. This case demonstrates also the economic dimension present in cursing and it draws attention to the curious sense of guilt and anxiety which were attendant upon neighbourly disputes related to money and property. At least in the case of the Harrisons, Jenet Wilkinson's situation is the perfect illustration of Keith Thomas' argument that underlying community tensions often resulted in strong sensations of guilt, for example, the guilt arising in the minds of property-owners who had refused aid to a needy widow. In this situation, local people suddenly reacted vigorously to incidents which had occurred over ten years before. In order to explain their own situation, the Harrisons recalled the time when they had forced Jenet Wilkinson to leave their property and she had reacted with curses. The loss of their goods, cattle and money is well documented. The dramatic 'burning' of an ox, the feverish and ghostly apparitions of Janet Wilkinson in the night. On three consecutive nights 'the shape of Jenet Wilkinson' appeared in the small hours to terrorise the Wilsons. The fact that John Wilson sought

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80 Ibid.
assistance from a cunning woman is evidence of his physical and psychological torment. The locals believed that Jenet's curse would work because the Harrisons felt guilty. The Harrisons certainly, and perhaps the others in this case, had refused charity to a widow. They had turned her out of doors. As misfortune increased, so her association with bad luck became progressively more serious. It took over a decade for the cursing allegations to ripen to a full-blown court case. Precisely why the Harrisons and Clarkes delayed ten years before approaching the Justice of the Peace is a mystery. The accusation of bewitching cattle was enlarged to one of cursing people to death. Jenet was alleged to have caused the death of John Clarke by muttering one word, 'speed.'

The fate of Jenet Wilkinson cannot be established from this manuscript because it was not recorded. The allegations were serious. If it could be proved that one had cursed one's neighbours to death then this was regarded as a capital crime. Justice Thomas Covell, Governor of Lancaster Castle, was reputed to have dealt with such cases severely. That he had such a reputation did not auger well for a woman in Jenet's position. Whether she was released or met the same fate as the Lancaster witches who were hanged for witchcraft at Lancaster, in 1613, we will never know.

Such cases indicate clearly that controversies over cursing, which were so prolific in the twenty years before the civil war, often arose from controversy about possessions, land and houses. Petitions against malefactors were brought by yeomen, landowners, husbandmen and tenants. Events which emerged from within families could disrupt relationships indefinitely.

One long-running case, the Elderson case, reveals these various aspects of the cursing phenomenon very starkly, and merits and extended examination. On 13 July 1636, allegations of cursing were directed at Joane Elderson of Ashton, Lancashire, the proprietor of a popular alehouse. As noted above, she had been in trouble previously for receiving stolen goods and for running a brothel. Joane, who was sometimes referred to
as Jane, or Jeney, allegedly cursed whitesmiths, Elizabeth and Thomas Baxter of Newton. In much the same way as the Harrisons and Clarkes above, they subsequently experienced sudden inexplicable illness and bad luck. Ales Jackson who overheard an argument between Joane Elderson and Elizabeth Baxter, was a court witness. Shortly after the argument, when the Baxter's children 'fell into trances' and died, the Baxters' claimed they were bewitched. Elizabeth Higgonson, Ralph Sytherland, Dorotheie and Robert Taylor and Thomas Darrow of Newton also gave evidence. Ales Jackson, recalled the quarrel between Joane Elderson and Elizabeth Baxter, which started off a succession of unlucky events:

Elizabeth Baxter (wyef of Thomas Baxter of Newton aforesaid), Whitesmith, was at Newton Milne winnowing groats upon the Milne hill where Joane Elderson was going to Elizabeth Baxter for malte. Thomas Blackeburne being neere the Milne and passing by Joane Elderson and Elizabeth fell at words concerning Elizabeths children that were lately dead, before the second day of June ... Joane Elderson did say unto Elizabeth Baxter she would not leave her mouth a groate.81

Dorotheie Taylor confirmed how, after the disagreement, Elizabeth's children, languished and died:

That she hath seene Charles Baxter sonne of the said Thomas Baxter many tymes in trances for halfe a year together at severall tymes before his death but what the occasion was shee knoweth not.82

Whitesmith, Thomas Darrow, did not suspect Joane Elderson and spoke only of the child's illness:

He saw him in dangerous trances often but knoweth not the cause neither can suspect anyone for it.83

81 L.R.O. QSB1/170/55.
82 Ibid.
83 Ibid.
Elizabeth Higgonson, spinster, of Newton told how she heard servants say Joane Elderson’s touch was certain death:

She hath seen the children of the said Thomas Baxter often times in trances and hath heard Ralph Sytherland a servant living in the house of the said Thomas Baxter with this informer say that after Joane Elderson had touched the child he never after had health.\textsuperscript{84}

Ralph Sytherland was also called to appear. He did not explicitly accuse Joane Elderson of cursing, but did say that he saw her ‘touch’ the child. A touch which was to prove fatal. Shortly after, the child became ill and died:

Joane Elderson the first Thursday in Lent last did pass by the child of the said Thomas Baxter being an infant and as soone as shee passed by she turned againe and asked whose child it was and the girlie which held the child said it was Thomas Baxters whereupon the said Joane Elderson said shee would kisse her cosen and did so where upon the same night it was taken with a stopping and upon the Tuesday night after it fell into trances which never lefte it tillt it died.\textsuperscript{85}

When Elizabeth Baxter’s fortune also fell into a decline, she took legal action. The evidence, however, is ambiguous. The witnesses perceived Joane Elderson’s words to be curses, and her actions, sorcery. At her touch children fell into trances, languished and died. Goods were spoiled. Property was lost. Witnesses who then spoke of Joane Elderson’s lethal touch were reluctant to identify her as a witch for fear of repercussions. In their evidence they hinted at her involvement in the death of Elizabeth Baxter’s child, but none but Elizabeth Baxter was brave enough to accuse her outright of cursing. Their reluctance suggests they were afraid of meeting the same fate. When the child suddenly became ill, Joane Elderson was held responsible. A kiss from her lips was certain death; even one word of tenderness was a curse.

This case did not end with Joane Elderson’s victimisation, however. She retaliated and threw herself into an almighty legal battle. The ensuing litigation, examined below,

\textsuperscript{84} Ibid.
\textsuperscript{85} Ibid.
sheds further light on the state of affairs. In Ashton, fourteen members of Ashton subsequently became involved. Four Justices of the Peace, Thomas Bridgeman, John Moore, Henry Ogle and Henry Ashcroft, were consulted and a gentlewoman, Elizabeth Unsworth, was sent to the Elderson household to arbitrate in the controversy. She was unable to get through the door of the alehouse because of a fight, however. A carpenter, John Rogerson, told the Justices of the violent quarrel between Elizabeth Leadbeater and John and Joane Elderson:

Elizabeth, Joane Elderson and John Elderson and this informer beinge in a Chamber together over theire heads came downe into the roome where Joane Elderson and Elizabeth Leadbeater were. And as soone as he came thither (beinge the last one lefte in the chamber) hee sawe John Elderson and Joane Elderson, scrytchinge, beateinge, and pushinge Elizabeth Leadbeater, violently in the doore of the roome, and heard the said Gerard Johnson speake aloude, of the house, and give very foule and threateneinge words against Elizabeth Leadbeaters in Elizabeth Unsworths Information, hee was upon occasions in the house of John Elderson of Ashton aforesaid, and was there when the said Elizabeth Leadbeater came into the same.

A further confrontation on 8th May 1636 involved yet more Ashton folk. In this instance, Thomas Coster, whitesmith, gave a close account of the incident. He said all hell was let loose when Joane Elderson refused to serve Elizabeth Leadbetter with a flagon of ale. On 16 May 1636 the Justice issued a recognisance to legal officials about the incident. Elderson then took counter measures against the Ashton folk. She claimed she was being terrorised by Elizabeth and Jefferey Leadbeater of Ashton:

Joane the wife of John Elderson of Ashton within the said County, husbandman, hath personally come before us and hath taken her corporall oath that she is affrayde that Elizabeth Leadbeater the wife of Jefferey Leadbeater of Ashton, husbandman will beate wound murther kill or burne her houses, and hath thereupon prayed safety of the peace against the said Elizabeth Leadbeater.

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86 L.R.O. QSB1/170/60
87 Ibid.
88 Ibid.
89 L.R.O. QSB1/170/64. A substantial case involving many groups of townsfolk in dispute about a house and money. This case is also connected with QSB1/170/55.
90 Ibid.
Elizabeth Leadbetter was bound over to keep the peace, and warned she would end up in jail if she did not. She was also commanded to appear at the next Quarter Sessions.

On 11 July 1636, Anne Fielde of Ashton in Makerfield told Justice Thomas Freeland that the house which Joane Elderson lived in was sold by Thomas Blacke, son of James Blacke to Thomas Baxter for five pounds. This occurred during a drinking session in her house when Thomas Baxter discussed the prospect of having more children with his wife, Elizabeth. From this statement, we find that the matter was indeed at its source a dispute about property. Joane Elderson was previously married to James Blacke of Ashton, who had died. When her son Thomas sold the house she attacked him and demanded money:

Joane Elderson now wife of John Elderson, and here before wife to James Blacke of Ashton, deceased, and mother to Thomas Blacke, came into this Informers house and upon a suddaine insaulted Thomas Blacke, and struck him and spoke a loude in words that is to say, 'Ah Rascaell, ah rogue, thou shalt take me namely from Thomas Baxter of Newtown, but if thou wilt fell thy rights of his house, I'll procure the money.91

Although Thomas Blacke accepted money for the house, she begged to be allowed to keep tenancy. She claimed she wanted to give it to her younger son, John Blacke. Thomas's response was to say the house now belonged to the Baxters. It would not go to John but to the Baxter's children. Joane Elderson's reply was reported as a curse:

Thomas Blacke replied and said, that is to say, 'Mother handle you contente for Elizabeth Baxter wife of Thomas Baxeter of Newton aforesaid, is a younge woeman and may have Children' Joane Elderson replied and said that if Elizabeth Baxter had twenty Children, they should none of them live to enioye Thomas Baxters house, but that (meaning John Blacke sonne of the said James Blacke and brother to the said Thomas Blacke should have it).92

Thomas Blacke, on the 7th July 1636, gave evidence to Justices Thomas Freeland and Edward Bradsman and on the 16th July, both he and Robert Hulme a labourer received a

91 Ibid.  
92 Ibid.
summons to attend the court. They were required to give evidence about the incident. Blacke admitted that he accepted five pounds from Thomas Baxter as payment for the house. He said that when Charles Baxter 'sonne of Thomas Baxter of Newton Whytesmith was liveing they were together in his fathers house' and Thomas Blacke said he was to 'have taken five pounds from the said Thomas Baxter of Newton aforesaid in consideracion of his and expectation of children.\textsuperscript{93}

There was confusion about who owned the house. Since Charles and Phillip Baxter were both dead, Joane Elderson argued the house belonged to her. Elizabeth Baxter insisted that Joane Elderson cursed her sons and so caused their deaths. She implied that she did so in order to keep the house. Elizabeth Baxter's petition provides a history of ownership of the house. Her mother Ellen Keinon, of Newton in Makerfield, upon being widowed, legally ensured that the house would be inherited by Elizabeth Baxter:

That Ellen Keinon widow late wiffe of John Keinon late of Newton in Makerfeild within the County of Lanc deceased, and mother of the said Elizabeth Baxter did show unto two Justices in trust all her mesuage and interest and being in Newton for some of fourscore and neenteen years and she lives in the originall house soe long doe continue to and for the use and profitt of the said Elizabeth her assiquie or assiques during the naturall liffe of the said Elizabeth.\textsuperscript{94}

The house was \textit{leased} to Joane Elderson, on the condition that she would vacate the premises when Elizabeth had children. Joane Elderson would not leave because Elizabeth Baxter's sons died, and technically, she had no children. The five pounds which passed hands between Thomas Baxter and Thomas Blacke was given to procure their good will when they left, but Joane Elderson did not leave with good will. Instead she exchanged harsh words with the Baxters. When her sons died, Elizabeth Baxter accused Joane Elderson of bewitching them. The enmity between Joane Elderson and Elizabeth Baxter arose from Baxter's childlessness and Elderson's right of tenure. Joane Elderson argued

\textsuperscript{93} Ibid.
\textsuperscript{94} Ibid.
that her sons ought to inherit the home as Elizabeth Baxter had no children to leave the property to. Elizabeth Baxter was convinced she had bought out their rights of ownership but Joane Elderson remained resolute:

Now be it was that this Elizabeth Baxter was married some 15 years or there about and never had any child in all that tyme. Thomas Baxter her husband did offer unto the said Thomas Leech five pounds for his good will of the said tenement, which hee would have taken, but that his mother would not suffer him to doe but since that tyme shee given her sonnne three pounds in consideration of the said house toe a younger sonne.95

It was when the Baxter’s children died that they remembered that Joane had been close to them and so she was blamed for their deaths. Elizabeth Baxter complained bitterly to the Justices that she was afraid for her life and assets. She was afraid she would lose everything because of Joane Elderson’s curses:

It pleased God to send to your petitioner twoe fine boyes which boyes are both dead, and your petitioner will take her oath of it if it please your good worshippes shee may bee sworne for the kinge that the said John Elderson was the cause of there deaths by reason that shee touched them they never were well till they were dead, and lykewyse your petitioner will take her oath that shee is afraid of her owne liffe besydes if it please God to your petitioner never so many children shee is afraid they will none of them live if not some course is taken with her all soe your petitioner hath of her goods and is afrayed shee shall lose most of all shee hath.96

These circumstances surrounding this long-running case of cursing in Ashton in Makerfield illustrate clearly that the hidden agenda in these particular cursing allegations was often a dispute about property. In most cursing cases in the communities of the Northwest, sickness and premature infant deaths were also often at the heart of the allegations. In this instance, as with most others, the cursing phenomenon had a protracted history and involved a large group of people. Joane Elderson was resolute in her decision not to relinquish the property which she argued belonged to her. Elizabeth Baxter, grief stricken over the loss of her children, blamed the deaths of her sons on Joane Elderson.

95 _Ibid._
96 _Ibid._
She was adamant that the house was hers. The Quarter Sessions records usually provide only minor details relating to such matters, but in this instance they provide a history of one very significant case of cursing and, therefore, afford greater insight into the complex social circumstances which provoked such allegations of cursing.

The following incident provides not only interesting details about cursing, but also about what church officials describe as a 'confession' to the crime, details of the cost of the case, and of the fine which the defendant received. The court heard the details of a cursing on 25 June 1635 when Elene Poole of Ormskirk was alleged to have pronounced 'vile and evil curses' upon Edward Simkins and his family.\(^7\) Simkins complained of her 'very bitter and grievous curses.' Witnesses, Thomas and Jane Rookwood supported his statement and said they heard her 'offer very bitter and grievous curses' invoking 'gods hounds come down and light upon him and his meane wife and family as long as shee lived' and 'bid the divill take him, confounde him, and hoped to see some evil end befall him.' Poole also publicly cursed the couple, when 'being in the open street in Christchurch', she declared 'evil and wicked curses' and said 'she will curse them whilst she has ever to live.' The case was heard over a year and cost three pounds, ten shillings and ten pence to conduct. Elene Poole eventually confessed to the cursing charge, and the fine arising from the guilty plea, or 'confession', was ten pence.\(^8\) Similarly in 1635, Catherine Sproston of Rosthern cited William Leigh for saying she was 'a cursed woman known as Jesebel.'\(^9\) Leigh was asked to respond to Sproston's charge, and was asked whether he said 'cursed jesabel' 'in any malicious or angry manner'.\(^{10}\) The outcome of this case however is unknown.

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\(^7\) C.R.O. EDC5 1635/7.
\(^8\) Ibid.
\(^9\) C.R.O. EDC 5 1637/27.
\(^{10}\) Ibid.
In the Chester Consistory Court there were few cases to appear during the year of 1642. From 1643 to 1660 there were none. Of course, this is explained by the closure of the courts during these years of Civil War and the Cromwellian Commonwealth. Some lawsuits, however, went before the Quarter Sessions at Lancashire. These were mostly petitions brought by women, imprisoned for witchcraft and cursing, who were appealing to the Justices to provide for their families. Thus, the evidence from Lancashire and Cheshire Quarter Sessions suggests that cursing and witchcraft continued throughout the period.

**Cursing and Witchcraft Between 1660 and 1670**

As with the decades 1590 to 1610 and 1630 to 1640, there was an increase in the incidence of cases of verbal violence in the Chester Consistory Court between 1660 and 1670. This was an exceptionally active period for cases of scolding and cursing in Lancashire and Cheshire, and women were implicated in greater numbers. The records disclose that community strife occurred more often. There were greater numbers of participants and the upheavals precipitated by cursing and scolding became increasingly more public. For these reasons, the circumstances of female verbal crime during this decade will be subject to close attention to find out why there was an increase during these years and the discussion below will speculate upon some possible explanations.

The Chester Consistory Court records demonstrate that the themes of loss, death and material hardship present in the Lancashire Quarter Sessions petitions were also associated with occurrences of verbal crime during the period 1660 to 1670. Additionally, disputes about reputation and honour also took place more often. One such situation arose in the winter of 1667 in the parish of Greater Neston, when two women, Margaret Lowndes and Alice Bridges, were alleged to have been involved in cursing,
witchcraft and scolding. Margaret Lowndes who was believed to have been 'a woman of
good carriage and behaviour and good repute', was accused of scolding, witchcraft and of
harming adolescents by supernatural means. Alice Bridges in return pronounced
imprecations against Margaret Lowndes in front of neighbours 'who were within hearing
of the said words.' Mrs Lowndes' witness related the details of the incident as follows:

Alice Bridge in a very passionate and scolding manner in Neston open towne
gate and speaking to Margaret Londes who was standing in her owne doore,
sayd to Mrs Lowndes thou old witch my children nevere comes neare thy
doore that he dares or thrives but he is worse for it.101

The case was heard on 1st June 1668 at Chester Consistory Court before John
Wainwright. It was a substantial proceeding and it involved more than twenty members of
the community of Greater Neston. The origins of the incident were traced to Margaret
Lowndes' words that maligned Alice Bridge as an 'oyster carrier.' More insidious,
however, were the words that prophesied an evil end, words voiced publicly, and 'uttered
in a railing manner in the open street.'102 It was alleged that Margaret Lowndes said the
following:

Alice Bridges art or is a Billingsgate scould, hang thee, thou Chester carrion
and I shall see an ill end of thee, thou wilt be hanged for thy husband or thy
husband for thee.103

The conflict continued throughout the winter. On 10 February 1668, Alice Bridges in
front of a large crowd of people publicly defamed Margaret Lowndes as a 'witch mother
damnable.' Her statement was examined as follows:

Alice the wife of John Bridges before all, in a scolding and disgracefull
rayling manner did call Margaret Lowndes a witch and mother damnable and
sayd that she had bewitched a mare and her child and it never thrived or
prospered since.104

101 C.R.O. EDCS/1668/5.
102 Ibid.
103 Ibid.
104 Ibid.
The evidence confirms that the neighbours were divided into factions. Edward Emerson, Joseph Emerson, and Edward Johnson were character witnesses for the Lowndes. Edward Johnson gave evidence to the court testifying that he had heard Alice bridge call Margaret Lowndes a 'witch mother damnable', and was present to hear her say that she had caused the death of a mare having come in contact with it while bringing it back from Chester:

At the time of the words and difference betwixt the aforesaid plt. [plaintiff] and deft. [defendant], Alice Bridge called the interrogant a witch and mother damnable and said that she got rid of a mare from Chester one time in Margaret Lowndes her company, and her mare never thrived after or to that purpose, also said she had noe mind that she should meddle with her children for they never thrive after or to that purpose.

Thirty year old Joseph Emberton, a Nailer, of Neston gave his version of events as follows:

Alice Bridge without any occasion that this deponent either heard or could perceive given unto her, did come in a very uncivill and scolding manner from her owne house or doore to the plaintiffs doore in Neston and there in the open street in such scolding and railing manner called Margret Lowndes a witche, and mother damnable and said that she had bewitched of her the said Alice's children soe that it never prospered or throve after or to that purpose and gave her many other uncivill words in a very bitter manner ...there were severall other persons in the street but where they were this deponent did not much heed.

Edward Johnson gave Margaret Lowndes moral support and testified to her good character. He affirmed her virtuous disposition and spoke of an unsullied reputation. Bridgitte and Hugh Ball, however, gave conflicting evidence about the dispute. They claimed to have heard Margaret Lowndes' confession during which time Lowndes admitted that she would not have been sorry to be rid of Bridgitte. Margaret Lowndes, upon

105 Ibid.
106 Ibid.
107 Ibid.
examination, confessed to the court that she had said the words of which she was accused. She subsequently received the heavy bill of costs of four pounds and ten shillings.\textsuperscript{108}

The case is instructive in several respects. In cases of cursing and witchcraft the support of neighbours was important, if such charges were to be successfully deflected. Once again, behind the charges were the themes of loss or damage. In this case the sick children theme is prominent. Margaret Lowndes’ confession resulted in her having to pay substantial costs. This degree of detail on punishment is exceptional for few documents deriving from lawsuits include details of the fines and penances associated with verbal violence. In this example, however, the participants were relatively wealthy, and they were therefore in a position to pay the fine. Had Alice Bridges been without the support of the community, the court may well have come to a different conclusion.

Another incident which explicitly associated scolding with a dispute over a personal estate came before the Chester Consistory Court on 16 July 1664. Innkeepers Peter and Hanna Durringe accused Susan Wilcocks of scolding and calling Hanna Durringe a ‘forsworne whore’ in a ‘scoulding and railing manner’.\textsuperscript{109} Wilcocks contested the charge, with witnesses Alice Pownall and her seventy-three year old widowed mother Margaret defending her. Hanna Durringe alleged that Wilcocks labelled her a whore and cursed her. Margaret Wilcocks gave evidence which told a different story:

the plt. [plaintiff] and dept. living in the same house together in Minshill, some angry words passed betwixt them and amongst the rest this deponents daughter said she could not be quiet in her owne house for a company of harlots.\textsuperscript{110}

Wilcocks’ neighbour, Peter Ormrocke, to whom she referred as ‘baldy pate’, repeated her words and he subsequently invited her to repeat them before a Justice of the Peace:

\textsuperscript{108} Ibid.
\textsuperscript{109} C.R.O. EDC/5/1664.
\textsuperscript{110} Ibid.
then the said Hanna asked if she meant by her whereupon the sd. Susann Wilcocks replyed noe but 'baldy pate' (meaning as this dept. thought by one Peter Ormrocke) called her a forswnorne whore before a Justice of the Peace.\textsuperscript{111}

Susan Wilcocks was later to say that she heard 'baldy pate' call Hanna Durringe a whore before a Justice. In fact, as later evidence revealed, the impetus for the charge came not merely from scolding or cursing, but rather was instigated by Peter Durringe's enclosing of common land:

the originall of that falling out concerned was about the taking in of a pcece of ground on the back side of the house which the said Hanna's husband was about inclosinge and then did then inclose, which he ought not to have done.\textsuperscript{112}

The event discloses that the conflict in this case also arose from a dispute about ownership of the common area. Such incidents which came before the court from 1660 onwards could often be traced to disputes about public and private space, property and land.

\textbf{Fear and Ambiguity}

The control of female verbal crime by court and community intensified during the period from 1660 to 1670. Verbal crime and sexual activity was increasingly associated with cursing and scolding. The definition of female verbal transgressions throughout the period from 1630 to 1670 was extended to include social activities such as alehouse drinking and gambling. Popular meeting places progressively came to be regarded as centres of drunkenness, adultery, prostitution, depravity and sedition. Women, such as Mrs Elderson of the Ashton alehouse, began to be troubled by neighbours who were seeking 'respectability.' Charges of immodest behaviour were also extended to barmaids

\begin{footnotesize}
\textsuperscript{111} Ibid.
\textsuperscript{112} Ibid.
\end{footnotesize}
and alewives, whose presence in the alehouse was seen by the virtuous as a sign of their moral depravity. The evidence discloses that those who consorted with them were often also vulnerable. During this period in some communities legal regulation was focused very carefully upon female social space. The evidence demonstrates that drinking in the alehouse, innkeeping and the complementary social activities which women naturally enjoyed during the sixteenth century, became less well tolerated as the seventeenth century progressed whilst pressure to conform to the required standards was intermittently intensified during the periods of 1590 to 1610, 1630 to 1640 and 1660 to 1670.

The evidence arising from cases of cursing illustrates most emphatically that verbal violence, though it was not distinct from the supernatural, neither can it be wholly attributed to it. Female verbal crime also had a pronounced social dimension. Cases of cursing from 1630 to 1640 and from 1660 to 1670 reveal that it was often owing to an act of down-to-earth impulsiveness on the part of the townsfolk that the initiation of legal action against female verbal crime took place. Cursing did not exist in a vacuum - it had a long history. In its social context then, cursing was connected with property, belongings, goods, cattle and land. Scolding was closely related to cursing, and while cursing was closely related to witchcraft, both cursing and witchcraft in this region were usually connected with a property dispute. The fact that female verbal crime usually concealed a socio-economic dimension has been neglected in recent studies. The evidence analysed in this chapter reveals that cursing was most common during periods of local economic hardship, and that social deprivation lay at the root of most cases. The evidence also reveals from the early sixteenth century a fairly consistent chronological pattern in the number of accusations which continued in the early seventeenth century, but a sudden increase in the number of cases appeared around 1630. According to the evidence of the petitioners and various townsfolk, this was a period of great hardship in the various communities of the Northwest.
The episodes concerning Sybill Farclough, Jenet Wilkinson and Joane Elderson, are typical of those situations that resulted in the acceleration of prosecutions of female verbal crime in the Northwest during the 1630s. The most striking feature of the circumstances of female verbal crime is that the prosecutions were not instigated by the governing or regulatory bodies. Prosecutions were initiated by the townspeople, but eager Justices also had women arrested without hesitation if the evidence of the charge was sufficient. Whilst women became more susceptible to accusations, their neighbours also became more litigious. Verbal violence became progressively more closely connected with socio-economic deprivation. From 1630 onwards, although individuals were particularly concerned about goods, property and belongings, the evidence can also be related to a range of divergent issues, such as disturbing the peace, disturbing neighbours and affray. However, cursing and witchcraft were usually connected with loss of property or livelihood, and with social dislocation, intensifying as it did in the period after 1630. Similarly, there was a progressively intensifying emphasis upon honour, reputation and social status. Although honour and good reputation had always been important, the records from Cheshire show an almost obsessive emphasis upon honour and reputation, especially after 1660. Good credit, a blameless character, and the pursuit of respectability were issues which were constantly being fought out in the legal arena and the progressive regulation of women’s speech and behaviour was a part of this process. Because verbal violence in the 1630s indicates local disharmony, the following chapters will examine the often long history behind some of the most significant cases in order to illuminate the hidden social and economic realities of accusations. By examining verbal crime in this context, the thesis aims to bring women into the historical picture, not as percentages or as victims of ideology, but as individuals who were powerful within the context of their own communities. The extent of their power is demonstrated by the litigation taken against them. This thesis, primarily concerned with female verbal power, argues that women were at the vanguard of change. They were at the focal point of a
wider a social battle to achieve higher status in the often turbulent and changing communities of early-modern northwest England.
Chapter Five

'Dangerous Whisperings'

The Cunning Folk and Healing

Yf she be yonge and can have no children, wryte this psalme 33.
Exultate justi in domino and these caracters, and perfume them
with mastick and laye them to her right arm and she shall
conceave.¹

This chapter will focus on the activities of the cunning folk, the popular
practitioners of medicine, who were often accused of verbal violence. Their situation
paralleled those accused of cursing, but instead of curses they were accused of
pronouncing 'inchauntements' [enchanted]. The accusations, as with those of
cursing, appear to have increased during periods of social dislocation, principally when
large numbers of children died at any one time in a particular community.

Before examining the cases involving 'inchauntements', the extent of healing in the
seventeenth century will be explored. The ability to heal encompassed a broad range of
activities. Some procedures were very different to today's healing methods.
Responsibility for the well-being of the popular community was not placed solely with
doctors of medicine, but traversed a broad spectrum of formal and informal methods.
Whilst the duties of apothecaries, herbalists and midwives are acknowledged by historians,
the widespread use of 'domestic' medicine by women, and the role of the cunning folk in
genral, has been given little attention.² The focus of this investigation, therefore, is on the

¹ Bodleian Library, Oxford, Ms.e. Mus., 173, Ms e. Mus., 243, folio 13, 'Conception for to Cause,'
² See, for example, K. Thomas, Religion and the Decline of Magic: Studies in Popular Beliefs in
Sixteenth and Seventeenth-Century England (London, 1971). This study analyses the subject of popular
healing thoroughly and extensively but it does not examine any particular region in detail. See also, A.
Macfarlane's study is a comprehensive and far-reaching study of the cunning folk, but it is confined to the
Chamberlains' study recognises that church legislation operated to outlaw women as healers. Her study,
widespread use of 'cunning' [knowledge] that was employed by a wide variety of 'informal' practitioners in early-modern England.

'By Vertue of Words'

The use of magic, such as charms, blessings and popular medicine to restore health, was employed by individuals who were known collectively as the 'cunning folk.' The cunning folk were sometimes referred to as 'Wise women', 'Wise men' or 'Blessers.' They often practised healing for little payment, and their abilities were highly sought after, not only by the greater part of the population, but also by those of the higher orders. The more formal and 'licensed' practice of 'chirurgery' and 'physick', as it was termed in the seventeenth century, was undertaken by doctors and physicians, who were formally trained at the universities of Oxford or Cambridge. They, contrary to the cunning folk, usually charged their patients high fees. The lower orders of society, who generally could not pay the expensive charges of the surgeon or doctor, preferred not to consult with them, and chose instead the range of services provided by the 'cunning' person.

Because the cunning folk occupied such a prominent role in community welfare, their activities merit close examination. Cunning folk were believed to possess great powers of speech. Since they pronounced charms and blessings, their verbal activities were perceived by their antagonists as 'sorcery.' The 'blessings' of the cunning folk (beyond the realm of their patients and the popular community), were perceived as curses, particularly by the Church.

however, identifies a gap between official ideology and actual practice. Women continued to heal and were consulted in spite of the church's long history of stopping women from healing. See also, J. Obelkevich, *Religion and Rural Society in South Linsey, 1825-1875* (Oxford, 1976). Obelkevich emphasises the role of the wise man. He claims that women who could cure animals were the exception rather than the norm. Whilst the cunning folk of the Northwest were not public figures, they were well known by ordinary people in the community.
According to Beier, magical healers like other unlicensed practitioners, were condemned for their lack of learning. They were attacked by anti-quack writers of the time who turned their attention from astrologers and attacked the ‘unlearned’ magic of the ‘cunning folk, wise folk, white witches and itinerant practitioners.’\textsuperscript{3} She argues that ‘this target was perfectly safe, for in their attack the anti-quack writers could rely on the combined support of organised medicine, the state and the church.’\textsuperscript{4} In his opinion, such attacks of the cunning folk as witches ‘did much to discourage the open practice of traditional medicine.’\textsuperscript{5}

Alan Macfarlane, in \textit{Witchcraft in Tudor and Stuart England: A Comparative Study of Essex}, also contends that a consultation with the cunning person was likely to lead to that person being prosecuted for witchcraft. He argues that an accurate understanding of the activities of the cunning folk is a prerequisite to the correct comprehension of the social pressures behind accusations such as witchcraft. Further, the visitation articles of the church courts, he believes, ‘were primarily directed at the cunning folk.’\textsuperscript{6}

According to Macfarlane, it was common practice to consult cunning folk in matters of bewitchment. His study shows that information on about 61 cunning folk was found in archival records connected with Essex, and indeed that ‘the county was covered by a network of magical practitioners.’\textsuperscript{7} Macfarlane refers to George Gifford’s \textit{A Dialogue Concerning Witches and Witchcrafts}, [1593] whose analysis provides some quantitative support. Gifford wrote that: ‘there be thousands in the land deceived, the woman at R. H. by report hath some weekes fourtie come unto her, and many of them not the meaner sort.’\textsuperscript{8} It is clear from the example provided by Gifford that the cunning folk provided a service beyond the poorer members of society.

\textsuperscript{3} L. M. Beier, \textit{op. cit.}, p. 46.
\textsuperscript{4} \textit{Ibid.}
\textsuperscript{5} \textit{Ibid.}, p. 25.
\textsuperscript{7} A. Macfarlane, \textit{op. cit.}, p. 120.
\textsuperscript{8} A. Macfarlane, \textit{op. cit.}, p. 120.
Cunning folk served the Essex community in many ways. Firstly, they provided the means for counter-action to victims of bewitchment and cursing. Secondly, they acted as 'information centres.' Macfarlane describes them as 'entrepreneurs in the business of allocating blame and distributing antidotes.' Activity such as this unquestionably locates them at the very heart of the social anxiety which was common during this period. Thirdly, they were consulted in order to locate lost money and other goods. Fourthly, but most importantly, they provided a healing function by diagnosing illness and disease and prescribed 'charmese of wordes, herbs, bags of seeds or holy writings.' Whatever the service, the cunning folk were suppressed. James Sharpe, in *Instruments of Darkness: Witchcraft in England 1550-1750* draws attention to 'the frequency with which Roman Catholic practices were directly attacked or popular superstitions abutting witchcraft were equated with them.'

**Healing**

The primary function of the cunning folk was to heal. They took in clients agonising about health and lost property. They also dealt with the mental and physical needs of people in distress and were regularly called on to heal sick children. Macfarlane argues that, in Essex, it was quite possible that wise women were also consulted to detect pregnancy. Evidence from the Northwest and from other regions, confirms absolutely that wise women were indeed consulted about a range of issues associated with childbirth, as they were about forecasting the gender of an unborn child. In her chapter entitled

\[11\] A. Macfarlane, *op. cit.*, p. 121.
\[12\] See, for example, L.R.O. QSB1/255/38 where cunning woman, Alice Schofield, in 1641 was consulted to diagnose the gender of the unborn child of Jane Broasly by the use of the 'devilish' practice of 'sieve and shears.'
'Motherhood', within her broad synthesis of European women's history entitled The Prospect Before Her, Olwen Hufton examines the place of childbirth in early-modern society. She finds that English wise women performed an invaluable function, particularly within the realm of childbirth:

At all levels of society, relatives, friends, and neighbours came to help the mother during her labour before the midwife arrived, or (in the case of most villages) the local wise woman who did the job for little or no payment.\textsuperscript{13}

The community which sought the skills of the cunning folk believed them to have been in possession of great powers of speech. Clients accepted that they called upon supernatural powers which they then channelled into the healing process. The opponents of the cunning folk, particularly the clergy, believed that their power was diabolic. However, not all agreed. Macfarlane again cites Gifford, who gave a first-hand account of such skills:

The spirits which appeare unto them in the Christall, or in the glasse, or water, or any way do speake, and shewe matters unto them [were] holy Angels, or the Soules of excellent men, as of Moses, Samuel, David, and others.\textsuperscript{14}

**The Church and Women Healers**

Mary Chamberlain's study, entitled Old Wives' Tales, investigates the legislation applied by the church in England from the fourth century against cunning women. According to Chamberlain, cunning women were sometimes referred to as 'old wives.' Chamberlain, however, identifies a gap between official ideology and actual practice,


\textsuperscript{14} A. Macfarlane, *op. cit.*, p. 126.
arguing that the ideology of the 'spiritual deficiency' of women translated into a belief in their 'intellectual deficiency' in the seventeenth century.\textsuperscript{15} It was thinking such as this which emphasised female illogicality and irrationality. The underlying theme implies that women were guilty of an 'original sin.' Chamberlain argues that 'women's bodies' were seen to be the cause of their fundamental weakness.\textsuperscript{16} Even though the church argued that healing women were a liability, and were 'sinful' and 'stupid,' the official ideology failed to get rid of healers and midwives.\textsuperscript{17}

At this point, it is important to emphasise the links between the arts of the cunning folk and midwifery, links which caused the Church ongoing concern. In England, certain midwives' activities were controlled in 1512 by the Bishop's Court, which had sought to gain jurisdiction over the domain of childbirth. In 1584, 'the midwife's oath' meant that midwives had to obtain a licence in order to practice. Midwives gave 'groaning malt' and 'virgin nuts' to labouring mothers, and were sometimes banned from practising for employing certain doubtful methods, such as 'casting water', which were said to verge on the magical. Carlo Ginzburg, in \textit{Ecstasies} refers to a long European association of the midwife with the 'old wife'. Supernatural associations, such as those in Italy relating to the 'Benandanti' or those 'born with the caul', were picked up from old wives.

Doctors claimed that midwives were incompetent and described them as 'tattling dames'; they also spoke derogatorily of their skills and learning as 'kitchen physic.' Despite the attempts of the church, and of some doctors, physicians and apothecaries to control the healing power of women, the official ideology was unsuccessful in achieving its aim, because of popular belief in the efficacy of the healing powers invested in the cunning folk. For example, in 1613, Dr Suckling, of Norwich, wanted the wise woman Mary

\textsuperscript{16} \textit{Ibid.}, p. 32
\textsuperscript{17} \textit{Ibid.}
Woods to brew him medicine which he was to take himself. Moreover, it can be argued that because there was a shortage of physicians, especially in rural England, the cunning folk were indispensable.

The popular mind perceived the difference between 'black' and 'white' magic and 'wise woman' and 'witch' very clearly. Nevertheless, Gami ni Salgado argues that the cunning folk were condemned by the Protestant and Catholic churches, out of a sense of competition, that is, because 'his or her services were called upon more often than the church.'

The Oxfordshire records also contain details of the ways in which cunning women were made particularly vulnerable to the accusation of sorcery. As with cursing, the situation intensified during times of acute adversity. Elizabeth Crackelow, a wise woman and healer of the town of Adderbury in the diocese of Oxford, had a history of casting spells. She was a known Blesser and Charmer. In October 1546 Crackelow was accused of witchcraft and sorcery. The details of this case came to light during a case concerning the will of Henry Tanner, a case which produced detailed evidence about the circumstances in which Henry Tanner died of the plague. Tanner, on his deathbed made a will. He shouted the details through the window to his master, Henry Syviar, and to the curate, Sir Robert, who were standing outside the window of Syviar's house. Witnesses were examined on 9 October and 16 October 1546 to discover the circumstances of Tanner's will. The wise woman, Elizabeth Crackelow was arraigned. An inquiry was empowered to decide whether, in making his will, Tanner was influenced by Elizabeth Crackelow, whose reputation was well known in Adderbury as a cunning woman and sorcerer. Many members of the community were called as witnesses. The court wanted to know whether she had cast spells to influence the direction of the will, or whether Robert Harres, who, it

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was alleged, had an interest in the will, went into Syviar’s house before Tanner died. As with so many cases, the outcome of this particular case is not known.\(^{20}\)

However, the court records confirm that wise woman Elizabeth Crackelow attended Henry Tanner, who was dying of the plague, when others would not think of entering the house. The documents indicate that in doing so she risked losing her home. Precisely why this punishment was a possibility is not clear, but she was aware of the fact that she was jeopardising her future. She herself expressed concern about losing her house in Adderbury, either because she had been in a house where there was plague, or because she was accused of improperly influencing the dying man in creating his last will. Her fears were exceeded, however, by her responsibility for healing. Whether she did lose her house or not is not clear from this manuscript. However, confiscation of the property of women accused of verbal crime was a frequent punishment in later years in Northwest England. Women healers in particular, found their property and goods at risk, even though they were performing an essential service which nobody else could, or would, do. On the matter of property in the Crackelow case, the court is imprecise about whose expectations had been disappointed by the outcome of the will. What is clear, however, is that Crackelow was brought under suspicion for being a wise woman. Interested parties were given the opportunity to censure her for influencing Tanner by supernatural means. This was how she came to be accused of witchcraft.

A similar situation occurred in Abingdon, Oxfordshire, in 1618, when a cunning woman called Margaret Link was accused of sorcery.\(^{21}\) The depositions of a number of witnesses disclose that the cunning woman had ‘nothing to answer’ [not guilty] when accused of sorcery. It was found that Foulke Hart of Chelgrove, when ‘in conference with Margaret Linck’, told the cunning woman that he needed help to assist his son who was in

\(^{20}\) Oxford Record Office, MS Oxf. dioc. papers, 1546 ff. 73v, 74, 74v, 75, 75v, 76, 76v, 83v, 84, 84v, 85, 85v, 86v, 87, 87v.

\(^{21}\) Oxford Records Office, Depositions of Thomasina Linck, 1616-20, Oxon, c118-f223, Wydowe Linck.
love with a maid called Mistress Anne. He asked her to 'use means to bring the young maid to the waterside to carry her away.' Thomasina Linck told the court that 'his purpose was to use sorcery to contrive a marriage.' She also claimed that 'widow Linck was reputed a cunning woman to help men with cattle, no powder, spice or drug, no skill in any such business for all she knoweth [she] does not bewitch.' The deposition of John Link of Aston Rowant, dated 23 January, 1618, said that he overheard 'Goodman Fulke of Chalgrave when he came to the house of Margaret Linck his Mother and told her that his sonne and a mayde were in love together' and said 'yf you can bring her but to the water syde I will give you twenty shillings.' Further, he stated, that 'he did hereby understand that Fulke was purposed to make use of sorcery for the obtayning of the mayde for his sonne and did conceede that his mother had skill to worke by sorcery and inchauntements.' Although the judgement of 'nothing to answer' is ambiguous, the depositions of those who knew Margaret Linck disclose that the cunning woman was innocent of sorcery. Their evidence reveals that Goodman Fulke was the offender, for he sought to procure love-magic with the intention of kidnapping the object of his desire. Nevertheless, the case discloses the fact that speaking 'inchauntments' could be just as dangerous as cursing.

Love-magic and the potential of spells to cure diseases were debated regularly at Oxford university in 1605, 1620, 1637, 1652 and 1669. Spells, prescriptions and charms were prepared by astrologers mostly for men who wished to have their love returned by the object of their desire. Spells, such as those listed in a compendium entitled 'The preparation of Experiments of Love', were executed by saying 'names over

22 Ibid.
23 Ibid.
24 See, for example the Register of the University of Oxford, II, (1571-1622), I. A. Clark, (Ed.), Oxford Historical Society (1887).
25 Bodleian Library, Oxford, Ms.e. Mus, 173, 'An Experiment for love', 'To make a woman love thee.'
virgin waxe or parchment or any other experiment of love. Richard Napier's loose
notes of his astrological practice of medicine from 1598 to 1629 contain a number of
references to medical recipes to deal with supernatural occurrences.

The casebook of William Lilly, who was a practising astrologer, in 1648, contains
a large number of remedies against witchcraft, for use in the many cases he encountered of
people thought to be bewitched. His casebook reveals that he provided counter-spells and
prayers 'for one bewitched' and for a 'house bewitched.' Spells and charms were also
used to bring about the conception of a child. In an example of magic to bring about
conception, he suggested the following action should be taken:

Yf she be yonge and can have no children, wryte this psalme 33. Exultate
justi in domino and these caracters, and perfume them with mastick and laye
them to her right arm and she shall conceave. Another to cause conception,
wryte these letters in virgin parchment and let the woman beare yt upon her
and she shall conceave And yf you will not beleve yt prove yt on a tree.

**Magical Healing in Northwest England**

The inhabitants of the Northwest had a long tradition of referring to cunning men
and women in order to obtain cures for themselves. The Warden of Manchester and an
astrologer, John Dee, was famous for magical healing in the 1580s. In 1640, Thomas
Broadbent, who was affectionately known as 'Old Daddy', was a servant of the Stanley

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28 See, for example, Bodleian Library, Oxford, Ashmolean Manuscripts, Casebook of William Lilly,
Numbers, 184, 178, 185, 420, 210, 427, 547 (contains a whole file on witchcraft), 749, 1488. Remedies
against it are contained in 1417 V.16, 1442 V1 27, 1447, IX, cases of people who thought to themselves
to be bewitched are found in 182, 1076, 153, and 1447, IX, 14, 1488, 11,55, 1730 artt. 35, 82 contains 'a
prayer for one bewitched', and 178,31, prayer for 'a house bewitched'.
family. He was also well versed in the art of healing.\textsuperscript{32} The antiquarians and folklorists of the Northwest, Harland and Wilkinson, in their reflections upon popular magic and the role of wise women, in the nineteenth century reveal innate prejudice against female practitioners.\textsuperscript{33} They claimed magical healers were 'imposters',\textsuperscript{34} but conceded that they were consulted by people of all classes, because belief in their ability, was 'not confined to the credulous or ignorant.'\textsuperscript{35} They were most unkind, however, when they wrote about the women who consulted the cunning folk. They referred to them as 'silly women always wanting to know whether their future husband is to be denoted by the king of hearts, a long-time swain.'\textsuperscript{36}

Some practitioners of healing did not rely on charms or magic to cure, but instead resorted to herbal remedies. Samuel Fifield and James Hodgson, the likely authors of 'Macer's Herbal', a manuscript herb book, catalogued a wide range of ailments and provided prescriptions and the procedures to follow in order to deal with common medical complaints. This unpublished manuscript, of middle-to-early-modern Cheshire, is not well known. It was probably written in the late fifteenth or early sixteenth century. Fifield and Hodgson referred to techniques of blood letting, and include medical prescriptions for a range of maladies from 'toothache' to 'swollen bollockes.'\textsuperscript{37} They prepared prescriptions for most illnesses and mishaps, from the prevention of conception to the cure for snake bite. Recipes 'for the head-ache'\textsuperscript{38} are included, as are those 'for the ache of feet'\textsuperscript{39}, and for conjunctivitis there is a herbal remedy 'for clene eyen.'\textsuperscript{40} For the short-sighted there is

\textsuperscript{32} See, for example, the recipes for healing of the Stanley's of Alderley, C.R.O. DDX/361. Some of these were probably passed on by 'Old Daddy'.


\textsuperscript{34} \textit{Ibid.}

\textsuperscript{35} \textit{Ibid.}, p. 123.

\textsuperscript{36} \textit{Ibid.}, p. 126.

\textsuperscript{37} C.R.O. D/4938/1, 'Macer's Herbal', p. 68.

\textsuperscript{38} \textit{Ibid.}, p. 91

\textsuperscript{39} \textit{Ibid.}, p. 66.

\textsuperscript{40} \textit{Ibid.}, p. 96.

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a remedy to improve vision 'for the sight'. There is a prescription 'for the venym of snakes' and for those suffering from urinary tract infection, or cystitis, a remedy 'for the ache of the bladder'. For those suffering the ravages of excessive sexual libido there is a remedy 'for lecherie' and another 'for the ache of the thyes'. For nursing mothers the 'hem-lock green' was found to be useful for drying up a mother's milk for 'if a mayde anoint her tetes with hemlock...the hemlock drieth the mylke'.

Similar manuscript sources such as the household recipe books of the Stanleys of Alderley and the 'Receipt book of Eliza Cholmondeley' demonstrate that women not only had great healing knowledge, but were also responsible for medical problems which arose in the household. Eliza Cholmondeley, for example, in 1677, maintained a 'Receipt Book' in which she provided recipes to cure a wide range of illnesses. Amongst these were prescriptions for illness that could otherwise kill. She illustrates how 'To make a plague water'. She had also formulated a remedy 'against the small pox'. The author demonstrated that she knew formulas with which to bring a pregnancy to full term through 'a powder against miscarriage'. There was also a prescription to ease a difficult birth which she described as 'a drinck to cause easie labour'. Not only women were concerned with cures. In one gentleman's diary there was a medical recipe for curing animals with skin irritation, for example, one to 'cure the itch' and another for curing a cow of 'scowers' and another for curing 'a strain in a horse or a cow'. An entry in Samuel Hurlbut's diary, which reads 'The sol in Aries, March 1751', demonstrates that gentlemen,

41 Ibid., p. 137.
42 Ibid., p. 120.
43 Ibid., p. 120.
44 Ibid., p. 114.
45 Ibid., p. 130.
46 Ibid., p. 114
47 C.R.O. DDX/361 Stanleys of Alderley (1620-1760).
48 C.R.O D4367/1AQ2BES Eliza Cholmondeley, 1677, Receipt Book.
49 Ibid., p. 13.
50 Ibid., p. 27.
51 Ibid., p. 30.
52 Ibid., p. 31

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particularly farmers, referred to alignment of the planets before they made important decisions.\textsuperscript{54}

The cunning folk functioned in most areas throughout the Northwest. Some, whose healing methods were tried and true, achieved considerable renown within the local community. The proficiency of the more accomplished practitioner became known to the inhabitants of distant places and the troubled often travelled considerable distances to consult with them. In some cases, the cunning folk would travel on horseback for three days at a time.\textsuperscript{55} Though little is known about the cunning folk, it is possible to ascertain a geographical distribution of their practice from the surviving records of the wide variety of legal actions such as petitions, sworn statements of deponents, and the recognisance bonds which were issued by the local Quarter Sessions courts. The Puritan Justices of the Peace in particular, dealt with cunning people very severely. In some instances, by practising a healing art, they were open to accusations of sorcery, while in some circumstances, they were even accused of witchcraft. When found guilty, they were imprisoned, and they often starved to death. In some of the more serious cases, those charged might be hanged. Usually, they were suspected of a verbal crime, such as the saying of 'charms', 'inchaunements' or 'blessings' and in this respect, speaking charms was closely related to cursing. In the Northwest, some of the cunning folk prescribed charms to cure people and cattle and to free houses of evil influence. They were also requested to voice blessings over a valuable harvest, or to bless the areas where valuable foodstuffs were stored. Evidence from Lancashire exists to demonstrate that they were consulted to say charms to make barns secure.\textsuperscript{56} In circumstances such as these, much like the crime of cursing, where the offender was said to have invoked the wrath of God, the blessings pronounced

\textsuperscript{54} C.R.O. Almanac of Frances Moore, 1751, Owned by Samuel Hurlbutt.

\textsuperscript{55} See, for example, QSB1/139/85 1630, the case of Lancashire wiseman, William Nuttall, (whose mother, was also a practising cunning woman), who travelled by horseback for three days.

\textsuperscript{56} See, for example L.R.O. DDX/471/1, Charms to cure a horse, and L.R.O. DDX/611/4/8, Charms to be spoken over a house and a barn.
by the cunning folk were perceived by the Justices as 'inchaunteaments.' As the following evidence will demonstrate, such dangerous language was sufficient for a cunning person to be charged with sorcery.

"Frivulous and Foolish Speeches"

In 1629, James Browneworth of Penwortham appeared before the Quarter Sessions court at Preston, Amounderness, before Edward Beale and Richard Burgh, Justices of the Peace. The evidence they heard implicated Browneworth in having in his possession a stone with magical and healing qualities which he claimed he had received from 'a spirit'. Browneworth, Christopher Baron of Penwortham, gave a description of it and said that he was aware that Browneworth had used the stone for some years:

Browneworth the commonlie called Browne of Penwortham husbandmen had brought a stone into the Procter his workehouse, or shopp in Penwortham aforesayd about twenty years since, which stone was redd coloured upon th'one side and blacke upon th'other as Procter did them relate unto this examine and Brownemouth told him that he had that stone from a spirit but the Procter sayd it was twenty yeares since he sawe stone and had the aforesayd conference with Browneworth.

Anne Foreshawe, a Blacksmith's wife, of Preston gave similar evidence:

Upon Saturday last past in the nighttime in her husbands house in Preston, she heard James Browneworth and William Procter talking of a strange stone at which time Brownworth told this examine and her servante Margaret Hudson that he in his time had a stone which if it had been raked with a pin gave blood and the Procter his then companion told him that he had seen Brownworth [with] a stone but he could not tell whether it would bleede or noe.

57 L.R.O. QSB1/65/39 1629, Recognisance bond issued to James Browneworth of Penwortham.
58 Ibid., Deposition of Christopher Baron, Husbandman.
59 Ibid., Deposition of Anne Forshawe of Preston, Blacksmith's wife.
Robert Culdfield of Preston, also claimed to have heard Browneworth speak of a magic stone. However, he rationalised its use by saying that he believed the situation had little to do with magic, but was owing to pressure on Browneworth from a several court actions proceeding against Browneworth:

Upon Sunday last past he heard James Browneworth say that in times past he had a stone which had Rakes like blood upon it but neyther heard him say where he had it hence got it noire of what vertue it was besides he heard him utter manie other sillye frivolous and foolish speeches like a man distracted or troubled in his minde which this examinate thinketh was by reason of some troubles which have beene betweene him and his neighbours both at the generall Assysees and divers Sessions.  

To Justice of the Peace Edmund Assheton, the activities of a well-known Lancashire wise man, William Nuttall, in 1629, were nothing short of witchcraft. The evidence tells of Nuttall's blessing ritual or 'casting water' to bring about a cure. The community of 'Little Boulton', which was suffering a wave of disease, turned against him when their children died, and the people denounced him to the court. Here, his healing charms were interpreted as sorcery. According to Jane Chisnall, the trouble arose from an on-going dispute between Richard Nuttall, the cunning man's son, and William Chisnall, Jane Chisnall's brother. She provided the court with the following evidence:

Her brother called the mother of Richard Nuttall a witch whare (as her brother told her) and Richard said unto him thou had best to take heede what thou sayes for my mother will take courses with thee, where upon the day after the sd William fell lame (by reason of the extreme Payne he was in) as though they had cast water upon him. William said alsoe hee must have Nuttals mother sent for because he knewe she had done him harme, the mother of William made answere she should not be sent for, and she saw her sonne for foure or five dayes continued the same, and some tymes withall despaired of his speech [he could not speak].

60 Ibid., Deposition of Robert Culdfield of Preston, Bellfounder.
61 QSB1/139/85 1630, Lancashire wiseman, William Nuttall, charged with witchcraft.
Nuttall's mother was sent for in order to cure William. She initially maintained that she would not come to see him, because her exhausted son had recently ridden for three days to attend another person, and so she said that 'she would pray for him' instead. Apparently she relented, and did visit William Chisnall. Her diagnosis was such that, although 'he was over-wrought with a foule tongue', he would recover in nine days. Upon Mrs Nuttall's departure, he immediately recovered. Shortly after, when Chisnall's mother became ill and died, and Jane Chisnall became lame, and the distressed family claimed bewitchment. They denounced the Nuttalls:

William being instructed of his mother not to give Nuttall's mother any foule wordes said hee knewe not what she had done but he prayed her to doe him some good and she said she would pray for him and said he would mend and soe went her way after which he suddenly mended. Immediately after this examinates [the person being examined under oath] mother fell sore sicke and she her selfe lame, was extremely troubled with some sorcery, and she was taken after the same manner and the mother of this examinee within six weekes after, dyed, and this examinee thinks and is verily persuaded that she, Nuttals mother did bewitch them and that she released her self her brother and sister. Her mother in the time of her sickness told her she was not affrayed of Nuttall's mother but she thought she was a witch.62

The sources record no clear outcome of the fate of the Nuttalls, but to be convicted of witchcraft in Lancashire in the 1630s was to be convicted of a felony, and the punishment was death by hanging.

In the same year, renowned 'Blesser' and 'Cunning woman' Mary Shaw gave an account of her activities when she was examined by George Ireland, Justice of the Peace, at Southworth. Her words provide enlightenment about the role of the cunning person and speak of the 'good will' of the cunning folk, and of her refusal to accept payment. Anne Urmeston, the daughter of William Urmeston of Crofte, a Tailor, swore before the court that Mary Shawe, wife of Henry Shawe of Crofte, a tailor, was a magical healer. She had returned from 'milking Edward Dowson's kyne' in August, 1630, when she encountered

62 Ibid., Deposition of Jane Chisnall.
Mary Shawe who suggested that Anne 'might give God thankes for her amendment'. Anne was unaware of any healing Mary had done. Mary's testimony revealed the essentials of her healing:

Mary Shawe tould this examinante that shee hadd beene at Nicholas Hadfeilds and that shee hadd done good, and never did any Hurt, and that shee could do some little things, but never tooke any money, but what they would give her of good will and did att the same tyme Confesse that shee Came into Hadfeilds howse and that there was a pigge fell downe very sicke. And thereupon she went into a Chamber there and was very sicke and then Nicholas Hadfeild caused a possett to bee made for her, but tell she was amended shee could not eate yt, but after shee came out of the Chamber shee said that under god and her the pigg was amended.63

Mary claimed to have cured the pigs and cows of Nicholas Hadfield. Other neighbours, such as John Key and Robert Gaskell, testified to their having made good use of the cunning woman's skill and of her efficiency as a Blesser:

John Key, sonne of Henry Key of Croft, Lynen Webster, saith that Ann Urmeston tould this examine that Mary Shawe said that under God and herself shee hadd amended a pigg of Nicholas Hadfeilds Robert Gaskell of Crofte aforesaid husbandman, sworne and examined saith that Mary Shawe was with this examine and other his neighbours, to helpe upp a Cow of Nicholas Hadfeilds, but did not see her blowe in the cowes mouth, nor use any Charme to his knowledge, but further saith that shee ys generallie suspected to be a Blesser.64

Justice George Ireland does not leave any indication of the outcome of the matter. However, the charms of Mary Shawe probably sealed her fate. She, like those accused of cursing, was probably imprisoned.

Cunning man, Thomas Hope of Aspull, in 1638 gave a clear account of the healing activities that he carried out during examinations at Standish by William Leigh, Puritan Justice of the Peace, of Lancaster. Hope's situation highlights the healing practices of the Lancashire cunning folk, and also illustrates the Puritan Justices' hatred of any ritual that

63 L.R.O. QSB/178/49, 1630, Examination of Mary Shawe of Crofte, Blesser.
64 Ibid., Sworne examination of Robert Gaskell.
smacked of Catholicism. They particularly objected to any ritual associated with 'healing' water, 'holy' water or 'casting water'. Hope claimed that he went to Rome when he was ten years old with John Hale of Frodsham, where he stayed for seven weeks. During his time there he claimed to have washed in water which left marks on his arms. This, he claimed, had left him with remarkable curative capacity, which he professed had assisted him with his task of curing illness in both humans and animals:

when he was but ten yeres of age he went with one John Hale of Frodsome to Rome where he continued about seven weeks, and after came into Frodsham and he saith that att his being in Rome he was washed in a Chamber with water by vertue of which water he hath helped horses, beasts and some children, and cured their maladies.65

Hope's problems came about through the deterioration of a professional relationship with his clients, Margerie and William Mullineux. They insisted that their children had died after a long period of illness, and that Hope was responsible. Hope was not only asked to help cure the children, but was also expected to reveal who it was that had bewitched them. Margerie Mullineux denounced the cunning man, telling the court that Hope claimed to heal 'by the name of Jesus' advising Margerie to be alert for 'some sign' and to watch neighbour Sibyll Hyton:

Margerie the wife of William Mullineux of Westoughton sworne and examined saith that about two years since her son being dead, Thomas Hope of Aspull came unto her and told her that a prayer was sayd for him. And another tyme another of her sonnes dyed about two yeares being sicke she sent unto Thomas Hope for helpe who ansered that if she then had not taken him upp he had dyed, and she demaunding by what means he did that and other thinges, he said by the name of Jesus, And Margerie Mullineux further saith that she demanding of Hope who had done them that hurt had answered he could not tell. But shee should knowe 'itt' by some signe after he went awaye, whereupon one Sibyll Hyton then came into the house to borrowe a cart-roppe then Hope said when she was gone that she could let noe other but come come in, and warned this examine she should not lett Sibyll Hyton have Any thinge from her But that she shuld first put salt into it.66

65  L.R.O. QSB1/202/89, 1638, Examination of Thomas Hope of Aspull, Blacksmith and cunning man.
66  Ibid., Sworne deposition of Margerie Mullineux.
Hope also threatened Margerie saying that if she exposed him he would not provide a cure. She did not keep her word, however, and subsequently denounced 'Agnes Hurst' as a 'chief' of 'half-a-dozen witches' and claimed that Hope had acquainted her with the names of others but she could not remember them:

And told her that if she did complain of them or descrye them he could never cure any more diseases for he further told her there was half a dozen witches there about whereof Agnes Hurst was chief of the fold and named noe more saving a man and his wife who had no children, and were as badd as Agnes Hurst, but who they were by name he declared not.\(^{67}\)

In May, 1638, Margerie Mullineux proceeded against Thomas Hope for witchcraft. William Leigh heard evidence from physician, Christopher Leigh of Rumworth, who claimed Margerie was his patient and was 'over-rafted' or bewitched and insisted that Hope was responsible:

On Saturday last he comming unto the house of William Mullineux in West Haughton and hearing that Thomas Hope had been there and suspectinge that some practice had been done upon Margrett Mullineux then his patient, sent to Hope to leare what he had practized and done unto Margrett Mullineux; who told him she was over raught and that he knewe who did it as well as he himself that did it. And promised she should have noe further hurt untill this matter were tried.\(^{68}\)

The above evidence demonstrates that magical healing was a dangerous business. Hope's problems began when he failed to heal sick children. At this point his healing methods became the focus for the grief-stricken and desperate parents, who, with no other explanation, sought revenge when the cunning man failed to heal their sick children. Thomas Hope was soon desperate himself, for he knew that had he been found guilty by a Quarter Sessions Justice, and that he would certainly be imprisoned. He then exposed

\(^{67}\) Ibid.
\(^{68}\) Ibid., Sworne examination of Christopher Leigh of Rumworth, Physician.
others who, he claimed, resorted to 'charms and inchauntelements' to achieve their ends. His efforts to direct attention away from himself, and on to Agnes Hurst, paid off, because she subsequently was denounced for bewitchment, as the evidence below will demonstrate.

On 23 July, 1668, at Manchester General Sessions of the peace, Roger Gregory of Westhaughton brought a petition before the court to force 'material witnesses' who had declined to appear, to disclose all they knew in relation to a charge of 'witchcraft, charms and inchauntelements' against Agnes Hurst and Margaret Hurst:

That at the last Sessions her houldeon one Agnes Hurst and Margaret Hurst were indicted for witchcraft charms and inchauntelements, and your pettioner there obeyed an order from this Court for your witnesses who were Considered to bee materiall to goe before some justices of peace to give informacion against them and for her sheweth that there are some persons whom this Informacion conciders to be very materiall who deny and refuse to goe before any Justice of peace to give any information against them. Your petitioners humbly prayeth that your good worshipes would bee pleased to grant your warrants directed to the Constables of the several townes where your sessions dwell, to charge and command the persons concerned to be materiall witnesses to repaire before your Justices of peace to give informations against Agnes Hurst and Margaret Hurst to you and they may be bound over to your Generall Sessions of Assizes goal delivery and your pettioner as in duty bound will ever pray.69

The Hurst sisters were most likely casualties of a network of suspicion, illustrated by the above case which demonstrates how the Mullineux sought to shift the blame for the children's deaths to practitioners of 'charms and inchauntelements.' Thomas Hope, through his determination to save his own neck, clearly exposed several members of the community to the suspicion of sorcery. What such incidents reveal is the ways in which accusations came about and the social dynamic which drove such accusations. In this case, as in every other, the theme that is most obvious is the 'dead children' one. This theme was just as obvious in cases of 'inchauntelement' as it was in cursing and what these two branches of

69 L.R.O. QSP/324/20, 1668 (1638).
verbal crime have in common is that the cases serve to bring attention to the distress felt by members of the community.

As the previous cases have demonstrated, the cunning folk were consulted about a range of issues. In some instances, they found missing persons or stolen objects. One such situation arose on July 21, 1634, when two labourers from Upholland, James Rigby and William Rigby complained to the Justices at the General Sessions of the peace, at Ormskirk, of wrongful imprisonment. They found themselves involved in a charge of witchcraft, having been accused by cunning man James Garnett, who was already imprisoned at Lancaster for witchcraft. Garnett said that Humfrey Morecroft of Scarisbricke, who was reported missing, had been murdered by the Rigby brothers, and his body thrown in a pit. As the court proceedings reveal, Morecroft's murder was 'solved' by Garnett:

Upon Midsomer day last, Homfrey Morecroft of Scarisbricke, haveing bene at Wigan and coming homewards through Holland farre overloaden with drinke (as is generally reported carried himselfe very boysterously, abuseing many honest men both in words and deeds) And absenting or concealing himselfe secretly, a great stirre and uproare was made in the County, especially, in the Towne of Holland in searching of Pitts, where the friends of Morecroft thought him to be murthered and thrown in (as by report they were informed by one John Garnett, now prisoner as Lancaster for suspition of Witchcraft to whom they sought to knowe what was become of him).  

James Garnett, though imprisoned, was nevertheless consulted to find the 'murderer'. The constable and Morecroft's friends acted upon his advice to see if Morecroft had indeed been thrown in a pit and murdered. The brothers, who were employed in the Marlepits, were likely suspects. Having been imprisoned for several days, they expressed concern about losing pay, and loss of status:

The Morecrofts friends, charging your poore petitioners, were committed to safe keeping in the custody of the constable for the space of seven or eight dayes and nights, to their great discredit (being true poore men) and much

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hindered in the same tyme where they might have bene imployed in workeing in marlepitts.\textsuperscript{71}

In this instance, a note at the bottom of the page indicates that the Justice 'considered' the brothers' wishes. Though precisely how they ensured that their good name and reputation was restored is difficult to ascertain.

At Chadderton, in 1634, a cunning man known as Henry Baggillie maintained that he knew a charm for curing both humans and cattle. The charm was inherited from his father, who, according to Baggilie, learned it from a travelling Dutch man, he told the court that:

About twentie years since, this examinants father was taught by A Dutcheman certaine Englishe wordes and praiers to repeate, whereby to blesse or helpe anie sicke person or cattell in there extremetie.\textsuperscript{72}

The charm which Henry related to the court, was clearly a simple prayer or wish and had very little to do with sorcery, as the following words demonstrate:

Tell thee thou for Spoken Toothe and Tongue: Hearte and Heartertaithe:
Three things thee boote moste: the father sonne, and holighoste, with the Lordes praier and thee Beleeve three tymes over.\textsuperscript{73}

According to the evidence of Henry Bagillie, there was much need of the healing charm, particularly during the years of 1632 and 1633, since many people became ill and his services were called upon regularly:

all which wordes and the manner of speakinge them: hee learned of his father and hath made use of dyverse times though more frequently for these two yeares last paste, when people have come to him to blesse there friends or cattell. And further he confesseth that alwaies when hee came to the partie ill affected, if the same needed his blessinge, then he pronounced the wordes and praiers in utteringe [sic] the of the wordes and duringe all the tyme of his

\textsuperscript{71} \textit{Ibid.}
\textsuperscript{72} L.R.O. QSB1/139/81, 1634, Examination of cunning man, Henry Bagillie.
\textsuperscript{73} \textit{Ibid.}

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blesinge, hee for all suche tyme hath alwaies beene suddenlie taken with sickness or lamenessse and that alwaies in the same manner that the man or beaste that hee blessed was troubled withall.\textsuperscript{74}

The cunning man did not take payment for these healing services, although he took a meal with the family concerned:

that what hee hath blessed hath recovered and he hath only receaved Meale, or Cheese or Comodities of the like nature, but never did take silver or anie other rewarde but such as before hearein is Acknowledged.\textsuperscript{75}

In spite of it being an obvious healing charm, Edmund Assheton, the Justice who had convicted many cunning folk of witchcraft, found the cunning man guilty. His note at the bottom of the page condemned Henry Bagillie to a dubious future. His activities were interpreted by Ashheton as 'witchcraffte'.\textsuperscript{76} Bagillie would certainly have hanged.

The Justices, however, were not always ruthless in dealing with people. They would, in certain cases, respond favourably to a request for compassion. Such was the case in 1663 with John Roshorne, labourer, of Little Bolton in Lancashire, who became embroiled in a situation which resulted in an accusation of bewitchment against his landlady's brother. His petition, reproduced below, gives a clear account of his history:

your petioner being a very poore Lame Cripell who formerly followed the occupation of Miller but for the space of fourteeene years last past hath not beene able to work at a mill, your petioner hath lived in Littell Boulton for the space of five years last past and upwards att the house of William Stone and coming upon atime in my landlords house my landlady William Stone's wife tould mee of a neighbours wife and Thomas Warde wiffe which had gotten a women to spit her some grout to quicken in a barril which a littell before had been left under a spout and when the barrill was emptied she tould mee ther was two or three water toads in it. Goeing to one Adame Stones house his daughter Dorothy tould mee the same story and through the story I had heard of my landlady, she said she thought I was a witch and she having a brother fallinge sicke shortly after Mr Hon Seefeld of Boulton tould mee hee heard on 21th July 1663 Adam Stone say that hee suspected mee to be a witch and

\textsuperscript{74} \textit{Ibid.}
\textsuperscript{75} \textit{Ibid.}
\textsuperscript{76} L.R.O QSB1/139/81, 1634. Examination of cunning man, Henry Bagillie and the note of Edmund Ashheton.
that he threatened to further a warrant for mee and Mr Seefeild wished him to take heed what hee did and said for hee had known mee this twenty or thirty years and neither knew nor heard nothinge to mee whereupon these reports my Landlord William Stone July 7th 1663 did give mee warning to provide a plea for my selfe on the 15th September and hee tould mee that if Mr Seefeild would witnesse what he said to mee I might have a warrant against them.77

John Rosthorne's petition is informative about the pace at which such accusations gathered momentum. In this incident, Rosthorne was forced to respond with equal rapidity to thwart the legal actions taken by his disgruntled neighbours who believed sorcery was involved. The petition also demonstrates his indignation at his treatment at the hands of his neighbours, 'as if I had been some theefe'.78 Because people were afraid to accommodate him he was forced to live on the streets. He applied to the Justices for poor relief, and his plea was recorded as follows: 'may it please your good worship to grant your petitioner relief who is allmost starved for want of a habitation.'79 In this case, poor relief was granted and a note at the bottom of the page read: 'Done. Provided relief and cleared of charge'.80

Neither the petition of eighty-year-old Ann Baker of Warrington, nor the signatures of 13 people in support of her petition, moved the Justice William Weast, to show compassion at Warrington in 1658. Ann Baker, who was most likely a wise woman, was not as fortunate as John Rosthorne. She was imprisoned for sorcery without having been proved guilty. The petition read as follows:

Your petitioner being within the Comon Gayle at Lancaster upon the suspition of sorcerie or witchcraft and nothing proved against her, and remaineth here still for not paying her feese wich shee can not produce, nor pay having no frends to Looke upon her, but hath sould all her clothes her hatt and aprine and all that shee hath and now lieth sore sicke in bed, and is not able to stir or to helpe her selfe any way.81

77 L.R.O. QSP/268/6, 1663. The petition of Labourer, John Roshorne of Little Bolton.
78 Ibid.
79 Ibid.
80 Ibid. Note of the Justices of Lancashire Quarter Sessions Court.
81 L.R.O. QSP165/12 The Petition of Ann Baker of Warrington.
The signatures which appear on the petition demonstrate that some members of the community felt a great deal of compassion for the elderly woman and her sorry state. Their words reveal their concern:

May it therefore please your good worship to take into your grave Consideration the poore and Miserable Condition of your afflicted petitioner and release her from prison and shee as in dutie bound, will ever prey wee whose names are heare subscribed are daylie witnesses of her miserable condition being a woeman of fourscore years of age or thereabouts.82

The petitioners may have been inmates or prison wardens at the jail from where Anne Baker made her plea. The petition was in vain. William Weast's blunt response, recorded at the bottom of the request for compassion, was the single word 'Nothing.'83

There were a number of such incidents where those accused of magical healing were imprisoned. In 1657, in a similar situation to Anne Baker, widow Margery Greene, of Ince in Macclesfield, and her children were starving because she was condemned by the local community and imprisoned on suspicion of sorcery. Her petition read as follows:

Your poore petitioner fyndeth her selfe sore wronged and disgraced by Thomas Bradshaw of Ince, Mr Ralph Browne, Mrs Elizabeth Goodlaw and her sonne Christopher, Elizabeth Jolly of Ince spinster, Katherine Ford of Wigan widow, and by Jane the wife of Edward Marsh of Wigan who have all accused slandered and said and reported your petitioner to be a witch insomuch that your petitioner and her children are lykely to be famished by reason that noe one (through these reports) will give them any releife but push them from their doores.84

82 L.R.O. QSP165/12 The names subscribed are T. Barrow, Hariot, John Coulthoarf, Bennit, Thomas Parkinson, George Choriton, Janice Whitworth, John Renshall, William Sharlock, George Almred, Richard Mather.
83 Ibid., The note of William Weast, Justice, at Warrington.
84 L.R.O. QSP151/21, 1657. The petition of Margerie Greene of Ince.
A note from Justice Butterworth which also read 'Nothing', at the bottom of the Petition, is a clear indication that no mercy was forthcoming for Margerie Green or her children and she was likely to have starved in prison.\textsuperscript{85} Her children, perhaps, met with a similar fate.

At Lancashire Quarter Sessions in October, 1661, an unnamed female reported a cunning woman to the magistrates, who she claimed had carried out sorcery, though it is more likely that she attempted to cure a colt and failed. The petitioner was herself afraid of being suspected of witchcraft, and was anxious for the Justices to issue a warrant for the arrest of the cunning woman, she claimed was a witch. Her words testify to the fact that she had, on previous occasions been 'bound', (probably a recognisance bond was issued against her), and this petition was prompted by her desire to try to protect herself from further indictment. Her petition stated the following:

\begin{quote}
Nouble gentle men I desire you to consider of this women what kind of acourse of life shee hath lived in the first of her time shee lived with her husband as man and wife and was not so and after they were maried shee went away with another man besides her husband and shee goes in the name of a witch for which a child which the mother of the child was tought to get blud of them to cure the child, and shee did go and the child recovered well and shee was taken one morning killing of a neibours Coult and the other daye the Coult dyed, and they threaten me that they will make me to breake my bones or they will make my bones Clater in my skin and they say that they will hange me at the sessions or they will be hanged themselves and if shee meete me far from any house shee will say nothing to mee but if shee be neare any house shee will cry out for helpe and as for my part I never spoake word to her since I was bound and as for his part hee hath bin arraigned and since stole close of a hedge and I can bringe witness of this all if you plese to grant mee a warrant for them.\textsuperscript{86}
\end{quote}

The petitioner was clearly frightened to speak. Her evidence shows that the dispute was about the death of a young horse which she had failed to heal. Threats of violence were made between the women concerned. The fate of the cunning woman is not known.

\textsuperscript{86} L.R.O. QSB9P0/214/8, 1661. Petition of unnamed woman accusing another of sorcery.
In 1641, a Recognisance Bond was issued by John Butterworth, Justice of the Peace, for Alice Schofield, a cunning woman of Castleton, to appear before the Justices of Manchester Great Sessions accused of sorcery. She was accused of attempting to find stolen cattle, sheep and a hen at the request of neighbours, James Newbold and John Seildon. She was also required to answer charges of using the 'sieve and shears'. The evidence stated the following:

the Courte shall injoyne her commanding the devillish practising of a sieve and a pair of sheeres to know whoe had stoulen the sheepe, the goods and Chattel of James Newbold of Castleton aforesayd, and a hen from John Seildon of Belfield in the parish of Rochdale, and to know whether Jane Broasly at Cydeon nowe with Child, and Mary the daughter of the aforesayd John Feilden were with Child.\(^7\)

The cunning woman of Castleton had been in trouble on other occasions, and a number of 'Bills of Indictment' were brought against her by John Chadwick, Labourer, of Belfield.\(^8\)

If the charge was proved against her at Manchester Quarter Sessions, she would have been imprisoned.

**Witchcraft or Cunning?**

Records of the Quarter Sessions and Church Courts of the Northwest between 1595 and 1667 show that English society and State consistently brought legal opinion to bear on a far wider range of traditional healing activities, particularly 'charms and inchaunteiments' which came to be perceived as 'sorcery'. Most instances were brought by the townsfolk themselves. Some were simply cases of slander or defamation, but some of the more serious incidents led to prolonged legal actions. The women who were accused, moved quickly to defend their reputations as honest and God-fearing folk. For example,

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\(^7\) L.R.O QSB1/255/38, 1641. Recognisance bond of Alice Schofield, cunning woman.

\(^8\) *Ibid.*
Ellen Osboldston of Blackburn took action in 1595 against Robert and Ellen Tailor who asserted that she had enjoyed a long reputation as a witch. The court recorded the following words: 'Ellen Osboldson art or is a witch and so has she beene taken for the past twenty years.'\textsuperscript{89} Elene Smyth, of Frodsham, in 1616 was accused of defaming John Lathom with the following words: 'John Lathom is an old lame witch that did stinke.'\textsuperscript{90} In 1613, Lauren Kershaw of Rossendale moved to defend her name before the court having been accused of 'witching to death' a chicken called 'Ashmouth' and returned the compliment by referring to Edward Bulroke as 'thou Witcherie knave, thou didst witch my cowe to death'\textsuperscript{91} In a similar situation, Elizabeth Boude, of the Parish of Rochdale, in 1618, was maligned by Elizabeth Botham with the words 'Elizabeth Boude, is a thiefe a whore and a witch' and she moved quickly to defend herself before the Church Court.\textsuperscript{92} In 1627, Dorothy Green of Skippoole gave information before Richard Burch, to defend herself from a comparison with the Lancaster witches through the words of William Wilkinson who called her 'a witch and Demdyke.'\textsuperscript{93} He further added 'thou arte a witch and Demdyke, god blesse me from all witches, I am affrayd for my wife, children and goods.'\textsuperscript{94}

As with other instances which involved verbal crime, the cunning women did not fare well in early-modern northwest England, but in instances that involved charges of sorcery arising from magical healing, they were not much worse off than their male counterparts. Unlike cursing, which as we have seen was almost exclusively a female verbal crime, both men and women pronounced charms or 'inchauntments' and under the stern laws of the Justices of Lancashire, both cunning men and women were imprisoned without mercy. Clearly, the cunning folk were in great demand, but if they wanted to stay

\textsuperscript{89} C.R.O. EDCS/1595/30 'Witchcrafe' accusation against Ellen Osboldston.
\textsuperscript{90} C.R.O. EDCS/1606/28 Defamation, Elene Smythe, of John Lathom.
\textsuperscript{91} C.R.O. EDCS/1606/28 Defamation, Elene Smythe, of John Lathom.
\textsuperscript{92} C.R.O. EDCS/1618/45 Libel, Elizabeth Botham against Elizabeth Boud.
\textsuperscript{93} L.R.O QSB/1/33/16, 1627. The information of Dorothie Green of Skippoole.
\textsuperscript{94} L.R.O QSB/1/33/16, 1627. The information of Dorothie Green of Skippoole. 'Demdyke' was reputedly the name of one of the Lancashire witches. By using the term 'Demdyke to refer to Green, Wilkinson further strengthened his claims against her.
alive they were required to proceed with caution. During times of acute misfortune, the individuals, who were once their patients, could turn against them, especially if a member of the family being treated became ill or died. The evidence clearly points to infant deaths as the main source of discontent in the community and at such times the cunning folk were required to be unusually vigilant against the disconsolate individual with an axe to grind.

The evidence of each of the above petitions demonstrates that the position occupied by the cunning people was ambiguous. The situation varied from place to place, but a common explanation for a community turning against a cunning person is seen where the cunning person failed to cure a sick child. On other occasions, when under pressure during a hearing, individuals who were themselves afraid of being accused of sorcery, in order to shift attention from themselves, often divulged the names of other known practitioners of the suspect healing arts. Chapter four of this thesis demonstrates that social deprivation often underscored most cases of cursing, but the cursing ritual itself made the gravity of the situation all the more explicit. The evidence shows a consistent chronological pattern of accusation, from the early sixteenth century, and throughout the seventeenth century, with a sudden increase in the number of cases appearing in small communities of the Northwest particularly in the decade 1630 to 1640. A parallel situation occurred with accusations against the cunning folk. The period of 1630 to 1640 showed an increase in litigation in the Chester Consistory Court and the Quarter Sessions courts pertaining to those accused of charms or 'inchaunements'. The 'charms' of the cunning folk were perceived as 'inchaunements', 'charms' or even 'witchcraft' by the time they reached the Quarter Sessions courts. They were dealt with very harshly by Justices of the Peace, who were anxious to stamp out all evidence of any magical or superstitious ritual reminiscent of the Catholic religion they despised. In the haste to rid society of the relics of Catholicism, the charge of superstitious practice fell upon a wider range of traditional activities. Into this category came the rituals of popular healing such as the 'blessings' and 'casting water' of the cunning folk. As the Puritan justices gained a stronger foothold in the Northwest, they
were vociferous and vigilant in their attempts to control the remnants of traditional healing practices. During this period, the overall incidence of verbal crime increased, and with it a particular emphasis upon controlling the cunning folk, who were targeted as the practitioners of magical healing.
Part Two:

Female Verbal Crime in Seventeenth-Century Nantwich

King Charles stood on this tower
September 14th 1645 and saw
his army defeated on Rowton Moor.¹

Introduction

Studies of local communities are important for the close and detailed view of early-modern society they provide. It has been suggested that intensive local studies may lose their value and importance if they are not taken seriously or merely regarded as 'footnotes to the history of the nation-state.'² Historians have concluded that regional and local histories must be carried out before there are attempts to evaluate events of national importance. During the last ten years, the study of numerous local and regional cultures of early-modern England has begun to change the historiography of England in the sixteenth and seventeenth centuries. The study of local and regional communities is valuable in determining not simply events of local interest, but the underlying social, political, economic and ideological changes that occurred in the wider society.³

Historians such as Jim Sharpe have pointed out the importance of verbal crimes to the community.⁴ But Sharpe suggests that these phenomena have not received the attention

¹ C.R.O. D5104/3 Monumental Inscription of King Charles on the tower on the wall of Chester.
² D. Rollison, The Local Origins of Modern Society: Gloucestershire, 1500-1800 (London and New York, 1992), p. 45. Rollison suggests that English history may well be rewritten from the local and regional level, bottom up.
³ K. Wrightson, English Society, Poverty and Piety in An English Village, Terling 1525-1600 (London, 1986). The mid-seventeenth century saw a regular carrying trade established between London and the rest of England, networks were established for cloth, coal, food, fashion, books and ideas. Wrightson and Levine cite Preston as an example of a town which exerted influence in Lancashire by integrating the economies of highland and lowland Lancashire.
which they deserve. He argues that 'detailed study of them can be justified on two
grounds: firstly, they throw light on some very interesting but very obscure aspects of
popular consciousness; secondly, they demonstrate the remarkable willingness of the
English to settle their disputes by recourse to the courts.'\textsuperscript{5} Interpersonal disputes and
neighbourly tensions were articulated and resolved through the church courts in the
Northwest in the same way as they were in other areas. Sharpe suggests that the cases
arising from such disputes and tensions can be 'regarded as less spectacular equivalents of
those more familiar outcomes of neighbourly tensions, or witchcraft accusations.' This is a
view to be tested in this thesis.\textsuperscript{6} Such accusations, according to Sharpe, were 'perhaps the
most dramatic consequence of the state and church providing the legal framework and
ideological cosmography within which village tensions could work themselves out.'\textsuperscript{7}
Sharpe argues that witchcraft accusations began to decline in number around 1660 whilst
verbal crime increased. This situation was certainly true of Nantwich, where, by 1663,
witchcraft came to be regarded less seriously, but female verbal crime, particularly cursing,
was punished and yet continued to escalate. This not only suggests that female verbal
crime replaced witchcraft as a means of expressing and resolving social tensions but also
that cursing made the protests against the dire circumstances more explicit. As previous
chapters have shown, disputes, tensions and severe hardship within the community were
expressed in a variety of instances of verbal violence, namely ritual cursing, pronouncing
charms, defamation and scolding. This situation was particularly true of Nantwich, where,
after 1660, verbal crime indicated intensifying community concern over a wide variety of
hardship issues. Women had a high profile in this community where they appeared in the
court as offenders and witnesses and regularly brought cases against each other.

\textsuperscript{5} \textit{Ibid.}, p. 87.
\textsuperscript{6} \textit{Ibid.}
\textsuperscript{7} \textit{Ibid.}
Part Two of this thesis presents a micro-history which will analyse the details of certain female verbal crimes in Nantwich, as they emerge from manuscripts of church court proceedings and Quarter Sessions documents. In addition, Part Two presents a detailed investigation of the social context in Nantwich, since, as the previous chapters have shown, there was a distinct social dynamic of ill-will that was responsible for driving female verbal crime in early-modern northwest England. Issues of power, gender, and women's status will be considered as part of an investigation of the disproportionately large number of incidents of female verbal crime in the years 1660 to 1675 in Nantwich. Such an investigation will contribute to the growing number of local studies and will provide details of the urban dimension in the historiography of early-modern England.

Nantwich, a small but busy market town in the rich county of Cheshire in northwest England, underwent a social transformation at this time, as shown by the many legal battles which indirectly gave voice to a painful episode of social distress. The records of this period provide a clearer view of the private worlds of those individuals most affected by the social and economic turmoil which, at one stage, divided the town.

The aim of the following chapters, therefore, is to discover inner meaning of female verbal crime, by undertaking an extended enquiry into one episode of such crime. The investigation of the female sphere within Nantwich, and wherever possible, the reconstitution of the town's demographic, social and economic features, will be placed within the context of what is known about the broader regional issues examined in previous chapters.

In analysing female verbal crime in general in northwest England it has been found that of all kinds of verbal crime, cursing was perceived by early-modern society to be the worst. Chapter Three, 'The Nature of Female Verbal Crime', explained that there were three episodes of large increases in the numbers of causes heard by the Chester Consistory
Court in 1610 to 1620, 1630 to 1640 and 1660 to 1670. As noted above, the highest annual increase of the decade took place in 1663 when 126 causes were heard. Twelve of these cases related to one woman; Anne Knutsford, a midwife from Nantwich, who was accused of cursing. These twelve cases were found to be particularly rich in detail which contributes a great deal to an understanding of such issues. They are, therefore, examined in the following chapters in order to illuminate the social and economic dimension which underscored female verbal crime.

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8 There were also 44 citations to individuals to appear during this period which I have not included in the overall figure.
Chapter Six

Society and Economy in Nantwich

The Material Context of Anne Knutsford's Crime

34 years I was a maid,
9 months 6 days a wedded wife,
Two hours I was a mother
And then I lost my life.¹

'She died in Childbirth'

Hear lyes the earthy part of her whose name
Gives honour to this stone, who knew no flame
But that of zeale, and conjugal pure love;
Ambitious of no place but heaven above;
More paynes to put on Christ than clothes she tooke,
The Law her Glasse where she lov'd most to looke,
Meeke she was, yet her vertues caus'd a strife
Whether she was Christian more rare or Wife,
A better daughter or a mother, more
Loving to Friends or Bounteous to the poore,
During this strife, ere it was throughly tryed
Whilst Grace grew, Nature weakened and she dyed.²

In the period 1630 to 1640, Puritanism was strong in Cheshire.³ The stronghold of Puritanism in the archdeaconry of Chester was in the east. Richardson describes this district as:

a pastoral area with growing trade and industry. The local evidence suggested a distinct similarity between the distribution of Puritanism and that of market towns - a finding which lends weight to the frequently made generalisation that Puritanism took firmest root in the most thriving and economically developed parts of the country.⁴

¹ C.R.O. Monumental Inscriptions, D5104. Monumental inscription belonging to the grave of Sarah Thomas, 1640, Cheshire.
² C.R.O. Monumental Inscriptions. The above inscription belongs to the grave of Mary Wilbraham of Acton, Cheshire, who died giving birth, aged 37 in 1632.
³ For details of the religious distribution of Nantwich, see C.R.O. D4059/9, and see also details of James Hall's notebook, who wrote about Nantwich in the seventeenth century in his draft manuscript of 7 Miles Around Nantwich. See also C.R.O. EDC5/1693/21 Chester, Holy Trinity, which records the details of a book written by Alderman Wilcock in 1693 in defence of the Church of England. He attacks presbyterians and dissenters.
⁴ R. C. Richardson, op. cit., p. 114.
If Richardson's analysis is correct, then it makes sense to associate the compatibility of Puritan dogma with the capitalist objectives of the emerging middle class, and to associate the religious discourse, stressing the inherent inferiority of women, with the role of middle-class women within the domestic sphere.

The Puritan 'push', as Richardson describes it, came through the growth of market towns which began to prosper in early seventeenth century England. Richardson argues that Puritanism had a good reception from large prosperous towns, such as Manchester. Additionally, Richardson emphasises the 'local' character of Puritanism. He describes it as being 'local in organisation, local in structure, and above all local in its impact.' Of all towns, he contends, Manchester had the closest and most regular ties with London and it also had the largest Puritan contingent of all towns in the Northwest. As Manchester demonstrates, therefore, London's impact on the nation was important from both the economic and social point of view.

Part Two of this thesis, therefore, will explore whether the same situation was true of Nantwich, which was a wealthy Cheshire market town. It was similar to Manchester, in that it was also economically developed with a strong non-conformist element and was a town that had significant trading links with London. Geographically it was located at a strategic communications point at the centre of two main arterial routes between the north and south. Although Nantwich was a wealthy town, and had strong trading links with London, it experienced significant conflict during the period 1660 to 1670. The prevailing economic and social conditions of the town were important determinants of the levels of female independence within the domestic sphere. In practice, some women played an

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5 Ibid.
6 Ibid., p. 183.
7 Ibid., p. 77.
important role in household management, the domestic industry, agriculture and in the professions of midwifery and nursing.

It has been suggested that Northampton society was matriarchal because marriage to a widow conferred freeman's status on the male.\(^9\) It was, therefore, in the interest of the male population to promote marriage and with it female dependency as an imperative. Part Two of this thesis will investigate whether the same can be said of Nantwich, where there was a high proportion of rich widows.

The following chapter explores the social and economic background to female verbal crime in Nantwich. It analyses social patterns and especially the distribution of wealth amongst the population of Nantwich. It investigates disharmony which often arose from the social hardships, illness, poverty and above all, episodes of high child mortality in the town. Evidence from a number of sources which relate to all members of Nantwich society, will be explored. Nantwich wills and inventories, for example, particularly those of women, are explored. The Nantwich Hearth Tax records, which provide a key to the distribution of wealth in the town, are also examined to provide a portrait of the town's resources. Information from the 1664 Nantwich Hearth Tax is supported by information from the Nantwich parish registers to reflect upon the population and its distribution throughout Nantwich and the numbers of birth, deaths and marriages that took place. Emphasis is placed upon the numbers of children who died during this period, particularly those in infancy. The earliest map of Nantwich, which was drafted by Jos Fenna in 1794, provides a pictorial survey of Nantwich, allowing the information to be placed within a visual context.

Whilst primary source material such as this is rich in information about the wealthy and those of middling status, few sources refer in detail to the poorer members of society. One such valuable source, called the 'Buglawton Rent', was unearthed, and it provides important historical data about this much-neglected portion of society. The source refers to

all the poor in Hospital Street, Nantwich. This information is put to use to provide a balanced perspective of the town. The affluent and powerful, the people of middling status, and the poor, in Nantwich are examined to discover the origins of the social antagonism which provoked such a high level of, and overwhelming response to, female verbal crime during 1660 to 1670.

This chapter also sets out to demonstrate that women were figures of significance in the Nantwich property-owning class. Women were also in control of earning a living in a number of occupations. A third of all the Infra wills (those below forty pounds) and inventories proved in the Chester Consistory Court between 1603 and 1684 belonged to women. The wills provide an accurate picture of the society and economy of Nantwich. They particularly provide a portrait of women’s contribution to the Nantwich economy in areas such as salt-manufacture, husbandry, shoemaking and other trades. Whilst the wills in some instances provide a key to the geographical distribution of the population, more importantly they reflect upon the more intimate aspects of female social life, such as the kinds of homes in which they lived, the possessions they owned, their skills and interests and the care of children, their education, as well as additional information about their servants, their debts and creditors. Investigation of the wills demonstrates that women were significant landowners who distributed their wealth according to their own wishes after their deaths.

Nantwich’s prosperity was derived from the salt industry, dairying and shoemaking. Naturally enough, its affluence was not evenly distributed. The manufacture of salt, which had taken place since the middle ages in Nantwich, began to decline in the mid-seventeenth century, and shifted to Northwich and Middlewich which were closer to the Lancashire coalfields.¹⁰ The decline in the salt industry in Nantwich was one of a

number of economic features which disrupted the lives of many people in early-modern Nantwich.\textsuperscript{11}

The salt 'wiches' of Cheshire indicate early salt production.\textsuperscript{12} The Domesday survey indicates that Nantwich was originally the most productive of the three main wiches of Nantwich, Northwich and Middlewich. Nantwich, originally a dependency of the manor of Acton, contained in 1066, a brine pit, eight demesne salthouses which belonged to the King and Earl Edwin. Additional salthouses in Nantwich, were said to have been owned by 'very many men of the country.'\textsuperscript{13}

In the early middle ages salt was an important commodity and Nantwich grew rich from trading. There were tolls governing and regulating its production, particularly in the winter months, when salt was used more extensively to preserve foodstuffs. Trade of salt from Nantwich spread out over a large area.\textsuperscript{14} By the early sixteenth century, there were three hundred salt workers in Nantwich with four hundred salt houses in operation.\textsuperscript{15} During the reign of Elizabeth I the number of salt houses declined to about two hundred.\textsuperscript{16} By 1691 there were only fifty salt houses operational in Nantwich.\textsuperscript{17} A long period of salt production declined dramatically therefore, during the mid-seventeenth century and the effect of the decline was keenly felt by the town's inhabitants.

A reflection of the distribution of the town's resources is provided by the Nantwich Hearth Tax records of 1664. When I refer to Nantwich I mean the 'Hundred' of Nantwich as it appears on the Hearth Tax records. The 'Hundred' was made up of sixty-seven 'townships'. A 'township' could include a very small hamlet of only a handful of homes.

\textsuperscript{11} D. Sylvester, \textit{A History of Cheshire} (London, 1980).
\textsuperscript{13} \textit{Ibid.}, p. 328.
\textsuperscript{14} \textit{Ibid.}, p. 329.
\textsuperscript{16} \textit{Ibid.}
\textsuperscript{17} \textit{Ibid.}
These accounts register every head of each household in Nantwich which had a 'hearth'. Where there was a hearth, the head of the household incurred a charge. Those who could pay the Hearth Tax were included in the accounts by name, and each paid according to the number of hearths they had, whilst the names of those who had a hearth but could not pay were recorded separately. Certain dwellings had only one hearth, whilst some had as many as four or five. More than one hearth usually meant that there was more than one family in the home. In some households, the extra hearths were those of servants, whilst in others, where the family was well-to-do, a hearth in each room meant that they could afford to light a fire in each room, and where there was a fire, there was usually one, or more persons.

By counting the number of heads of household within a township, one gains some perspective of how the resources of the town were distributed. The names of those charged and not charged were recorded under the name of the township to which they belonged. For example, those townships with a high proportion of taxed hearths indicates that the people within that township were relatively well off. A high proportion of untaxed hearths indicates that there was a high proportion of poor folk. The head of each household, whether chargeable or not, was counted. It is this calculation which provides the number of families per township.

The Nantwich Hearth Tax of 1664 sorted the population of Nantwich into the categories of lords, ladies, men, spinsters, widows or gentlemen. The total number of heads of households at the conclusion of the Hearth Tax survey for Nantwich in 1664 was calculated by the registrar to be 3,281. The Hearth Tax did not calculate how many people were in a family, that is, residing with heads of households; rather, it counted only heads of households. For this reason it is difficult to ascertain exactly how many people lived in the town, but the numbers of hearths within a household provide some clues. Some historians consider this information to be speculative, and not absolutely accurate. But most consider it to be a reliable source. Grace Wyatt, who, in 1990, published a substantial demographic reconstitution of Nantwich as it appeared in 1674, argues that

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since the findings of the Hearth Tax returns agree with the earlier findings of Wrigley and Schofield, who did not use the Hearth Tax, the source is 'not gravely defective'. The Hearth Tax material, therefore, provides as sound a basis for analysis as we can hope for and it will be relied upon in this thesis to provide the concrete statistical information necessary to establish the social and economic background of Nantwich in 1660 to 1675.

The 1664 Nantwich Hearth Tax records provide a basic, but very accurate and concrete statistical measure of the distribution of wealth and population in the town of Nantwich. The evidence of the Hearth Tax is an important means of establishing, firstly, the precise numbers of households in the town. Secondly, it offers a means of identifying the distribution of wealth within the town (because it lists the names of the wealthy as well as the less prosperous). Thirdly, because it records female heads of households, it provides a means of establishing the levels of female independence within the town.

In addition, sources such as the Nantwich parish registers record the numbers of baptisms, marriages and burials in Nantwich. When used in conjunction with the Hearth Tax records, they shed light not only upon the numbers of people there were in Nantwich, but also indicate the numbers of people born, the numbers who died, and the average age at marriage. A large proportion of the inhabitants of Nantwich had their wills proved in the Chester Consistory Court. The wills and inventories in which people bequeathed goods and property give, in more intimate detail, information about the society and economy of Nantwich. It is to these particular sources, and to a variety of additional sources of evidence which reveal similar information about social and economic circumstances of people in early-modern Nantwich, that this study now turns.

The evidence which is examined in the following pages reveals that seventeenth-century Nantwich was a much troubled town. Records from the Cheshire Inquisitions Post

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18 G. Wyatt, op. cit., p. 6.
Mortem,19 Cheshire Quarter Sessions20 and Chester Consistory Court, reveal substantial information about the discord which existed in seventeenth-century Nantwich. There were many and varied indications of this discord. Some townsfolk who were employed by local gentry refused to work. Neighbours were at loggerheads with the Nantwich Churchwardens who repeatedly found themselves the targets of hatred. Churchwardens were the recipients of much foul speech and violent acts. Neighbours fought each other over trivial matters, whilst some clashed in church, pushing each other out of pews, anxious to maintain their status in the church hierarchy which in turn reflected the social order of the town. Nantwich nurses were forced to look after plague victims and were then cheated of their pay. They had their complaints heard by the Justices of the Peace at Nantwich Quarter Sessions. The starving, 'maymed soldiers' of the 'Scotch' invasion, appealed for justice as did the many widows of Nantwich soldiers who died in the wars. The records are full of details of the social conflict which arose from hardship imposed upon Nantwich at the time of the Civil War. During this period, women began to be dealt with more harshly. Some women, who were accused of verbal crimes were publicly whipped. Some were imprisoned for slander. Certain townsfolk were incarcerated for stealing a few shillings.

Some people could not tolerate the harsh conditions which their employers imposed on them. For example, Justices Richard Wilbraham, Thomas Delves and George Cotton in 1627 heard how Randle Hampton abused the Churchwardens. The Churchwardens complained: [Hampton] 'will not work on highways and gave ill language bidding us do the worst we can for he will neither work nor pay.'21 In similar fashion, in 1630, widow Mary Bressy of Willaston, refused to work for 'Cheny house ground.' It is likely that

21 Ibid., p. 83.
either she was not paid according to her expectations, or she was expected to work too hard for too little. It is not made clear in the records what happened to Mary Bressey.

It is apparent that verbal crime incurred harsh penalties in Nantwich. In 1627, for example, Margaret Knowsley presented a petition to the Justices asking for the remission of the third penalty in her sentence for slandering the Minister, Mr Jerrome. She was to have 'three manners of punishments on three several Saturdays.' She was firstly to be whipped, to make acknowledgment of her crime in 'as many places as the Justices of Nantwich shall think fit' and thirdly, to be 'carted' and 'bound' to 'her good behaviour.' Despite her plea she was forced to endure all three penalties. She was whipped, proclaimed at the cross and carted before all Nantwich. In 1688, Elizabeth Hayes of Etchells, was convicted for stealing 12 shillings from her employer, John Ryle. She was placed into safe custody, where she was to be punished by 'putting fetters and gyves upon her and by moderate whipping of her and that you allow no more for her maintenance than what she shall earne for her labor, in case of sickness.'

The evidence from a number of sources reveals hostile popular attitudes towards the Churchwardens. The records make it abundantly clear that they were the least popular people in the town. When, in 1627, Churchwarden Thomas Sparrow reported Nantwich Labourer, Thomas Harrison, who had accused him of being responsible for having three men executed, Harrison responded violently. The churchwarden responded by seeking revenge through the Justices for his intemperate conduct in Nantwich church. Harrison was accused of abusing the bell ringer who, according to the report, was 'then Ringinge for the funeral of Ladie Lee.' Harrison 'violently' grabbed the rope from them, and 'walking up and down the church in a most abusive manner reproaching and reviling him

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22 Ibid., p. 83.
23 Ibid., p. 81.
24 See S. Hindle's essay, 'The Shaming of Margaret Knowsley: Gossip, Gender and the Experience of Authority in Early Modern England', in Continuity and Change, Volume 9 (Cambridge, 1994), pp. 391-419. Hindle argues that 'the world of private women's speech was independent of a male patriarchy and was a powerful tool which posed considerable political problems on the streets of early-modern England'.
25 F. A. Bailey, op. cit., p. 89.
26 Ibid.
with many opprobrious and malicious speeches, saying viz; thou art a basse fellow, a home bred Rogue, a whyte lyvered rascal and hathe hanged three men.\textsuperscript{27} Thomas Sparrow asked the Justices to 'inflict some punishment.'\textsuperscript{28} It is more likely than not, that Sparrow was punished. Similarly, on 24 February 1653, Sir Thomas Mainwaring, heard how Richard Jackson, Shoemaker, attacked the Churchwardens 'with a great logge of wood' and refused to pay a church 'Ley' [tax] of sixpence.\textsuperscript{29} Mainwaring issued the Churchwardens with a warrant for Jackson's arrest.

\textbf{All these late Warres}\textsuperscript{30}

In the aftermath of the Civil War, the details of conflict and poverty were often relayed to the Justices by ex-soldiers. For example, in 1650, Thomas Oulton and Denis Brayne, both of Nantwich, were forced to request a pension to keep them from begging and starving. These two soldiers had fought on the side of parliament during the civil war. Oulton, a soldier in the 'Trayned Band' of Nantwich, said that he was in service for twenty-six years. He was shot through the left leg and crippled. He told of the efforts of Lord Capel's forces from Nantwich who fought at the bridge in 1644, and of the two assaults made by the Parliament forces during which he was wounded and literally 'left for dead on the ground.'\textsuperscript{31} Denis Brayne described himself as 'a maynmed soldier in the service of Ireland against those Monsters the rebells of Ireland under the command of Sir Charles Vavasour.'\textsuperscript{32} His responsibilities included 'keeping out such persons as should come to this town from any place infected with that heavy visitation the Plague.' It was

\textsuperscript{27} Ibid.
\textsuperscript{28} Ibid., p. 137.
\textsuperscript{29} Ibid., p. 162.
\textsuperscript{30} Ibid., p. 139.
\textsuperscript{31} Ibid.
during this time that an 'Irish rogue' fell upon him and swore to 'bite off his nose.'

Oulton was paid 40s per year, which was to begin 'next Lady day'. There is no record of what Brayne received, but it is likely that he received a similar pension. In similar fashion, 'Private soldiers' from Nantwich in 1651 told Justices Mainwaring, Delves and Croxton that they were fighting on the side of parliament and 'inlisted in the regiment of Colonel Croxton [and] to serve for the town.' They were promised pensions which they did not receive. In the same year, Certificates were produced which identified some of the Cheshire men who served under the command of Thomas Malbon and were wounded during the Scottish invasion. They considered themselves to be 'very poore.' William Walley, Richard Ellyson and Robert Lowndes each were wounded when they fought under Captain Malbon, in an 'expedition against the Scots.' The Justices ordered that the soldiers be given 50 shillings and another 50 shillings when cured.

**Soldier's Widows, Orphans, Maymed [sic] Soldiers**

Women and children suffered similarly from the effects of war because their marriage partners were either crippled or killed. Also, the women who nursed the sick were often underpaid. Sometimes they were not paid at all. The records demonstrate that Nantwich had problems with the devaluation of currency. For example, two Nantwich Nurses, Margaret Walker and Ellin Danham, were sent for by the Constables of Middlewich to nurse plague victims in Manchester in 1649. They travelled at great inconvenience to and from Manchester but were paid with money they could not spend.

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They were forced to petition the Justices when they received 'clipt money' and were out of pocket 'having spent more than they have received.\textsuperscript{39}

Widows of the wars were reduced to poverty. In 1651, Anne Merryman, Elizabeth Crowther, Katherine Peake, and Anne Parke, who was described as 'a very poore woman', appealed to the Justices for a pension because their husbands were killed in service in Scotland. The women did not receive pensions immediately, but instead, overseers of the poor at Nantwich were ordered to provide for them until the next sessions.\textsuperscript{40} It took until 1661, immediately following the Restoration, for the Justices to issue an order to widows, orphans and maimed soldiers to appear before them in relation to the payment of pensions.\textsuperscript{41} The order, which was issued to respective head constables within their hundreds, included the following words:

Whereas there hath been a great number of Maymed souldiers widowes and orphans within this county ... and seeing that several Souldiers were maymed in his late Ma'ats service and some slayne who left widdowes and orphans in great distress and penury it is therefore thought fitt and ordered by this court that there shall be a general review of all pensioners and wounded.\textsuperscript{42}

\textbf{The Roads}

The wars which had taken their toll on the people of Nantwich also affected the communications infrastructure. Nantwich petitioners requested assistance with their repair, particularly the road which ran between Nantwich and Acton: 'being the great and comon highroad betwixt London, Ireland, Chester, North wales and many other places for carts and all manner of carriages.' They requested that the charge be 'imposed upon

\textsuperscript{39} Ibid., p. 137.
\textsuperscript{40} Ibid., p. 155.
\textsuperscript{41} Ibid., p. 171.
\textsuperscript{42} Ibid., p. 171.
the whole county. The road was in bad repair because it was so frequently in use and
the townsfolk were afraid that it would collapse. They stated: 'att all tymes of the yeare
pass that waye (both with munition for Ireland and other Commodities to the other place),
and now is very much decayed and soo farr broken upp that unless it bee speedily repaired
will shortly grow unpassable.' Subsequently, a charity was put in place to repair
Nantwich's bridges and roads.

The Hearth Tax and Nantwich's Population

In 1664, according to the Nantwich Hearth Tax, a 'perfect duplicate of all the
hearth and homes within the severall hundreds in the Countie palatine of Chester', within
the Hundred of Nantwich there was a total number of 67 satellite settlements, or
'townships'. Distributed amongst these Nantwich 'townships' were, according to the
Hearth Tax, 3,281 heads of households. Within these households were women who
were either independent, that is, single and able to support themselves. In situations where
women were not charged, they were not considered to have earned sufficient money to pay
the Hearth Tax, or were widowed.

43 Ibid., p. 167.
44 Ibid., p. 167.
45 C.R.O. MF 13 Nantwich Hearth Tax, 1664.
Table 3: Analysis of Total Numbers of Women Charged and Not Charged
Hearth Tax in Nantwich in 1664

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total of Widows Charged</td>
<td>51</td>
</tr>
<tr>
<td>Total of Independent Women Charged</td>
<td>103</td>
</tr>
<tr>
<td>Widows Not Charged</td>
<td>73</td>
</tr>
<tr>
<td>Independent Women Not Charged</td>
<td>112</td>
</tr>
<tr>
<td>Total Number of Women</td>
<td>339</td>
</tr>
</tbody>
</table>

As shown in Table 4, of this number, there were 339 female heads of households. Of the total number of 339 female heads of households within the Hundred of Nantwich, 51 widows were charged with the Hearth Tax and 73 widows were not charged. Another 103 independent women were charged, 73 widows were not charged, while a total of 112 women living independently were not charged. Since 103 women of the total of 154 women charged were independent, the figures show that twice as many single, or independent women were charged than were widows. The number of 112 women living independently and not charged, was the highest number of any category of women. This analysis of the Hearth Tax demonstrates that a high proportion of female heads of households were living independent of a male partner, and earned sufficiently to support themselves, and in some circumstances, to support other members of the community also, and that, therefore, female heads of households contributed to the economy of Nantwich in their own right. The high number of hearths within households indicates that such women
belonged to large homes, and some had as many as four hearths.\textsuperscript{46} These records establish the fact that such households, at the very least, were supporting other people, but the most likely situation is that women who supported more than one hearth were in charge of a small holding or enterprise. On the other hand, those who were not charged commonly had only one hearth, and it is thought that they usually, though not always, lived alone. The wills and inventories provide more information about those within the household. In order to find out more about the numbers of people who sat at the hearths of the households recorded in the Nantwich Hearth Tax, I have analysed the wills and inventories of Nantwich women and the results will be examined in the following pages.

A demographic study of Nantwich in 1674 carried out by Grace Wyatt concluded that there were local and regional differences in demographic history which required further research.\textsuperscript{47} Her analysis found overall that Nantwich was dominated by the gentry. My study of Nantwich is a contribution towards an understanding of the more intimate details of the social, economic and ideological variables which impacted upon those local and regional differences.

The following analysis compares the Hearth tax findings for 1664 with those of Wyatt's study of 1674. In 1674, according to Wyatt, Nantwich parish had thirty-two large houses with six or more hearths. This accounted for seven and a half per cent of all taxed hearths. Most of the houses had only one or two hearths, and 128 households were exempted from hearth tax.\textsuperscript{48} Some Nantwich inhabitants in 1674 resided in large houses, but there was also a high proportion of exempt houses. Because the Hearth Tax recorded heads of households, it is necessary to decide upon the size of the average family who lived in Nantwich. Wyatt argues that Eversley's multiplier of 4.5 persons per household is

\textsuperscript{46} For example, see the will of Widow Wilbraham, of Abbott's Fee, Nantwich, who had four hearths. C.R.O. Nantwich Hearth Tax, 1664, p. 6.
\textsuperscript{48} Ibid., p. 27.
probably too high for Nantwich. She claims this because the Hearth Tax records for this period contained a high number of exemptions, and because of the number of houses that varied in size.\textsuperscript{49} On the other hand, Arkell’s multiplier of 4.3 is probably too low.\textsuperscript{50} The total number of heads of households, claimed by the Hearth Tax of 1664, was 3,281. Having counted every household on the survey, I would offer a slightly revised figure; my calculation is that Nantwich had the number of 2,749 households in 1664. Of this number 1,705 households paid the Hearth Tax and 1,044 households did not.

**Table 4: Total Number of Heads of Nantwich Households in 67 Townships According to Count Undertaken by the Author**

<table>
<thead>
<tr>
<th>Total Not Charged</th>
<th>1,044</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Charged</td>
<td>1,705</td>
</tr>
<tr>
<td>Total Number of Heads of Household</td>
<td>2,749</td>
</tr>
</tbody>
</table>

In contrast, Phillips and Smith in their study of the region found that Nantwich in 1664 had a number of 3,052 households. They converted the number of households to people in the years 1563 and 1664 and found a 60\% growth on the population of Nantwich in 1563. To arrive at this figure they used a multiplier of 4.75. When the total number of households of 3,052 was multiplied by 4.75, it gave Nantwich, in 1664, a population of 14,497.\textsuperscript{51}

\textsuperscript{49} G. M. Wyatt, *op. cit.*, p. 7.
My study of the Nantwich Hearth Tax, found that within the hundred of Nantwich, as described in the Hearth Tax, there was a wide variety of large and small settlements, as we have seen, some 67 in number. Some townships, such as Baddiley, for instance, had households with a high number of hearths. For instance, Sir Thomas Mainwaring’s household had fifteen hearths. John Crewe's household was large enough to have the township named after him, and he had a total of twenty-two hearths. Sixty households in Crewe paid the Hearth Tax, whilst thirteen did not, which meant that this township was quite a wealthy one. At the other end of the scale, Dodcot had a total of forty-nine paying hearths while thirty-two did not pay.

To allow for the wide margins that existed between those who paid and those who did not, I have calculated the population for Nantwich as follows. If each household that did not pay Hearth Tax had only two people, that would give a number of 2,088, and if those households charged were allowed a multiplier of 4.4 to allow for those with a higher number of hearths, that would give a figure of 7,502 people within these households. By taking account of both the households that did, and did not pay in this way, and allocating a more appropriate multiplier of 4.4 to the paying household only, I believe it is possible to arrive at a more accurate estimation of population. This gives a total number of people living in Nantwich in 1664 at 9,590.

In 1664, Nantwich had a high proportion of houses with more than one hearth. Even in those houses which were exempted from charge, there usually resided more than one person. The wills and inventories of women suggest that even in those houses where women were not charged Hearth Tax, there was sometimes one or more persons in the household.52 Furthermore, in houses where there was one or more hearths, a group of

52 For example, see C.R.O. W1 Wilde, Elizabeth, of Nantwich, 1668, who bequeathed her belongings to a kinswoman who lived with her. See also the deposition of Margaret Wilkes, who lived with Margery Elcocke when her husband died. In C.R.O. EDC5/18/1662., Nantwich, Thomas Knutsford cites Henry Greenhalgh, and C.R.O. WS Ackson, Alice, of Nantwich, 1665, who bequeathed ten shillings to a woman who lived with her.
52 Ibid., The deposition of Saboth Church.
52 Ibid., The deposition of Margaret Wilkes.
people, sometimes a number of servants, or kinsfolk resided in the home. For this reason, and to allow for such numbers, in my opinion the Nantwich population of 1664 would require a somewhat higher multiplier. What is more, this number would not stay the same from one year to the next because of the cyclical nature of illness which took the lives of people in the town, and especially young Nantwich children. The population of Nantwich changed significantly from one year to the next. This change would occur even more dramatically every six years because of the cyclical nature of illness such as measles and smallpox. Bearing this in mind, a definite fixed population would be difficult to establish since the population of Nantwich fluctuated especially during the epidemic years.

In 1664 the two Townships of Audlem and Baron's Fee, to which Anne Knutsford belonged, had the highest proportion of non-payment of Hearth Tax. These two areas had the highest proportion of poor in Nantwich. Baron's Fee, the largest Nantwich township with 493 households, was analysed to find out about the distribution of gender and wealth within the township.

<table>
<thead>
<tr>
<th>Table 5: Total Number of Heads of Household in Baron's Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of Widows Charged Hearth Tax</strong></td>
</tr>
<tr>
<td>41</td>
</tr>
<tr>
<td><strong>Number of Independent Women Charged</strong></td>
</tr>
<tr>
<td>13</td>
</tr>
<tr>
<td><strong>Number of Widows Not Charged</strong></td>
</tr>
<tr>
<td>71</td>
</tr>
<tr>
<td><strong>Number of Independent Women Not Charged</strong></td>
</tr>
<tr>
<td>12</td>
</tr>
<tr>
<td><strong>Total Number Female Heads of Household</strong></td>
</tr>
<tr>
<td>137</td>
</tr>
</tbody>
</table>
This area had a total number of 137 female heads of households. Of these, 54 women were charged with the Hearth Tax. 41 of these were widows, and thirteen were women living independently. There were 83 women who were unable to pay the Hearth Tax: 71 of these were widows, who were not charged, and twelve were independent women. In Baron's Fee the high number of 105 women living alone, as widows or women of independent means was not exceptional. This figure represented a quarter of the total number of households and similar high proportions of women of independent means can be found in other townships. In some smaller townships, for example, in the case of Sowlestone, there was a total number of nine female heads of households charged, and none were widows. The tiny townships of Bispham, Whiston, Crewe and Shavington also had a high proportion of paying independent female heads of households.53 In Alsager township, out of the total number of 16 female heads of households recorded, eight independent women were charged and one widow was charged, while one widow was not charged, and six women who lived independently were not charged.54 Of those who lived independently and were charged, Elizabeth Alsager had four hearths, Jane Knight had four hearths, Ann Fletcher had two hearths, Mary Hancock had one, and Margaret Alsager had one. The six women who were not charged, had one hearth each, and Widow Baddily, who was charged, had two hearths.

This analysis demonstrates that a significant proportion of women were heads of their own households, and, if a high number of hearths within a household is a sign of wealth, then some women, such as those in Alsager township, who were listed as heads of households, were quite wealthy in their own right. To find out more about the lives of the women who had a large number of hearths and those who were in command of their households, I have examined below their wills and inventories.

53 See, for instance, C.R.O. MF13, Nantwich Hearth Tax, 1664, p. 13, which shows out of a total number of 14 women 9 female heads of households were charged, whilst only 1 household was a widow charged, 2 were widows, not charged, and two were women living independently and not charged.
Women and Wealth: Wills and Inventories

The wills and inventories left by Nantwich women provide an accurate and intimate view of their role in the society and economy of Nantwich.

Table 6: Total Number of Wills left by Nantwich Men and Women between the years 1603 and 1684

<table>
<thead>
<tr>
<th>Wills Left By Men</th>
<th>137</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wills Left By Women</td>
<td>87</td>
</tr>
<tr>
<td>Number of Wills Left By Widows</td>
<td>71</td>
</tr>
<tr>
<td>Number of Wills Left By Spinsters</td>
<td>16</td>
</tr>
<tr>
<td>Total Combined Number of Wills</td>
<td>224</td>
</tr>
</tbody>
</table>

Table 7: Nantwich Wills Between the Years 1660 to 1670

<table>
<thead>
<tr>
<th>Men's Wills</th>
<th>39</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women's Wills</td>
<td>59</td>
</tr>
<tr>
<td>Infra Wills (£40)</td>
<td>(18)</td>
</tr>
<tr>
<td>Men's Infra Wills</td>
<td>(11)</td>
</tr>
<tr>
<td>Women's Wills</td>
<td>59</td>
</tr>
<tr>
<td>Women's Infra Wills</td>
<td>7</td>
</tr>
<tr>
<td>Total Number of Wills</td>
<td>98</td>
</tr>
</tbody>
</table>

Between 1603 and 1684 there was a total number of 224 wills proved. Almost a third of these wills belonged to women. Of the 87 wills belonging to women, 71 of these were registered as 'widows', and 16 as 'spinsters.' An investigation of all proved Nantwich wills, found that between the decade of 1660 to 1670, there was a total number of 98 wills; and, in this decade it was women, with a total number of 59, who left the higher proportion of wills. The number of men who left wills was considerably less, with only 39 wills. Most of the wills analysed were 'Supra', that is they consisted of estates of £40 or over. Of the 18 wills which were 'Infra', that is, leaving a sum of less than £40, only seven belonged to women, whilst eleven 'Infra wills' belonged to men. The numbers of Nantwich women who left wills above £40 is remarkable, especially since women are usually considered to have been the dependent partners of men. In the light of this finding, the high proportion of wills of Nantwich women has been investigated further here to find out more about their contribution to the economy of Nantwich. Women's wills and inventories from the earlier period of 1611-50 are also studied here to provide more details about property ownership, and to find out whether the high number of wealthy Nantwich women of the period 1660-70 was a phenomenon particular to that period. This investigation of the wills of the earlier period establishes that it was not unusual for women to own substantial amounts of property, nor was it out of the ordinary for them to provide livelihoods for others, as the details below will demonstrate.

Nantwich women's wills recorded information about the ways in which women earned a living. Shoe-making, dairying, salt-manufacture, husbandry and ale-house keeping were some of the businesses under their control. The wills are informative about the size and types of houses they lived in, whether or not they had servants, what the functions were of the many rooms in their houses, what kinds of possessions women owned, and the numbers of children and grand children they had.
It is clear from the wills that some women owned vast sums of money, huge expanses of land, large tenements, buildings, ‘messuages’ [dwellings with outbuildings and land] and pasture land. Some women were mercers, tanners and gentlewomen, whilst others owned only a pig and a few household essentials. The latter were in the minority, however. There were women who bequeathed huge amounts of money to relatives and charities, whilst others bequeathed small legacies and more modest amounts of money to the poor. The poor of Hospital Street and Welsh Row were particularly favoured by Nantwich women. Many bequeathed sums to provide a living for their female kinfolk, particularly widows, or those who may not have been able to support themselves. Jewellery, household equipment, furniture and clothes were also bequeathed to remaining relatives and friends. It was the case with most, though not all of the wills, that women usually bequeathed what they owned to female relatives, female friends or female kinsfolk, whilst a few, but not many, favoured their sons.

We may examine several typical cases, beginning with Elizabeth Walsh, who died in 1662, and was a tanner by trade. An inventory of her goods revealed that in her possession were hides, calveskins, horsehides and swinehides worth £47.10s. She owned money and property to the amount of £328.12s.6d. and also possessed a ‘pew situate in the new orrell in Nantwich church’.55 Within her household, she employed servants; to one, she bequeathed 20s. Her son, Richard Jackson, also received legacies from her. Elizabeth’s grandchildren had £10 each placed into trust for them until they reached 21 years.

Salt-making in Beam Street had occupied the time of Mary Lovett, who died in 1663. She had enjoyed such a good relationship with her neighbours, that she asked Robert Milton, to whom she referred as ‘her loving neighbour’, to ‘oversee the

55 C.R.O. WS Walsh, Elizabeth of Nantwich, 1662.
performance of this last will.\textsuperscript{56} Besides owning ten copper pans she owned a shop and everything in it. Her home, as with most others in Nantwich, contained a 'buttery.' She was also a practical woman. To her daughter, Margaret Price she bequeathed 'two pans', from which she hoped she would earn a living and she left a note which requested 'a pair of sheets to wind me in.'\textsuperscript{57}

Mercer, Elizabeth Arcoll, who also died in 1663, owned a shop, and had made a living from selling cloth and may also have been a seamstress. Inside her house, in which there were five rooms, was one occupied by her servant, John Brown. She owned books, furniture and linen assessed to the value of £235.19s.11d, '£25.7s.0d in ready money' and £120 in bonds and bills. Ralph Cardiff her nephew and his wife, who owed her money, were asked 'to pay the debt to their own children.'\textsuperscript{58} She bequeathed money and her bed to her sister, Katherine Bicketon, and she appointed women as 'executrixes' and left £15 for each of them to distribute 'in good discretion.'\textsuperscript{59}

The wills and inventories of such wealthy women as these in Nantwich between 1660-1670 show that they usually passed on their wealth to other women. Some women, such as Elizabeth Crewe, Elizabeth Wright and Katherine Fowler, owned vast tracts of land as well as numerous properties. One particular woman who owned and distributed property was Elizabeth Crewe of Hospital Street. She was an important figure in Nantwich.\textsuperscript{60} She owned a great deal of land and property and had a hand in salt-making, cattle and retailing. She owned 'messuages, cottages and shops, burgages, [parcels of land], wallings, [salt] lands, goods cattels [livestock] and personal estate.'\textsuperscript{61} Her sons Edward, Thomas and Joseph, and daughters Elizabeth and Martha shared the land. In

\textsuperscript{56} C.R.O. WS Lovett, Mary, of Nantwich, 1663. 
\textsuperscript{57} C.R.O. WS Lovett, Mary, of Nantwich, 1663. 
\textsuperscript{58} C.R.O. WS Arcoll, Elizabeth, 1663. 
\textsuperscript{59} Ibid. 
\textsuperscript{60} C.R.O. WS Crewe, Elizabeth, of Nantwich, 1664. 
\textsuperscript{61} Ibid.
1656, she bequeathed money to the poor in Hospital Street. Alice Ackson, unlike Elizabeth Crewe, who shared her wealth amongst her children according to her own wishes, distributed her land and property according to her 'last husband's will. She did, however, leave a note to provide a 'kinswoman who dwells with me, the sum of 10s.' Elizabeth Podmore, gave to Ellen Pemberton 'a tenement', and to Elizabeth Reed the sum of £10 and her bed.

Ellen Wright of Nantwich lived in a large house, which was well furnished with eleven rooms. Upon her death in 1667, her 'land and temporal estate at Stapley, Withencroft' she gave to her daughter, Jane Podmore. Pasture in Greenfield, Stapley, which she wrote was 'purchased after Lord Cromwell', and the sum of £682.14s.11d, she gave to Ann Wilson and her children. Bushels of rye and barley and sums of money were also required 'to be paid weekly' to female members of the family. She provided money for 'her servant and four orphans. Similarly, Margaret Gleeve in 1668 left a house and £216.8s.8d to her daughters Marjorie, Anne and Sarah Gleeve 'a house where they dwell betwixt them.

A number of women expressed concern about women who were unable to support themselves. Katherine Fowler was one such person. Upon her death in 1668, the majority of her estate was given to females. She was less generous to her son who was required to repay debts. Land and properties, jewellery, and large sums of money she gave to her four children Richard, Abigail, Sarah and Hanna and £100 which she gave to her daughter-in-law, Hester Wright. The land, messuages, tenements and holdings in Hankelow she owned were transferred to her daughter, Rachael Bryant. Her son Fowler, however, was requested to pay the sum of £50 that he owed her to her grandchildren. She left carpets,

62 See C.R.O. DCC/36 Cowper Collection.
63 C.R.O. WS Ackson, Alice, of Nantwich, 1665.
64 Ibid.
65 C.R.O. WS Podmore, Elizabeth, of Nantwich, 1665.
66 C.R.O. WS Wright, Ellen, of Nantwich, 1667.
67 C.R.O. WS Wright, Ellen, of Nantwich, 1667.
68 C.R.O. WS Gleeve, Margaret, of Nantwich, 1668.
rings and a silver spoon to her grandson. Her clothes and '£3 a peecce' went to her maidservants, Sarah Steel and Ellen Woodnott.69

Whilst most of the wills recorded great sums of money, the wills of some women demonstrate that they owned very little. Some owned only the bed they lay in and a few pieces of furniture. Margaret Dean left her own bed and belongings worth £15.14s.0d to her son. Her daughter Ann Blagg received 12d, whilst another daughter Margaret Tompkin received 40s.70 Elizabeth Wilde, however, bequeathed only her debt of 9s.4d. to her nephew, to be paid from the sum of £15.7.2d. which she had accrued during her lifetime.71 Bridget Pickering gave 'her bed where she now lies' and £5 to her grandson Samuel Pickering.72 She left a provision to pay for the education of the children of Nicholas and Margaret Davenport. Her grandchildren Elizabeth, Ambrose and Hannah each received £5. She mentions her neighbour, a shoemaker, Thomas Proudman as her 'special friend'.73 Elizabeth Sutton, spinster, left only her clothes which were valued at £4.10s.0d and goods worth £19.14.0d.74 Margaret Sparrow, also a spinster left goods to £15.15s.0d.75

The above evidence demonstrates that in the period 1660 to 1670 it was by no means unusual for Nantwich women to possess land, property, goods and money. Since a high proportion of them passed it on to female members of Nantwich, this ensured that women maintained a high profile in the society and economy of Nantwich. Even those who were very poor managed to pass on some personal property and belongings for the good of others.

69 C.R.O. WS Fowler, Katherine, of Nantwich, 1668.
70 C.R.O. WI Dean, Margaret, of Nantwich, 1668.
71 C.R.O. WI Wilde, Elizabeth, of Nantwich, 1668.
72 C.R.O. WS Pickering, Bridget, of Nantwich, 1669.
73 Ibid.
74 C.R.O. WI Sutton, Elizabeth, of Nantwich, 1669.
75 C.R.O WI Sparrow, Margaret, of Nantwich, 1669.
Early seventeenth-century women's wills, in the same way those from the period 1660 to 1670 studied above, demonstrate that certain Nantwich women were rich, influential and independent. Some women, such as Majorie Clutton, were very wealthy indeed. Marjorie was related to the Wilbrahams, a well-known Nantwich family, and, while possessing great wealth, she was a practical woman to the last detail. Upon her death in 1611, her property, two houses, gardens and appurtenances which she described as having been 'lately purchased from William Davenport', jewellery, money and gold she bequeathed to the Wilbraham and Clutton families.\textsuperscript{76} She also owned an estate in Coppenhall. From the sum of £1,468.1s.4d she provided her 'old servant' William Reeve with £5, and 'her man Goodyer' with £5, and the same amount to her maid 'Eleanor', whilst to another maid, she gave 2s6d. She also provided £5 for the poor. Linen, jewellery and clothes she gave to her daughter Elizabeth Malbon. She asked to be allowed to keep her cattle 'on the ground at Wistaston' for one month after her death so that they might sell the cattle 'to the worth thereof'.\textsuperscript{77} The 'saddle, bridle and furniture belonging' that she bequeathed to her cousin, Elizabeth Bostock, confirms that she rode a horse.\textsuperscript{78}

Anne Mainwaring, who also passed away in 1613, in addition to gold and jewellery, possessed the sum of £437.6s.8d. Her sons, Thomas and Roger, were her main benefactors. She did, however, ensure that the debts that were outstanding to her were paid; her will records the details of a 'bill of debt where Richard Venables of Austersen are indebted to her.' This was to be paid to her servant Anne Moss.\textsuperscript{79} Margaret Wright, whose will was proved in 1617, was even more prosperous than Anne Mainwaring. She owned two houses and money to the amount of £792.17s.4d. Her entire estate was passed on to a relative Majorie Wright. In addition, she left £20 to the poor of Nantwich.\textsuperscript{80} Gentlewoman Elizabeth Clutton, who died three years later, had

\textsuperscript{76} C.R.O. WS Clutton, Marjorie, of Nantwich, 1611.
\textsuperscript{77} Ibid.
\textsuperscript{78} Ibid.
\textsuperscript{79} C.R.O. WS Mainwaring, Anne, of Nantwich, 1613.
\textsuperscript{80} C.R.O. WS Wright, Margaret, of Nantwich, 1617.
money to the value of £359.18.6d. The money, land and estates she gave to a relative, Margaret.\(^{81}\) Upon Anne Wilkes' death in 1621, her will showed that she owned numerous properties. Among her holdings were 'messuages, appurtenances, moyeties in the garden called Bartons garden, moyeties [sic] in the orchard called Barton's orchard, one meadow, a little meadow, one whychhouse, place of 12 leads, and all walling and appurtenances'\(^{82}\) She left this, with 'goods, chattels and cattle' and the sum of £181.5s.11d to her daughter.\(^{83}\) Katherine Cheetwood upon her death in 1627 gave all her worldly possessions of £117.14s.0d. to her sister.\(^{84}\) In the same year, Ann Wilbraham bequeathed a legacie to Andrew Gannel and his children of £600.\(^{85}\) In 1627 also, Elizabeth Myles will showed that she owned a nine-roomed house, possessed a bible and other books, and also owned £276.7s.2d in ready money.\(^{86}\)

In 1628, Cecilia Venables, who practised husbandry, passed on the tools of her trade to her son, Richard Venables, 'in lieu of £4 left to him by her husband, John Venables.' A 'whole team of horses' with 'furniture' and 'all [my] implements of husbandry whatsoever.'\(^{87}\) Inside her house were beds and household goods. She owned 'one cow called Tage, with her calf, and another which she called 'Dearinge'.\(^{88}\) These were given to her daughter with three mares, four kine, twenty heffers, three stirkes, one calf and a half calf, ten sheep, corn growing in the ground, ploughs, carts, yokes, chains, horsechains, gears and all equipment of husbandry. She recorded a debt outstanding to her of £2.25s.8d.\(^{89}\) Of the 113 wills of women proved between 1625 and 1650, only five were Infra wills. This means that almost all of those who left wills during this period owned goods or money above the value of £40.

\(^{81}\) C.R.O. WS Clutton, Elizabeth, of Nantwich, 1620.
\(^{82}\) C.R.O. WS Wilkes, Ann, of Nantwich, 1621.
\(^{83}\) Ibid.
\(^{84}\) C.R.O. WS Cheetwood, Katherine, of Nantwich, 1627.
\(^{85}\) C.R.O. WS Wilbraham, Ann, of Nantwich, 1627.
\(^{86}\) C.R.O. WS Myles, Elizabeth, of Nantwich, 1627.
\(^{87}\) C.R.O. WS Venables, Cecilia, of Nantwich, 1628.
\(^{88}\) Ibid.
\(^{89}\) Ibid.
Not all Nantwich women were rich. Some of them lived on credit, and even beyond death, Nantwich people tried to ensure that those who owed them money paid sums back to remaining relatives. For instance, Ann Salmon's inventory of 1630 contained a list of debtors in 'bills and bonds and specialities'.\textsuperscript{90} One of her debtors was Widow Lovett who owed her £15.8s.0d. She named a further fourteen others who also owed her money. One of the women named was Marjorie Elcocke, mother of Anne Knutsford, a person vitally important to the remaining chapters of this thesis.\textsuperscript{91} Ann Salmon herself was not without debt, because she owed money to five people. Each was named, with the amount carefully recorded, so that her creditors could pay out her debts. Margaret Mainwaring, on the other hand, at her death in 1632 had no debts or creditors and had her wealth invested in land. She owned books, a coat of arms, and goods worth £122.19s.1d. In addition, she possessed 'tenement called Winsley in Middlwich parish' which she passed on to her daughter, Margaret.\textsuperscript{92}

Of all the women's wills of Nantwich studied here, the most substantial will belonged to gentlewoman and spinster Ann Wright, who died in 1634. She lived in a very large house.\textsuperscript{93} She owned a 'moytie' and part of one wood between Minshull Vernon and Milne Hey. She owned diamond rings and money to £1,196.5s.4d. Most of her estate and significant leases, she left to cousin Henry Wright.\textsuperscript{94} She requested that her cousin Henry 'shall take the profits of her land and possessions and pay £5 yearly to her brother and Alice his wife towards buying his wife apparel or whatever he thinks fit, meet and convenient'.\textsuperscript{95} She gave money to her servants. Her favourite servant Richard Southerne,

\textsuperscript{90} C.R.O. WS Salmon, Ann, of Nantwich, 1630.
\textsuperscript{91} C.R.O. WS Salmon, Ann, of Nantwich, 1630.
\textsuperscript{92} C.R.O. WS Mainwaring, Margaret, of Nantwich, 1632.
\textsuperscript{93} C.R.O. WS Wright, Ann, of Nantwich, 1634.
\textsuperscript{94} \textit{Ibid.}
\textsuperscript{95} \textit{Ibid.}
was given £10. The remainder received 40s each.96 She bequeathed a large list of items to widows Ellen Farbar, Ellen Hodgkinson, Alice Hutchinson, and Elizabeth Wright. She ensured that there would be no squabbling over her possessions with a clause to the will which read 'persons that shall not willingly accept of the legacie shall forfeit and lose all legacies to her and bequeath to Henry Wright'.97

Cecilia Maisterton, whose will was proven in 1635, also lived in a large residence which she described as a 'large mill house.' In the house were ten rooms, one of which was a butchery.98 She owned a second house, which was described as a 'boulting' house. This property she leased to tenants. She gave money to her children, but instructed them to 'purchase one messuage of land in Hunterston.'99 Most of her possessions were given to her son. She had a connection with Cambridge University, and took an interest in ensuring her nephew's education. She expressed the hope that 'by his brother's good endeavours and uncle William's helping hand, he [her nephew] may be in due time fitted for the university and maintained there.'100

The following year, Alice Wilbraham's will announced that she was tired of living and requested to 'be taken out of this vale of misery', to be buried in her son's chapel at Acton. She, as with Celia Maisterton, was concerned about the education of young people. In her will she bequeathed £10 'towards a school or orrel in the church,' and money for the poor of Acton and Hurlstone.101 She gave money to the 'poor householders of Nantwich', on condition that two Nantwich streets, Welsh Row and Hospital Street, were favoured.102 The will had a note which read 'every servant of Deerefold [shall receive] each 2s 6d'. Anne Wilson, whom she described as 'my old servant', she favoured with

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96 Ibid.
97 Ibid.
98 C.R.O. WS Maisterton, Cecilia, of Nantwich, 1635.
99 Ibid.
100 Ibid. A clause read 'she leaves to her son the bed she had at Cambridge.'
101 C.R.O. WS Wilbraham, Alice, of Nantwich, 1636, 'provided that the Welsh row and Hospell Street be best dealt withall.'
102 Ibid.
10s. Unlike Ann Salmon, she 'forgave' her debtors. Anne Pratchet was generous to servants and the female members of the household. She gave her money mostly to women, her servant, Jane Tench and the 'poor house holders of the town.'

Early Nantwich women's wills, similar to those of the later period of 1660 to 1670, demonstrate their involvement in every kind of money-making venture, from the running of small salt-making businesses, to husbandry and the maintenance of large estates. One such small enterprise was undertaken by Jane Badcock, who owned a shoemaking business which specialised in making children's shoes. She was obviously successful because her will showed that she had goods worth £258.9s.6d. Other women, such as Anne Cleaton, were very wealthy indeed. Amongst the properties she owned at her death in 1638 were some that she had inherited, such as 'tithe Hay at Willaston.' Not only did this property belong to her but so did 'the chief rents'. In addition, she owned property which was situated at 'Church Lane Nantwich, with messuages, burgages in Church lane, yards, garden and backsides belonging and enjoined,' as well as the 'Whole estate right, title and interest in Edleston ground.' She lived in a large residence, with abundant grounds. As well as property and rents she owned cattle, '15 kine and one bull' and her total estate was valued at $958.11s.4d. Whilst some women gave nothing to the poor, others, such as Ann Kay, bequeathed all their possessions in 1641 to women and children, as well as the poor. Amy Kay, Ann's daughter was also executrix to her will. Her sister, Katherine Stocken received 40s, and her daughter, Ann Mowson and each of her children, were given 20s. To Katherine Simcoe, whom she described as 'her kinswoman and now

103 Ibid.
104 C.R.O. WS Pratchett, Anne, of Nantwich, 1638.
105 C.R.O. WS Badcock, Jane, of Nantwich, 1638.
106 C.R.O. WS Cleaton, Ann, of Nantwich, 1638.
107 Ibid.
108 Ibid.
109 Ibid.
her servant', she gave 20s. The largest part of her money, which was £10, she gave 'for the poor of Nantwich'.

As with most other Nantwich women, Marjorie Clowes, in her will of 1642 confirmed her belief in God. A clause to her will warned that: 'people who wrangle will receive no more than 12d of my estate', demonstrated that she did not approve of quibblers. She was generous and gave to her daughter items of clothing such as 'blue waistcoats', and possessions such as 'marble pots' and 'cushions', 'a trunk with trifles, lace and black pillow sewed with silk, candlesticks and pewter'. Richard Brookely, her brother, received 'one large bible' and 'grid iron'. She gave to Edmund Clowes, of 'Hospell Street', 'his coat of arms which hangeth on the wall'.

Nantwich women sometimes recorded their appreciation of friendship and family. Margaret Brook wanted to be buried at Wistaston, 'where her father and friends are now buried'. She was regarded as a fun-loving, generous woman and owned, and lived in, a house in Barker Street, which she gave to her son, Thomas. She loved her neighbours and gave them money through legacies she left in her will. She also provided money for a celebration after her death. A note to her will read: 'My will is to have bestowed at Wistaston, of them who go with me to see me buried in bread, cheese, and drink'. She also left money to pay for the 'bellringers.'

Alehouse-keeper Joyce Chapman's will offered a brief description of a small Nantwich alehouse of the 1640's. Inside her house was what was described as 'the drinking room' with one table and some benches. The tools of her trade were given to

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111 C.R.O. WS Clowes, Marjorie, of Nantwich, 1642.
112 Ibid.
113 Ibid.
114 Ibid.
115 Ibid.
116 C.R.O. WS Brooke, Margaret, of Nantwich, 1644.
117 Ibid.
118 Ibid.
119 C.R.O. WS Chapman, Joyce, of Nantwich, 1644.
'John Pratchett, for his children'. Similarly, Margaret Church gave her household goods to her sister Mary and her grandchildren. Margaret Woodnoth, as with Joyce Chapman, also brewed ale and made butter.

The above analysis of wills illustrates the many ways in which women contributed to the economy of Nantwich. They provided employment for a wide variety of people, such as servants and assistants in shops, salt-manufacture, husbandry and in the maintenance of large estates. Nantwich women also passed on estates, livestock, land and small holdings to other female relatives and the money they donated provided the means of support of the less fortunate members of society. The wills also reveal the perspectives which such women had on the world around them. The details of women's households and their personal possessions, provides an unusual and intimate insight into the mechanics of the domestic sphere, which brings to light a social dimension which may be easily overlooked in early-modern history.

The portrait of early-modern Nantwich, provided by women's wills, refutes the view which suggests that there was complete control of women through patriarchal structures and ideology. The expression of female power found in the primary sources examined here, is quite obviously one of participation in the social and economic sphere. Clarke and Crawford have argued that the areas of reproduction, children and language are traditionally female dominated. The analysis of Nantwich women's wills explored in this chapter has found that, although women may not have dominated the Nantwich economy, their performance in the economic sphere was sufficient to ensure that the wealth they acquired during their lifetimes was passed down to future generations.

The details about the belongings of Nantwich women, which were contained in the wills, demonstrate that those who were wealthy did not achieve their social standing

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120 Ibid.
121 C.R.O. WS Church, Margaret, of Nantwich, 1645.
122 C.R.O. WS Woodnoth, Margaret, of Nantwich, 1649.
necessarily through a marital partner. This finding is contrary to the view of society that is expressed by many commentators on women’s history. The picture of Nantwich provided by the wills shows that, at the very least, women were often in control of their own lives and, in the majority of cases, controlled the lives of those they employed. In most cases, the extent of their wealth is indicative of their success in a number of avenues of trade and business. A clear understanding of the social and economic environment in Nantwich is crucial for it was a world often dominated by the vituperative, the skilled and the competitive, and it was the world to which Anne Knutsford, midwife of Nantwich - the key figure of the remainder of this thesis - belonged.

Nantwich's Poor and Bastards

In direct contrast to the wills left by the more affluent women of Nantwich society, and the well-to-do tradesfolk who earned a living, were those at the lower end of the social scale, the impoverished. The poor figure very little in early-modern history because there are only a few manuscript sources, such as the Hearth Tax, for example, which record their details. In a copy of the will of Sir Thomas Crewe, Knight, the son of Elizabeth Crewe, of Nantwich, was a deed called the Buglawton rent, established in 1642. This document recorded the provision that was made for the Nantwich poor who lived in Hospital Street. Documents such as these provide a fleeting glimpse into the world of the poorest members of society. In this instance, the Buglawton Rent records a number of details about how poor people survived in uncertain times.

Whilst the deed was intended primarily to ensure that the poorer inhabitants of Nantwich were taken care of, it also was intended to ensure that the roads and bridges which encouraged trade were kept in good repair. It included the following provisions:
The rent and profit of Buglawton to be employed half of it yearly till the way be mended and the bridge be made at Holbeck, the other half yearly to the poor at Nantwich. After the bridge is finished, the whole rent of Buglawton to be employed to erect and maintain a hospital or to be put in stock to keep the poor of Hospell Street in work, or to be distributed yearly among the poor of that street, with some allowance for the preacher.\textsuperscript{123}

John Crewe's intention, however, was not to provide for orphans or needy folk, but rather - in the judgemental spirit of Puritanism - to ensure that they were encouraged to maintain themselves. Moreover, it discriminated between those who were 'legitimately' poor and those who were not. Crewe also made a provision that 'bastard' children were not to be supported, and only those in useful employ were to be 'incouraged'.\textsuperscript{124} It was, therefore, in the interest of the inhabitants of Hospital Street to put their children to work quickly, or to make arrangements for them to enter into apprenticeships or 'bonds', because the Buglawton charity was more generous to those who were learning a trade or were in some useful means of employment. For most of the time, the charity relied upon the collection of rents and arrears from the rental tenements of Buglawton. During the years of the Civil War, however, there were no collections made. A note which read 'forgiven' for the years 1642 and 1643 demonstrates that even the poor had to provide for themselves during those years. In 1656, however, there were fifteen people obliged to pay the Buglawton rent. The total amount came to £22.7.2d and this amount was first distributed on the 1st of July 1656.\textsuperscript{125}

In 1663, those who paid the Buglawton fees were Sir Thomas Mainwaring Baronet, Thomas Massey, who was described as the 'Maynd of Buglawton', and Mr Thomas Dodd. They paid twice a year at 'Ladyday' and 'Michalmas.\textsuperscript{126} The sum of £30.5.5d was distributed amongst the poor of Nantwich in 1663. The name of every adult

\textsuperscript{123} C.R.O. Cowper Collection, DCC/36, The Buglawton Rent.
\textsuperscript{124} \textit{Ibid.}
\textsuperscript{125} \textit{Ibid.}
\textsuperscript{126} \textit{Ibid.}
person who received the charity, together with the number of children they had and the sum they received, was recorded. The individual names of children in poverty were not recorded, but the high numbers of children were. Sometimes, but not always, the gender of the child was given and a comment about whether or not they were productive in some way or apprenticed appeared. It is not known from the document how many people in total lived in Hospital Street, Nantwich, in 1663, but it does record that there were one hundred and ninety-five poor people in total. Forty-four of these were women, thirty-four were men and one hundred and seventeen were children. There were two married couples living in poverty, and five 'single' women. Out of the total of one hundred and seventeen children, eighteen were apprentices. The charity did not always distinguish between boys and girls but there does not appear to be a division of labour according to gender. Five of the eighteen apprentices were boys. One of the most striking features of life among the poor recorded by the charity is that 'able' children appear to have begun work at an early age, although the precise ages of children were not recorded. The children were described in vague terms as 'big' or 'little.' Some children were described as 'orphans', some as 'poor' 'lame' or 'weak.' Most children described as 'able' were employed, whilst only one child, out of one hundred and seventeen, went to school.

Despite the intention of the charity to support only productive poor families, the records for 1663 show that 4s in child support was paid to one woman by the name of Ellen Wright, a single woman who gave birth to an illegitimate child.\textsuperscript{127} The sum of 3s was also paid to widow Elizabeth Higson, who provided food and shelter for an unnamed woman who bore an illegitimate child.\textsuperscript{128} However, this generosity was exceptional. Attitudes appeared to change in the subsequent years when bastard children were no longer supported by the charity.

\textsuperscript{127} *Ibid.*, 'Ellen Wright that hath a bastard.'
\textsuperscript{128} *Ibid.*, 'Elizabeth Higson, widow, and child, that harbours a woman to bear a bastard.'
In some situations the mothers of the employed or apprenticed children received twice as much money as those who had children who were dependent upon their parents. The charity rewarded hard work; relief was not allocated according to the needs of the family nor was it paid according to the numbers of children and it did not consider orphans above apprentices. For example, Jane Holcroft, a widow, received 8s.6d. in 1663 for her son who was an apprentice, widow Lowe, received 8s for her apprentice son, John Hitchin, an apprentice received 4s, and Tim Whittickar, an apprentice, received 4s, and Widow Santer received 7s to maintain her '2 able daughters.'\textsuperscript{129} In contrast, the four orphaned children of William Halls, who were described as '2 able, and 2 little', received only 9s.

The children were employed in occupations such as knitting and button making. For example, the children of Margery Lugfoot, were employed in knitting.\textsuperscript{130} A woman described as 'Lawrence Minshull's widow' had five children, two of whom were 'bound out.'\textsuperscript{131} Anne Smith, widow, received 7s for '1 son that works.'\textsuperscript{132} Philip Nugent's boy, who worked at home was a 'buttonmaker.'\textsuperscript{133} Dorothy Rycroft, however, received 7s from the charity for a 'son which goes to school.'\textsuperscript{134}

In the following year of 1664 the social climate changed and hardened the hearts of those who administered the charity, particularly for those who bore illegitimate children. The benefactors became noticeably less tolerant of bastardy. A note dated 1664 stated the following:

\textbf{By a letter of 1st of March 1664 by commands my Lord Crewe received your account and designed me to remember him to you only this much. He wished me to acquaint you for the future he would not have anything given to}

\textsuperscript{129} Ibid.
\textsuperscript{130} Ibid.
\textsuperscript{131} Ibid.
\textsuperscript{132} Ibid.
\textsuperscript{133} Ibid.
\textsuperscript{134} Ibid.
bastards, but to leave them to the [town’s] provision and that such who do, or will put children forward to apprentices may have the most encouragement.\textsuperscript{135}

The Buglawton rent operated until the end of the century and continued to support those families who consciously sought to find employment or apprenticeships for their children. Those who did not put their children to work, or those who produced illegitimate children had to fend for themselves. Presumably, the benefactors wished to provide no bounty on vice or indolence - as they perceived it.

The Consistory Court papers also contain evidence of hearts hardening, for example, in the way that women were dealt with more harshly for bastard-bearing. In Whalley, for example, in 1639, a woman was whipped for bastardy.\textsuperscript{136} Women were sometimes forced to take a man to court in an endeavour to prove paternity. Anna Smith, for example, claimed Jacob Hulme was the father of her child. In 1609 he took her case to the High Commission.\textsuperscript{137} 'Bastardy Bonds' were issued to make the father of the child responsible for its upbringing. One such document was drawn up for a carpenter, Thomas Vaughan of Malpas, who in 1661 was named and 'bounden' to support his illegitimate boy, Robert.\textsuperscript{138}

The Churchwardens of Nantwich dealt harshly with women and children who were dependent upon the parish. For example, on 26 July 1659, Barbara Hughes of Bunbury, who was described as 'a poore woman with four small children, and not any means whereby to subsist' was evicted from her dwelling by the Nantwich Churchwardens. She was forced to approach the bench with a request to build a house, since she was 'destitute of a habitation.' She requested 'liberty to erect a cottage upon Bunbury common.' It was

\textsuperscript{135} Ibid.
\textsuperscript{136} C.R.O. EDC5/1639/31.
\textsuperscript{137} C.R.O. EDC5/1609/102.
\textsuperscript{138} C.R.O. Bastardy Bonds, DCH/M/32/11.
ordered at Nantwich 'to have a cottage built upon waste with the consent of the Lord to provide her a place of habitation as before.'\textsuperscript{139}

The above evidence is representative of the attitudes of the better off towards poor people. Children were compelled to work hard in the absence of a parent and few were educated. The evidence of the Buglawton Rent shows that there were more poor women than there were men, but of all those who endured hardship from poverty, the greatest number were children, particularly children born outside of wedlock.

\textbf{Infant Mortality}

The evidence of previous chapters presented in this thesis demonstrates that instances of female verbal crime were strongly connected with issues that arose from material hardship. This was true of the 1630s and the 1640s in a number of places in Lancashire, and particularly the case in Nantwich during the years 1660 to 1670. During this period, Nantwich townsfolk encountered similar difficulties. This was, (as with the above instances), often expressed in litigation that arose from cursing, which was often provoked by the hardships of the material world. Litigation in Nantwich increased during this period. Investigation of the circumstances connected with cursing found that many of the Nantwich townsfolk involved were in debt. Women who were caught up in the dramas of cursing often expressed their concern about midwifery practices, and some gave evidence of the details which tell of the circumstances of infant and child mortality. The loss of infants, or anticipation of such loss, drove some women to take extreme measures. The evidence that will be examined in the next two chapters, chapters Seven and Eight, will show that there was indeed acute social stress related to infant deaths in Nantwich in the decade 1660 to 1670. To find out more about this, I have explored the economic and

\textsuperscript{139} \textit{Ibid.}, p.168.
demographic features of Nantwich before, during, and after this period. It is noteworthy that variation in the distribution of Nantwich families between 1660 and 1779 was found in Grace Wyatt's study of Nantwich and the surrounding parishes. She recommends further analysis to explain this distribution.\(^{140}\) Firstly, it is crucial to examine the numbers of children that were born in Nantwich during the period 1660 to 1670. Secondly, it is necessary to investigate evidence about child mortality, that is, the data which points to the deaths of small children through cyclical illnesses, such as fevers, measles and smallpox.

Firstly then, one must consider the numbers of births. The Nantwich Parish Registers of Saint Mary's Church, recorded a total number of 1017 baptisms in Nantwich between the years 1660 and 1670. Thirty-seven children were children born outside Nantwich and baptised, which meant that 980 children born in that decade were born in the Parish of Nantwich.

According to the Nantwich Parish Registers, there were on average 98 children born every year from 1660 to 1670. Two typical years can be shown in more detail. From 1 January 1662 to 31 December 1662, there were eighty-eight children baptised. Eighty-five children were born within Nantwich, whilst three were born outside Nantwich. In this year there was only one illegitimate child baptised. Between 25 March 1663 and 24 March 1664, a total number of ninety-one children were baptised at Nantwich church. Of this number, eighty-eight were born in Nantwich, three were born outside Nantwich, there were three sets of twins baptised, and there were four illegitimate children baptised.\(^{141}\)

In Nantwich there was a cyclical pattern of burials of children. The numbers of children buried doubled every six years from 1650 to 1699. Wyatt argues that 'At age 1-4, six parishes had more female infant mortality between 1650 and 1699, one had less and one had the same.'\(^{142}\) Although this is a slightly later period than the one under analysis, there is no evidence to suggest that things would have been much different during the

\(^{140}\) Wyatt, op cit., p. 14.

\(^{141}\) C.R.O. Nantwich Parish Records, 1660-1670.

\(^{142}\) Ibid. p. 25.
period 1660 to 1670. The Nantwich study reflects an increase in adult burials as well as children. The study found that there were cyclical epidemics such as smallpox, measles and infectious diseases. Young children were more likely to die from infectious diseases than were older children. Many of the peak mortality years followed a seasonal pattern. Measles occurred between September and July, peaking at the end of March and concentrated in a few months. Children aged between the years one to four were most likely to die. It was found that 'many women would not live to the end of their childbearing period'. Similarly, it was suggested that 'most of the burials of women dying within one month of the baptism of her child, and practically all those within one week would be as a result of traumatic childbirth'.

Wyatt's suggestion that 'something restricted women from having as many children as they might have done' is an interesting one. A study of the Nantwich people traced from marriage to burial shows that the biggest group were those with no children, and next were those with only one child. No doubt, women dying in childbirth accounts in part for these figures. Bad midwifery practices were also considered to be a cause, but Wyatt insists that more research is needed in this area. She does claim, however, that midwives (such as Anne Knutsford) were in part responsible, and she cites the evidence given by her neighbours who accused her of being drunk while attending a birth. The next chapters will analyse in close detail the evidence relating to these accusations and the circumstances surrounding this situation. Deaths were likely to be as a result of disease rather than the dangers of childbirth, because most women were in agreement, as we shall see, that midwives in Nantwich were proficient in their profession.

143 Ibid., p. 18.
144 Ibid., p. 17.
145 Ibid., p. 18.
146 Ibid., p. 18.
Nantwich Social Hierarchy According to Pew Arrangement

The general symptoms of conflict in Nantwich were also reflected in public battles over social space. The arrangement of the pews inside Nantwich church, for example, was strictly organised according to social status. The arrangement provides a unique, almost photographic perspective of the social hierarchy that existed in the town in 1633. Nantwich folk waged bitter wars against each other over pew ownership. The position of the pew within the church reflected the outside world and the battle over pew space was a metaphor for a battle over social status which took place on other levels. Pew disputes occurred frequently. For example, Anne Taylor cited John Davies in 1639 for 'elbowing her, sitting upon her in a pew that she called out in pain so that her hat was almost thrust off her head and her band turned about her neck.'147

During what was described as the 'metropolitical visitation of the Archbishop of York' to Nantwich in 1633, the uniformity of pews, that is the system by which all pew space was considered equal, was 'set down' for the good and peace of the church and for avoiding all 'future suits and controversy.'148 The procedure, as the following pages will demonstrate, was not successful.

The arrangement of seating in Nantwich church shows most clearly that in public there was a clear division between male and female, between husband and wife, widow and widow, and servant and servant. Children appear not to have been included in the plans, but this may be because only heads of households were named on the actual document. The placement of each pew was ordered strictly to conform with the social hierarchy that existed in Nantwich in 1633.

Women and men, whether they were married or not, rarely sat together in church. Men sat with men of similar rank. Women sat in the pews with women of similar station.

Widows sat with widows of similar standing, and servants sat with the other servants of the richer townspeople. Depending upon social status, some women, usually widows, also sat with the servants of richer women.

In total, Nantwich church sat 186 people. There were 43 women and 143 men seated. The 108 pews were in 1633 expanded to include an increased number of 18 people. Of the 186 people in the church, 62 paid for their seats. The average cost of purchasing one's own pew in the church was £2.5s.0d. Wealthy members of Nantwich society, such as Henry Delves, paid as much as £5.0s.0d.\textsuperscript{149} Women of equally high rank to that of Henry Delves, were recorded by the Churchwardens, Sabboth Church and Thomas Bickerton, to be the wives of Thomas Maisterson, Thomas Wilbraham, Hugh Halsall and Roger Wright. These women sat below those seats of even higher ranking members. Their seats, built high in the church, reflected their lofty status. The seats were 'built on high above the cross isle next to the great middle isle on the south side upwards.'\textsuperscript{150} In these seats sat the Nantwich elite, Mr Jeffrey Minshull and Mr Matthew Mainwaring.\textsuperscript{151}

In the range next to the South Church wall, upwards, in pew number 10, with Jane Lovatt and Lady Sproston's servants, sat Anne Knutsford's grandmother, Margery Elcock. Margery, was the mother of John Elcock, whose pew was positioned third on the north side, middle row, next to the north alley of the Church.\textsuperscript{152} John Elcock sat next to Mr George Mainwaring, who, according to a small cross on the schedule of the uniformity of the church pews, had not paid for his seat. Which means that he could not pay. In the surrounding pews were shoemaker, John Tench, and gentleman, Edward Hayes.\textsuperscript{153}

The attempt by the church to prevent controversy over pew ownership failed. The Chester Consistory Court continued to record pew disputes after the declaration of

\textsuperscript{149} Ibid.
\textsuperscript{150} Ibid.
\textsuperscript{151} Ibid.
\textsuperscript{152} Ibid.
\textsuperscript{153} Ibid.
uniformity made in 1633. One such dispute, which occurred almost thirty years later, in 1662, was occasioned by Anne Knutsford, Marjory Elcock's grand-daughter, and her husband Thomas. They were defending their right to retain the pew which their grandmother purchased in 1633. According to the manuscript, common law held it that if an individual owned a 'messuage', 'tenement', or 'land', they could have a pew in church, providing they paid taxes. The debate arose when ownership of a cottage was disputed by Anne and Thomas Knutsford; as a result of this dispute, the Knutsfords claimed that Henry Greenhalgh was trying to elbow them out of what they described as 'Elcocke's pew'.

The Knutsford's claimed that they held the pew as a right because they jointly owned a cottage in 'Milne Street' [Mill Street] with Ephraim Elcocke, Anne's brother. The contention arose about ownership of the cottage when Henry Greenhalgh suddenly appeared in 'Elcocke's pew' and disrupted the Knutsford's worship. Henry Greenhalgh claimed that Ephraim Elcocke sold the cottage to him. Samuel Elcocke, Anne's brother, said he was present when Ephraim signed the cottage over to Henry Greenhalgh. Henry Greenhalgh found support from 53 year old Sabbeth Church, of gentle status, who provided the following statement:

He well remembers old Ralph Elcocke who died about 40 years ago and so long as he lived was possessed of a messuage or tenement in Milne street, Nantwich and did frequently and undisturbed by any sat and kneeled in the pew now in controversy and hear diverse services when he pleased at any time in right of his messuage and after his death his widow and relict was in possession of the pew belonging to the messuage and tenement as this dept. considers said after the decease of old Ralphe Elcocke and his widow, Ephraim elcocke became possessed of the messuage and tenement and assiqued before and so many years ago did abrogate and sell the same together with all his interest and title and claim as well unto Henry Greenhalgh and his assignees and since this purchase this dept. hath seen and observed Greenhalgh many times and his wife to sit with them constantly in the pew or seat. Neither Raphe [Knutsford] the younger or the plaintiff Knutsford were in possession of a messuage or tenement and at the time margay was in possession of a messuage or tenement and the seat was and is commonly known to belong to the messuage.


\[155\] *Ibid.*, Deposition of Sabbeth Church.
The Knutsfords supported their claims with evidence from gentleman, Raphe Bostocke, of Willaston, and widow, Margaret Wilkes, of Beam Street, who claimed she lived in the same cottage with Margery Elcocke when she became widowed. She provided the following deposition:

This dept. having been born in Nantwich parish and lived there all her life can very well remember old Ralph Elcocke, to constantly sit in and to be in possession of the pew so long as he lived and after his death, his wife, or his son, and they peaceably continued more twenty years together after the pews in Nantwich in the church were made uniform, which was, to the best of this depts. remembrance was about 20 years ago, at which time Ralphe did pay proportionally the same to the church Wardens and thereupon caused his name to be set down upon the wall at the end thereof and it has ever since belonged to that family and commonly been called by the name of Elcock's pew and reputed to belong to that family and Ralph the elder or Ralph the younger did during their time successively keep a house and family in Nantwich aforesaid and said there assiqued and assecents as other neighbours did and paid their lays and assecents and she lived 17 or 18 years together with old Raphe Elcock's widow after his death and knows this to be true. Anne, was daughter to the said Ralph Elcock the younger the aforesaid pew after her fathers death did of right belong to her father's children, of him unto her.156

Ellen Cowper (nee Elcocke), Anne Knutsford's sister, and John Cowper, who lived in Pepper Street, gave similar evidence to Margery Wilkes in favour of the Knutsford's. Thomas Knutsford made a statement about ownership of the property as follows:

Ralph Elcocke was never in possession of the cottage. Margery Elcocke was in possession of the cottage, and held the pew and seat and after her and Ralph Elcocke her son paid for the uniformity of the seat and Margery claimed all her interest therein and resigned it unto her son Ralph, though he never was possessed of the cottage but he denies that Ephrain ever had or took possession or usage of the seat by reason of his purchase of the cottage or any other ways and means but that it still continued to the Elcock's and their family without any relation and owners of the aforesaid cottage successively and he hopes it will be sufficiently proved in the event of this court.157

156 Ibid., Deposition of Margaret Wilkes.
157 Ibid., Deposition of Thomas Knutsford.
No decision was made about the ownership of the pew and the legal wrangle over property, money and status continued for over a decade. The details of these legal altercations and the many others which were brought against Anne Knutsford, the midwife of Nantwich, are the subject of the following two chapters.

In conclusion the town of Nantwich during the period 1660 to 1670 was a society within which there were many contradictions. Whilst the wills left by rich women demonstrate that some female inhabitants were extremely wealthy, there were those at the bottom of the social scale who were extremely poor. Infant mortality was high in Nantwich and children born to poorer families faced a life of hard work. The laws governing the births of illegitimate children were severe, as was the punishment of 'bastard-bearers'. During cycles of illness, particularly epidemics such as measles, young children lost their lives at a higher rate than usual. At certain periods, an entire family might be wiped out. According to the above evidence, most families in Nantwich were touched by the loss of at least one child. The distress caused by such loss, together with scarcity of money and essential services (such as nursing), and the discontentment of those who were impoverished by previous wars, rising tension about social status, and territorial squabbles over social space (such as those provoked by pew disputes) - all of these features combined to make Nantwich an extremely dissatisfied and volatile community.
Chapter Seven

Anne Knutsford - a 'Public Bawd'?

You, Anne Knutsford, are ordinarily much addicted and given to lyeinge sweringe and cursinge, and for a women so vitiously disposed, you have been and are amongst your neighbours and such as know you commonly accompited reputed and taken.

Hugh Delves, his wife was as arrant a whore as ever turned tale to hedge, and Randle Mottershead got her last child and fuckt her a hundred times up the house and down."}

The volatility of Nantwich's social relations is clearly reflected in the numbers of legal actions that emerged during the period 1660 to 1670. This chapter focuses upon one particular instance of female verbal crime, that is, an action against Anne Knutsford, a midwife, in Nantwich in 1663. Anne Knutsford was practising midwifery in Nantwich during the tumultuous period of 1660 to 1670. By 1660 she had been midwife in Nantwich for at least fifteen years. Her practise took her to Wybunbury, Wrenbury, Wigsbaston and Acton. Her house was located in 'Baron's Fee', the largest district within the hundred of Nantwich. Her husband, Thomas Knutsford, who was unskilled, was probably a labourer. He paid Hearth Tax on two hearths in 1664. Anne Knutsford's house on Pepper Street, was nine doors away from neighbours, Hugh Delves, Thomas Proudman, Richard Illidge and Richard Yoxall. Anne Knutsford was midwife to the wives of each of these neighbours. In 1662, however, troubled circumstances arose that were to highlight the disturbed nature of relationships between neighbours. A turn of events ensured that Anne Knutsford's nearby residents became her adversaries.

1 C.R.O. EDCS/1663/4/16.
2 Ibid.
3 For information about the scope of Anne Knutsford's practise, see EDCS/1663/54 which gives information about 'the severall townes and parishes of Nantwich' she encompassed in her rounds as midwife.
4 See C.R.O. MF 13 Hearth Tax Records, Nantwich, 1664.
5 See EDCS/1667/2 in which Knutsford's close neighbour, Mr Illedge (he lived nine doors away from her) refers to an argument which occurred 'in the open street in Nantwich in Pepper Street, near Thomas Knutsford's house.'
Before examining the events that took place, it is worth establishing some details about Anne Knutsford. The particulars of Anne Knutsford’s age are uncertain. She was born in Nantwich, the daughter of Raphe and Margery Elcocke. Her family were reasonably well-to-do in the 1630s. Her grandfather was also named Raphe, and he was well known and respected in Nantwich. Knutsford had three sisters who were named Bridgett, Sarah and Ellen. Ellen was married to John Cowper, a Shoemaker, who enjoyed a close relationship with Anne Knutsford, and lived in Pepper Street. Knutsford had three brothers who were named Ephrain, Raphe and Samuel. As noted above, her family had once owned property in Mill Street, but it was in dispute in the 1660s, and this had led to a long-running quarrel over pew space.

Anne Knutsford was probably married to Thomas some time between 1640 and 1644. Thirteen children, born between 1645 and 1677, were recorded under the name of Thomas Knutsford and were baptised in Nantwich church. However, it is unlikely that Anne Knutsford gave birth to all of these children. Some of the children listed were probably the children of her eldest son, Thomas, born in 1645. Thomas was, in fact, her only surviving son and he became a tanner in later years.

The analysis below, in investigating the disturbances of 1660 to 1670 involving Anne Knutsford and her neighbours, provides an intimate account of contemporary opinions and beliefs. It examines the accepted attitudes, beliefs and practices in early-modern Nantwich, and especially brings to the fore the feelings the townspeople had about female behaviour. More particularly, this investigation of female verbal crime will bring to light the preoccupations, fears and anxieties of Nantwich townsfolk. It will reflect upon,

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6 See EDC5/1662/18 in which it is recorded that ‘Anne Knutsford is commonly reputed to be the daughter of Raphe Elcocke the younger’. Anne was brought up in a house on Mill Street. Raphe Bostocke of Willaston, of gentle status, 60 years, was a contemporary of her father, Raphe. Widow Margaret Wilkes, of Beam Street, Nantwich was a contemporary of Margery, Anne’s mother. She gave evidence to say that she and Anne’s mother had lived together in Beam Street, when her husband died. Her brother Samuel, was a mercer; in 1662 he was 32 years old.

7 See C.R.O. EDC5/1668

8 Anne Knutsford, gave birth to daughter Jane, on November 5 1662. The three children born between 1671 and 1677, were more likely than not, the children born to her son, Thomas.
and illuminate their many dark secrets and will identify the webs of conspiracy that found expression through a process of litigation, litigation which sought to control those women, such as Anne Knutsford, who utilised imprecatory power to achieve their aims. This chapter explores and brings to light the lives and experiences of the people in a town which was to be deeply divided, in spite of its attempts to resolve its conflicts.

'Husht, Negative and Averse'

In the Chester Consistory Court of the 1660s, instances of female verbal crime were heard by the Chancellor, John Wainwright. The administration of the Court was undertaken by deputy registrar William Wilson, and the details of the case were recorded by the Clerk of the Court, Henry Prescott, who later succeeded William Wilson when he died in 1689. Henry Prescott wrote in his diary that most of the business of the Chester Consistory Court took place in the 'better inns of Chester'. These were the Falcon, the Calf's Head Clubb and the Fountain. If Henry Prescott was true to his word, then they would have spent many hours drinking wine and ale in Chester inns. Two hours' journey by road from Nantwich, however, lived Anne Knutsford, who worked out her strategies to deal with her legal business in Blossam's Inn. Henry Prescott, whose diary was written at a slightly later date than the period under investigation, provided an insight into the ways in which the functionaries of the Court perceived the population at large. People of the lower orders were described by him as 'the Mob.' On another occasion he referred to ordinary folk as 'vulgar spectators.' The attitude of the townsfolk to the functionaries of the court was equally as suspicious. On one occasion, Henry complained about the cool reception he and the Chancellor, John Wainwright received when they approached the diocesan town of Wigan, as 'husht, negative and averse'.

10 Ibid., p. 27.
11 Ibid., p. 45.
12 Ibid., p. 13.
13 Ibid., p. 56.
Midwife, Anne Knutsford, generated a great deal of paperwork for the Chester Consistory Court. In the 1660s she was involved in ten official separate instances of litigation, and six unofficial instances. The people involved, numbering more than one hundred, were artisans, shopkeepers and tradesfolk. Several were of gentle status, and two were high-ranking members of the community. Where evidence has allowed, further information on their backgrounds has been recovered from their wills and inventories and applied to locate the information within a more precise social context. Some details, such as those relating to the births of their children, baptisms and marriages, have been taken from the Nantwich parish records. Investigation of this data has laid bare the details of a colossal legal struggle which was related to money-lending, property ownership, and the problem of maintaining one's status in Nantwich's fluctuating circumstances. The participants of the same drama of accusation, in what they say (and also what they do not say) to the Court, and in what they reveal through their depositions, throw light upon the concealed dimensions of female verbal crime, that is, the social and economic elements behind the dynamics of ill-will, elements which ultimately drove such accusations.

In February 1663, an unusually large number of Nantwich townsfolk organised a petition which was brought against Anne Knutsford, midwife, of Nantwich. In this instance, nineteen people initially signed the petition, then thirty people more appeared in court to give evidence, and a further ninety-three people were involved indirectly. The petition was primarily directed at the midwife for the crime of cursing, but, in addition, numerous other charges of verbal violence were laid against her. Almost immediately, upon receipt of the petition, John Wainwright, 'Doctor of Lawes' and the 'Bishop of Chester', acted against Knutsford with an interim order; on the basis of the Petition,

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Wainwright issued Anne Knutsford with the following Prohibition of Practice, which read:

Anne Knutsford, whereas we are sufficiently informed by very good testimony of your scandalous life and under carriage and misbehaviour in the office of midwifery in revealing the secretts of women, and in other things, we have thought good to suspend you from any further practice or expense of that office untill you have cleared yourself unto us and we do hereby inhibit and command you not to proceed any further in the execucion [sic] of that office as you will answere the contrary at your peril notwithstanding any Licence or Despensation [sic] to you by use, or any other, either by Authority from or under the lordshippe of Yorke, or any other person, under the seal of our office on the 5th day of February, 1663.15

According to the processes of the Chester Consistory Church Court, signatories to a petition, such as the one which involved Anne Knutsford, were required to attend court as witnesses. Female verbal crime was not felonious, but as previous chapters have demonstrated, some cases which started out at the church court ended up at Quarter Sessions or Assize courts. The witnesses, or 'deponents' as they were called, were required by the Court to give evidence about 'Items', or a list of charges which were read out in the Court. The verbal accounts of witnesses, known as 'depositions', were often found to be contradictory. Investigation of these inconsistencies exposed details of concubinage, bastardy, debt, stealing, lying and sexual impropriety. Anne Knutsford made common knowledge of the sensitive information that was associated with such improper conduct, the details of which, no doubt, many of the witnesses would have preferred to have left secret.

The aim of this chapter is, firstly, to examine the underlying implications raised by the accusations of cursing which the townsfolk made against the midwife. The secondary purpose of the chapter is to explore the ways in which resentment was generated in Nantwich; through gossip and hearsay. Thirdly, the chapter examines the depositions in the case of Anne Knutsford, to find out more about the 'real' issues, that

15 C.R.O. EDC5/1663/54. Prohibition of Practice. This document was fastened to the door of Nantwich Church, at the direction of Richard Walthall, promulgator of the cause, on 5th February 1663.
is, the details which the various witnesses wished to conceal. Fourthly, this chapter questions why there was a sudden increase in litigation in Nantwich, and why there was so much concern about female verbal crime in Nantwich from 1660 to 1670.

Earlier chapters have demonstrated that a reputation for female verbal crime often accumulated slowly over a long period of time. Nantwich was no different to other places in this respect. Resentment and tension over alleged female verbal criminals existed in Nantwich long before accusations were made. In some cases, a period of years was involved. The litigation involving Anne Knutsford matured into a full-blown accusation within three years, but the initial momentum behind the circumstances, that is, the conversations involved, were generated in Nantwich ten years before the petition which led to her presentation in court.

The depositions of the townsfolk laid bare the details of several levels of conspiracy. The most important stratagem to shut the midwife up was initiated by landowner and notable, Captain Richard Walthall. On the surface it was orchestrated by Walthall as a campaign of hostility against a midwife with a 'scurrilous tongue.' In reality, it was organised by a network of notables whose activities, in a town conscious of maintaining high levels of behaviour, were questionable. Some people of 'good credit' were actually in debt, and some, such as Sir Philip Egerton and Richard Walthall, were involved in extra-marital affairs with females, a few of whom were prominent members of Nantwich society. When these relationships produced children, they became anxious since they knew that any midwife was required by law to disclose the identities of the parents of bastard children. Knutsford's knowledge of the extra-marital affairs of the people of Nantwich, especially local notables, made her vulnerable to allegations of spreading gossip and cursing. Critics of the midwife, finding safety in numbers, would join forces and give support to each other when thrust into the public eye before a court. The neighbours supported each other in their accounts with the deliberate intent of implicating the midwife in gossip-mongering. Their mutually supportive accounts deflected rumour away from themselves and onto the midwife. Their public demonstration of solidarity ensured protection from the midwife's words and it also
shielded them against the negative moral judgements of other more important members of the community.

When the midwife became indicted as the source of ill-will, her enemies said that her words and behaviour were antagonistic and disruptive. They complained that she offended the morality of 'good neighbourliness.' She was rebuked for her language, and was charged with being a 'public bawd' and the cause of social scandal. Numerous conversations emerged in which the midwife had, over the previous years, implicated high-born townsfolk in improper behaviour, and these conversations were repeated by witnesses. The townsfolk, afraid of the stigma that might be incurred, protested that Anne Knutsford had slandered them. The petition implied that Anne Knutsford's words were pure invention. Her critics hoped that Knutsford's allegations of sexual impropriety, bastardy, insobriety, stealing, prostitution and concubinism would be quashed by a legal battle in the public arena of the Court, and would result in Knutsford being branded as a rumour-monger. Such discourse, however, pointed the finger of moral suspicion squarely at them. Thus, gossip and hearsay - what had been said, what had been heard, and what was said to have been heard and said - were like lines in a script, mouthed by actors in a public drama. As this chapter will demonstrate, the circumstances surrounding the midwife, Anne Knutsford, provided a useful public forum for releasing the rising tension which had long simmered below the surface. The 'defamed' of Nantwich cried out in a single chorus of public outrage. By bringing a Petition designed to discredit Anne Knutsford, and aimed at disallowing her from practising, the witnesses hoped to stop people from gossiping about them and restore their credit and reputation. They were mistaken.

As we have seen, the Petition, against Anne Knutsford was first presented in February 1663. As noted above, it was signed by nineteen Nantwich townsfolk but many more people endorsed the implications of the Petition by appearing as witnesses. The inhabitants of Nantwich petitioned against Knutsford in the following words:
These are to certify whom it may concerne that we whose names are subscribed doe very well knowe Anne Knutsford of Namptonich. And that Anne is a woman of very uncivil language towards her neighbours: and doth commonly abuse and injure many of them by her scandalous speeches. That contrary to her profession of a Midwife, she hath revealed the secretts of women. That she is ordinarily addicted to Lying, swearing, and cursinge. And herein (for anythinge we knowe) shee perseveres without the reformation of her manners. Witness our hands.\footnote{C.R.O. EDC5/1663/4/16 Nantwich.}

Many of the signatories of the petition in 1663 appeared as witnesses to give evidence to the court of what they knew in relation to the charges brought against Anne Knutsford. Some, however, signed the petition, but did not appear in court, whilst some appeared but did not sign the petition. Some claimed in their depositions that they signed the petition, but in fact did not. Those who were unable to write made their mark, which was usually the first initial of the Christian name. Those who signed the petition were Richard Jackson, Minister, William Harrison, Church Warden, Thomas Burroughs, Church Warden, Margaret Jackson, Mary Maisterson, Margaret Jeurl, Elizabeth Proudman, Dorothy Delves, Elizabeth Cliffe, Elizabeth Church, Dorothy Hussey, Barbara Croxton, Elizabeth Johnson, Hana Harrison, Elizabeth Harware, Margaret Wickstad's mark, Mary Ellidge's mark and one more name that is illegible and an initial which is also illegible.

The court issued a list of 'Items' which set out in precise details the crimes of the midwife as follows:

You, Anne Knutsford, have been and are a woman of very uncivil language towards your neighbours, and have abused and injured many or some of them who are persons of quality by your scandalous speeches, as the witnesses in the cause to be produced against you can particularly demonstrate.\footnote{C.R.O. EDC5/1663/4/16 Nantwich, Items.}

Further to the allegations of verbal crime, the midwife was accused of behaving 'imodestly'. Her speech and behaviour was construed in a way which reflected unfavourably upon her as a female. Amongst these allegations was one of violating a
sacred bond between women. The townsfolk complained that Anne Knutsford spoke lightly of the most intimate details of women in labour:

you have immodestly by words not bfittinge a midwife or modest and civill woman rivealed the sicrettes of women who had been in trauell [labour] the particulars whereof the witnesses to be produced are required to declare.\textsuperscript{18}

Most female signatories gave evidence about the midwife speaking 'imodestly' and 'rvealing the sicrettes of women'.\textsuperscript{19} However, most of the women who were asked to provide depositions, presumably by Walthall, were unable to say that they personally were victims of Knutsford's indiscretions. Instead, they repeated what they had heard others say. Knutsford's critics repeated gossip and hearsay - what had been said, what had been heard – and what was said to have been heard and said.

Cursing was the midwife's main crime. It was, however, closely related to scandal-mongering and verbal infringements which were spoken against prominent members of the community. Knutsford was, in addition, accused of having a malicious nature and a pre-disposition to the spreading of rumour during her rounds as midwife. Subsequently she was accused of hurting people with lies, swearing and curses, as is described below:

You, Anne Knutsford, are ordinarily much addicted and given to lyinge swerine and cursinge, and for a women so vitiously disposed, you have been and are amongst your neighbours and such as know you commonly accompacted reputed and taken.\textsuperscript{20}

Those who prepared the certificate assumed from the outset that its signatories were wronged by the midwife. The signatories had previously established their high status in the town and this allowed them to assume respectability. They claimed for

\textsuperscript{18} Ibid.
\textsuperscript{19} Ibid.
\textsuperscript{20} Ibid.
themselves the status of 'persons of good name, quality and reputation.' They made their charges against Knutsford in the following words:

By rieson [sic] of your lewd and civill life and scurrilous disgraceful and immodest language as aforesaid, your neighbours both men and womane, persons of good quality and reputation, are much offended and abused.

Lying, swearing, cursing and 'revealing the sicrettes of women' had already led to her exclusion from the profession of midwifery when these allegations had been first raised in February 1663. The long list of wrongdoings presented in Court in March 1663, therefore, also included a condemnation of Knutsford for practising midwifery when forbidden by the Bishop and Minister from doing so. The following Item records how she continued her rounds despite the word of the Court:

[Anne Knutsford] was privately and personally inhibited and publiquely in the congregation soe declared to bee, [inhibited] But have proceeded to exercyze the office of midwife to the wives of John Pratchett and Johnathan Chones.

In addition to the accusations outlined above, the midwife faced charges of professional neglect. Her enemies claimed that she selected patients, not out of concern for the well being of mother and child, but for financial reward:

you have been sent for and decided to doe your office of a midwife to some woman or women in or neare the towne of Namptwich, who [was] in trauell of childbirth; and because they were poore you have neglected them and left them, and gone to other women who were past that peril, and sayed you must, would, and soe did, doe to others that were richer; and by reason of such neglect such poore woman, or women miscarryed.
The final Items united the signatories in a common voice of disapproval. The people of Nantwich substantiated their allegations. They appeared in public to discredit the midwife where they announced that she was a nuisance and that 'all and singular' were in agreement with the Items brought against her. They issued the following deposition:

Anne Knutsford hath been and is a public bawd and has fame in Namptwicch aforesaid, as the witnesses to be produced can particularly declare upon their depositions, which they are required to express at large.  

But as the following analysis will demonstrate, 'all and singular' did not agree. There was much contention between neighbours, even amongst the people who tried to discredit Anne Knutsford, the midwife of Nantwich.

**Anne Knutsford and Cursing**

Anne is a very frequent curser and swearer, and will ordinarily goe down on her knees and curse people gravously, and this deponent hath seen her doe soe diverse times.  

Before turning to examine the depositions of the witnesses that supported the charges against Anne Knutsford, it is important to examine the charges laid against the midwife for cursing, lying and professional neglect. Firstly, let us explore the charge of cursing. The midwife had a distinguished reputation for her use of language. She was quick-witted and particularly imaginative with her choice of ribald expressions. She launched scathing attacks upon the pretentious. She parodied notions of respectability and exposed hypocrisy in colourful language. Her aptitude with rhetorical speech allowed her to expose the pretences of the respectable and she made no distinction between victims of high or low status. Anne Knutsford's satirical rhetoric became indictable, however, when

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it came to include cursing, and, as the evidence below will demonstrate, she frequently resorted to ritualistic cursing to achieve her aims.

Nine members of the town gave evidence against the midwife for cursing. Each of these was tradespeople who lived close to Anne Knutsford's home in Pepper Street. Janet Brookett, who was married to Furrier, Thomas Brookett, in her deposition said that Anne Knutsford cursed James Wilson. Barbara Croxton, shoemaker, in her deposition said: 'Anne Knutsford is accounted to be addicted to lying and swearing and cursing.' Similarly, Jane Wright grocer, said she heard Anne Knutsford 'curse her father.' Margaret Jackson also supported the claims of Anne Knutsford's propensity for cursing. She affirmed this with the following words:

Anne Knutsford is a woman very much given to vaine swearing and cursing and lying upon many occasions, for which and other reasons this deponent and the rest, subscribed to the certificate now shewed her the contents whereof are all of them true. And she is much taken notice of for such a one.

Certainly, the above deposition is proof of Anne Knutsford's reputation. She was linguistically proficient and scurrilous, but in particular, she was inclined to curse. Amongst those she cursed was Margaret Birkerton. Margaret Birkerton was a teacher of reading and sewing and she had lived in Nantwich for over forty years. She provided lengthy details against Anne Knutsford's cursing. It is difficult to establish the nature of her association with Anne Knutsford. Her deposition does give evidence in support of many of the items against the midwife and she had allegedly been on the receiving end of Anne's sharp tongue:

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27 C.R.O. EDCS 1663/4/16, Nantwich. Deposition of Janet Brooket. Brooket asserted the following: 'Anne Knutsford is said to have cursed James Wilson of Namptwich.'

28 Ibid., Deposition of Barbara Croxton.

29 Ibid., Deposition of Jane Wright. Jane Wright snubbed the midwife socially, but acknowledged her acquaintance professionally. She stated: 'all though she hath soe often made use of her as a midwife, yet she hath very little acquaintance or familiarity with her at other times.'

30 Ibid., Deposition of Jane Wright.
she hath done as much to this depos. selfe to her owne face before severall people of late calling her salt bitch and drunken salt women bitch, and the like, and thou hast a hole I may put my head in.\textsuperscript{31}

The teacher illustrated the midwife's tendency to attack without provocation. She referred the Court to unprovoked attacks upon the Proudman.\textsuperscript{32} Margaret Birkerton, however, also provided evidence of a very serious nature against Anne Knutsford for cursing. The charge was serious because the midwife executed the curse in the formal ritual style. Knutsford was accused of getting down on her knees, while raising her hands and eyes dramatically towards the heavens. The curse executed in this way was a theatrical display, performed with the intention of attracting the attention of as many people as possible - thereby explicating the issues which the 'audience' may not have been aware of. Margaret Birkerton saw the midwife perform this ritual many times. She did not say who this particular curse was directed at, but she did draw attention to the regularity of the midwife's attacks:

Anne is a very frequent curser and swearer, and will ordinarily goe down on her knees and curse people grivously, and this deponent hath seen her doe soe diverse times. And she is commonly accounted such a one.\textsuperscript{33}

Margaret Birkerton affirmed solidarity with her neighbours and stated her familiarity with them.\textsuperscript{34} She claimed she was cursed with many others:

the neighbours are much offended and many of them inuired by Anne's base tongue. And the contents of the Certificate inteste this deponent verily believes are all true and she knowes most of them to be true.\textsuperscript{35}

\textsuperscript{31} \textit{Ibid.}, Deposition of Margaret Birkerton: 'Anne Knutsford is a woman of a very uncivill and base scandalous language towards people without any cause or provacacom at all many times and hath abused with her bad tongue both Thomas Proudman and his wife who are very civill persons, and others.'

\textsuperscript{32} \textit{Ibid.}, Deposition of Margaret Birkerton.

\textsuperscript{33} \textit{Ibid.}, Deposition of Margaret Birkerton.

\textsuperscript{34} \textit{Ibid.} Of her neighbours, Margaret Birkerton had this to say: [the] persons subscribed to the certificate and of what she has heard generally of their good standing they have the report of very civill good people and she believes [they] are soe.

\textsuperscript{35} \textit{Ibid.}, Deposition of Margaret Birkerton.
She did state, however, in contrast with the rest of her short deposition, that the midwife was a skilled practitioner and that she had a good reputation as such: 'Anne is a good midwife and generally accounted soe to be.'

Further evidence was given by 52 year old Thomas Proudman, shoemaker and neighbour of Anne Knutsford. In the course of his everyday life he had frequently witnessed the midwife's curses. He witnessed acts of callousness and said he was present when Anne cursed members of her own family. He said: 'Anne is much given to cursing and swearinge on any idle occasion' and recalled an occasion when Anne Knutsford cursed her father, beat him up and threw him out of doors:

this deponent did hear her one time curse her owne father and bid the divill rid the world on him and he was the basest villane that did get children.

Because Thomas Proudman was a close neighbour he overheard quarrels when the midwife cursed her family:

her sister and brother in lawe both say on several occasions say that she is one much taken notice of to be given to vain cursing and swearing.

The shoemaker signed the certificate to demonstrate his loyalty to the community. Anne Knutsford's language also offended other people in Pepper Street. Janet Brookett, for instance, said that the midwife cursed her and her husband, and she made reference to a separate instance of litigation involving a 'difference' with the midwife. She said that they had since patched up their quarrel.

Innkeeper, Elizabeth Cliffe said she was present when Anne Knutsford cursed Sir Phillip Egerton and Captain Richard Walthall. She also claimed that she herself was a

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36 *Ibid.*, Deposition of Margaret Birkerton.
40 *Ibid.*, Deposition of Thomas Proudman. In his statement, he asserted the following: 'for these reasons .... the neighbours being much offended he believes the contents [of the petition] thereof are true'.
41 *Ibid.*, Deposition of Janet Brockett: 'these differences were ended before Christmas last.'
victim of Knutsford's scandal-mongering, but that, when she confronted the midwife, Knutsford had cursed herself and denied any such scandal-mongering:

Anne hath very falsely and inustly raised a scandall upon this deponent and Sir Philip Egerton, as alsoe of Captain Walthall and Samuel Husseys wife and notice thereof being given to Anne Knutsford she came to this deponent one time and fell downe on her knees and gravously swore and cursed her selfe if ever she had reported any such thinge by any of them or ever injured any of them by her.\textsuperscript{42}

Most significantly, the Minister of Nantwich church, Richard Jackson, supported the claims of those who had subscribed to the Certificate.\textsuperscript{43} He said 'Anne is too much adicte to lyeing, swearing and cursinge And for such a one is comonly taken and reputed in the neighbourhood.'\textsuperscript{44} However, he was unable to provide an example of it. Similarly, coster William Blundell, shared the common view of the midwife as a curser and swearer:

Anne hath been and is one much given both to lying and cursing and swearing, And comonly taken notice of for such a one and her neighbours are much offended at it in her.\textsuperscript{45}

William Blundell, as with the Minister, referred only to hearsay, and did not provide a specific example. He did, however, allege that his wife was a victim of a curse, but he did not say how, and he did not make a distinction between cursing or swearing:

Anne Knutsford is a woman of very uncivil and unhandsome words and language to her neighbours and is apt to injure them by her tongue as she hath done this deponents wife and others.\textsuperscript{46}

The above evidence demonstrates that whilst the townspeople were mutually supportive in their attack on the midwife for cursing, some individuals, such as the Minister and

\textsuperscript{42} Ibid., Deposition of Janet Broket.
\textsuperscript{43} Ibid., Deposition of Janet Broket.
\textsuperscript{44} Ibid., Deposition of Richard Jackson.
\textsuperscript{45} Ibid., Deposition of William Blundell.
\textsuperscript{46} Ibid., Deposition of William Blundell.
William Blundell, could not support the consensus of opinion with fact. In their depositions they reveal that they relied solely upon what they had heard others say about the midwife.

The same, however, could not be said of 76 year old widow Margaret Wirkstad. She was particularly anxious to fortify her position of good standing in the community because the midwife had accused her of being a witch:

And this deponent hath been told that by persons of credit that Anne reported that this deponent was a dun arse and a leather-faced witch, and when she met with her she had no luck that day. 47

Wirkstadt supported the general view of the midwife as a common curser. 48 She stated: 'Anne is much given to idle vaine cursing and swearing and lyinge, And is ordinarily taken of for such a one. 49 Although Wirkstadt did not disclose the names of the 'persons of credit' who asked her to appear, it is reasonable to assume that, since she was related to Richard Walthall, she was probably induced to appear by him. 50

Margaret Wirkstad also had a keen interest in defending her own reputation. She refuted any association with the term 'witch'. As the evidence of earlier chapters has demonstrated, widows were susceptible to accusations of witchcraft by disgruntled townsfolk. It is not surprising to find, therefore, that Margaret Wirkstad was anxious to show her sympathy for the respectable Nantwich townsfolk. Margaret said Anne Knutsford called her husband 'an old rotten Rogue'. 51 Nevertheless, she tried to persuade Anne to curb her tongue, but, as her deposition will illustrate, the midwife's response was less than enthusiastic:

47 Ibid., Deposition of Margaret Wirkstad.
48 Ibid., Deposition of Margaret Wirkstad. 'Anne Knutsford hath a very bad and scandalous tongue and is very apt to slander and abuse her neighbours.'
49 Ibid., Deposition of Margaret Wirkstad.
50 Ibid., Margaret Wirkstad in her statement said the following: [her husband] was 'heare a kin to the party prdecent but how neare she well knoweth not'. Mr Wirkstad was a Mariner by trade in Namptwich and followed it as long as he lived and since his death her sonne keeps the same ship and this deponent looks to his praise.'
51 Ibid., Deposition of Margaret Wirkstad.
And one time this deponent being in company with Anne was advising her to be fair conditioned amongst her neighbours, and in a familiar way be [sic] laid her hand upon Anne’s hand when Anne before all sundry sufficient neighbours answered to this deponent, ‘ah! the divill, lay thy hand off me.'  

Anne Knutsford was not persuaded to be ‘fair conditioned' towards her neighbours. She had no intention of deferring to the respectable folk of Nantwich society. She ostentatiously, and before 'all sundry', parodied her neighbour’s kindly efforts. Margaret’s attempts to urge Anne Knutsford to curb her tongue fell on deaf ears. Margaret Wirkstad then promptly sought to safeguard her name and position in the community. Eventually she demonstrated solidarity with those who wanted to put an end to the 'lewd and scurrilous life' of the midwife. She set down her signature on the petition, joined the others and washed her hands completely of Anne Knutsford.

'Riving the Sicrettes of Women':

Measures and Counter-Measures

High on the list of charges brought against the midwife was one of behaving 'imodestly'. Anne Knutsford’s speech and behaviour was construed unfavourably by those who were seeking higher status in the town. They claimed that her language reflected badly upon her worth, not only as a midwife, but also as a female. Her speech and behaviour was unmistakably contrary to the outwardly accepted norms in Nantwich. She was, in addition accused of having violated a sacred bond between women. She allegedly did so by revealing private details of the women to whom she provided assistance as midwife.

The women of Nantwich were outraged to find that Anne Knutsford had spoken freely of the intimate details of the delivery of their children. Since Knutsford, as

52 Ibid., Deposition of Margaret Wirkstad.
53 Ibid., Deposition of Margaret Wirkstad. Wirkstad stated her affinity with the others in agreeing with the other townsfolk. She asserted she 'believed the contents [of the items to be] true.'
midwife, was required to provide details of bastardy, some, such as Elizabeth Cliffe, Dorothy Hussey and Anne Blagg, were more outraged than others. Witnesses lined up to give evidence about this charge. Many were anxious in their attempts to make public knowledge the midwife's 'imodesty' and her indelicate 'raveling of the secrettes of women'. Few, however, were able to say that they were victims of the midwife's indiscretions. They spoke of what they heard others say about it. Once again we are in the realm of gossip and hearsay.

In an effort to discredit the midwife, some townsfolk referred to victims' whose existence was fictitious. Such people did not sign the petition and neither did they appear at the Court. Some complaints were recorded in detail. Janett Brookett accused the midwife of having said: 'Richard Yorksalls wife was rotten and stunke so that she could scarce sit by her for the smell.' Of her client, Mrs Booth, she said: 'when she went to John Booths wife in bed she found her drunke and with the chiilde upon the hearth.' In similar fashion, she said of the Minister's wife: 'she took a child from Mrs Jackson that stunke like a turd and came from her in peeces as black as a thrush'.

There were also turbulent words spoken between the midwife and James Wilson, whose wife was Anne's client. It was at a social occasion at the alehouse that somebody asked after his good health. The midwife's reply to James Wilson was less than civil. Anne Knutsford made it clear that it was his wife who had recently given birth and not Wilson, and so, as she complained, why ask about his good health:

she answered with an oath that if he were so, [in good health] his wife were not, for she had been twice with her of a child but she bled soe exceedingly at the fundament that she had noe minde to goe againe.

54 Ibid., Deposition of Janet Brookett. Several incidents were alleged to have occurred at the home of Mr and Mrs Richard Yorksall, Mr and Mrs Wilson and Mr and Mrs Booth where, it was alleged Anne had been midwife. Similarly, deponents referred to 'poore' people, none of whom provided evidence or signed the petition.
55 Ibid., Deposition of Janet Brookett.
56 Ibid., Deposition of Janet Brookett.
57 Ibid., Deposition of Janet Brookett.
58 Ibid., Deposition of Janet Brookett.
Perhaps it was common for Anne Knutsford to speak in frank and open terms about her profession. Nantwich people thought she went too far. In the social climate of this town, she contravened some unwritten laws associated with the kind of language expected of a woman and the ways in which she referred to the female body. According to the evidence, the details of women's bodies during labour ought to have remained private. Such matters were to be discussed only by women. A prominent member of the community alleged that she heard the midwife contravene this law:

Anne Knutsford did report very uncivill and unhandsome things concerning women before men which this deponent was ashamed to heare though she doth not nowe particularly remember them.\textsuperscript{59}

Margaret Jackson did, however, recall Anne Knutsford's gossip about one alleged victim, Mrs Milton. It was alleged that Anne Knutsford said:

Mrs Milton was not soe weake as she reported to be but she had a thigh as big as the maine post of the house and was well enough to give sucke though she included her husband for that her suck run downe her sides and down her thighs.\textsuperscript{60}

Further contradictory evidence was given by some women who were equally as prominent as Margaret Jackson. Their evidence did not correspond with the above accounts. One such testament was supplied by Elizabeth Walley. She had no hesitation in accepting the midwife's denial of the allegations. Moreover, she favoured Knutsford's word above theirs and provided the Court with the following deposition:

She her selfe never heard Anne to be immodest in revealling the secrets of any woman, though she hath heard something to that purpose, but Anne denied it be soe, and whether she did soe this deponent can not depose.\textsuperscript{61}

\textsuperscript{59} \textit{Ibid.}, Deposition of Margaret Jackson.
\textsuperscript{60} \textit{Ibid.}, Deposition of Margaret Jackson.
\textsuperscript{61} \textit{Ibid.}, Deposition of Elizabeth Walley.
Similarly, Elizabeth Brumall found no fault with the midwife's language and said so explicitly in her deposition. She was careful to say that she did not socialise with the midwife, but found Anne Knutsford of help when she needed it. She did not wish to condemn her as indiscreet, despite the words of others:

she having very little to do with her but in time of need either for her selfe or friend, hath heard that some of her neighbours say that they have been much injured and offended by Annes foule tongue, but whether she were guilty of any such thing this deponent knoweth not.

The 'Sicrettes' of the People of Nantwich:

Bastards and Concubines

The evidence below demonstrates that the secrets which the midwife revealed were not necessarily related to the natural bodily functions of Nantwich women in labour. Neither were they related to the midwife's crude speech. The secrets she revealed were related to what she knew about Nantwich's bastards and concubines. Anne Knutsford's profession naturally put her in a position to know some of the more intimate details concerning sexual relations in Nantwich. For instance, she was consulted by women about the approximate delivery date of the births of their children. According to the depositions, the midwife spoke too freely of such matters. Though such concerns were indeed confidential, it was not these particular details that the townsfolk were anxious to conceal. For example, the midwife made public knowledge of Captain Richard Walthall's receipt of payment in kind, that is, in sexual services, from women who rented properties from him. As the evidence of the following pages will show, these women were

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62 *Ibid.*, Deposition of Elizabeth Brumall: 'she hath heard that the articulate Anne Knutsford hath divulged the secrets of some women in the time of their trauell and particularly of this deponent and such things as were unfit to be declared, but whether she did soe or noe this deponent can not testifie, but she the said Anne hath denied that ever she spoke any such words as were charged against her concerning this deponent and wished that she might never enter into the Kingdome of heaven if ever she spoke them.'

Elizabeth Cliffe, Dorothy Delves, Janet Brookett and Ann Blagg. The details might have remained secret had Anne Knutsford, their midwife, not laid bare the details before all Nantwich.

When the likelihood of an issue of bastardy arose, the men of Nantwich had much to lose. This predicament brought forth an army of men into what was formerly a mostly female concern. It was suggested that the midwife spoke in rude terms of Captain Richard Walthall and Sir Philip Egerton. These prominent and respected members of the community were the subject of gossip which related the details of torrid sexual encounters with two well-known and respectably married women: Elizabeth Cliffe and Dorothy Hussey. Illicit sexual dalliances out of wedlock were unacceptable in Restoration Nantwich, firstly, because the women were 'cuckolding' their husbands, but more importantly, because such sexual adventures raised issues of bastardy, prostitution and concubinism. According to the depositions, the evidence was based upon hearsay. The information relating to Walthall, Egerton, Cliffe and Hussey, for example, was the subject of gossip in Nantwich for some time. The midwife, who, owing to her profession, had access to more intimate knowledge than most, simply spoke more freely of them. The most serious offences occurred when, it was alleged, the midwife said that Captain Walthall paid for the sexual favour of Mrs Dorothy Hussey, Knutsford expressing it thus:

Mr Walthall did give Samuel Hussey's wife 50 shillings a year to occupy her.  

In addition, the midwife was reported to have said that Sir Philip Egerton paid Mrs Cliffe a little less handsomely for the same kind of service:

Sir Phillip Egerton gave Mrs Cliffe 40 shillings a year to occupy her.

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64 Ibid. Deposition of Edward Blagg.
65 Ibid.
Dorothy Delves was another prominent member of Nantwich society touched by scandal in this way. The midwife disclosed the intimate particulars about a relationship between her and wealthy notable Randle Mottershead. This relationship, Anne Knutsford said, produced a bastard child. Of Dorothy Delves, the midwife spoke in very uncivil terms:

Hugh Delves, his wife was as arrant a whore as ever turned tale to hedge, and Randle Mottershead got her last child and had fuckt her a hundred times up the house and down. 66

The midwife similarly accused Sir Philip Egerton of fathering the child of Elizabeth Cliffe. It was alleged that she said:

Mrs Cliffe was an arrant whore, and Sir Phillip Egerton got most of her children and she would not care how many children she had for he gave her forty pounds a year. 67

Dorothy Hussey, who rented property from Captain Walthall, was also accused of behaving improperly with him. This affair, according to the midwife, also resulted in bastardy. Of this relationship, Anne Knutsford had this to say:

coming to this deponent from Samuel Husseys where she had been laying his wife in bed, [Anne Knutsford] told the deponent that she had been with Sam Husseys wife and had taken her a young Walthall in the world, for she was an arrant whore, and her Landlord Walthall was the father of it, and she kissed out her rent with him for fifty shillings a year. 68

According to the depositions of the Nantwich townsfolk, Anne Knutsford generated rumours of bastardy whilst joking about the illegal ways in which some of her clients had made a living. For example, during the lying in of Mrs Leeth, to whom she was midwife, Anne Knutsford apparently demonstrated great dexterity, for as she

66 Ibid.
67 Ibid.
68 Ibid.
delivered a child she looked out of the window at the same time, and there she spied two people whom she surmised to be lovers:

[Anne] looked out of the window and saw Mrs Delves and Randle Muttershead together at Mrs Delves door.\(^6^9\)

The midwife observed the details of the tryst and recorded her observation of their first union. In accordance with her profession, she calculated the time and place of conception of Mrs Delves' first child and linked it to that first observed meeting:

Look yonder, ugly Muttershead does goe. He has got Mrs Delves first child and kisses her up the house and down, and I reccun'd her for to the very house that he got it, and it was his.\(^7^0\)

Edward Blagg also accused the midwife of speaking ill, of levelling accusations of cuckoldry, and of spreading malicious rumours about persons of credit. The marriage of an older man, such as Delves, to a younger woman was a classic situation likely to provoke charivari. It was too much for Anne Knutsford to resist. According to Blagg's deposition she said:

one time seeing John Hussey, since deceased, and his wife, being a young woman, walking together, said to this deponent and others that were there, 'soe howe nowe yonder old foole is of that young whore, he thinks that he marryed a mayde but she has been a whore there seven years to my knowledge, its an easie thing to cozen such an old foole for if I were to be marryd againe I could make a straight commodity and cozen him'.\(^7^1\)

Margaret Jackson persuaded the Court that it should pay no heed to a similar accusation of Anne Knutsford's, namely that Mrs Walley 'when she was a widow' had been guilty of prostitution and of receiving gold in return for sexual services. Margaret Jackson said:

Anne is a woman very apt and ready to scandalies and abuse her neighbours and others with her tongue and particularly this deponent heard her say that Mrs Walley when she was a widowe preferred some affection for Mr Massey of Namptwich and inbragled him and got a great bagg of

\(^6^9\) Ibid.
\(^7^0\) Ibid.
\(^7^1\) Ibid.
money and plate from him that which weighed her downe all of one side
as she carryed it home.\textsuperscript{72}

She asserted that the midwife’s words had no meaning and that she used such language
recklessly without basis in truth or fact:

And in her ordinary discourse talking of severall people would frequently
calle them if they were younge people, young whores, and if old people,
old whores and she is generally taken notice of for such an abusive
woman.\textsuperscript{73}

Indeed, the midwife’s talk of bastards, prostitutes and concubines was not well
received by Nantwich society. She found herself challenged by yeoman, Edward Blagg
who was intent upon defending the honour and reputation of Dorothy Hussey. He
publicly upbraided Anne Knutsford, in his words: ‘blaming her for it and commanding
her modesty of Hussey’s wife.’\textsuperscript{74} The midwife stood her ground. Unrepentant, she did
not retract a word. Indeed, she claimed superiority on the subject of prostitution,
especially in relation to Dorothy Hussey. She answered:

Hold your tongue she’s as arrant a whore as ever turn’d tale to hedge
I know more than you doe.\textsuperscript{75}

Edward Blagg alleged that he heard the midwife accuse Mrs Leeth, (who did not
sign the petition or appear as a witness) ‘to her face’ of receiving stolen goods. The
midwife implied that Mr Leeth, an excise man, stole commodities and thereby made an
easy living. The midwife, who clearly regarded the incident as a joke, bantered about the
easy way in which Mr and Mrs Leeth obtained their livelihood. The yeoman, however,
was not amused. He defended his neighbour and challenged the midwife. His deposition
read as follows:

\textsuperscript{72} Ibid.
\textsuperscript{73} Ibid.
\textsuperscript{74} Ibid.
\textsuperscript{75} Ibid.
This deponent also heard her tell Mrs Leeth to her face that she got all by the exciseman, and then being blamed for it made only a laughter of it, Mrs Leethes husband being an exciseman.  

Evidently there was no love lost between Blagg the yeoman and the midwife. Indeed, they were sworn enemies. The Chester Consistory Court had been involved with a number of previous cases which heard evidence of the shoemakers, Mr and Mrs Proudman, who were friends of Ann and Edward Blagg. The court records disclose the fact that Anne maligned the yeoman's wife Mrs Blagg as 'a porky arst whore and called her also in the open street a whore and double whore. 

The above evidence illustrates the fact that the midwife was blamed for creating destructive gossip which filled the mouths of the people of Nantwich. The depositions reveal an underlying theme within each of the accusations. The theme was money. The women who were involved as concubines were either 'paid' by Walthall or 'paid' him in sexual services for the rent on their properties. As noted above, according to Anne Knutsford's testimony, Mrs Cliffe received 'forty pounds a year' from Sir Philip Egerton, and Samuel Hussey's wife, received 'fifty shillings a year' from Richard Walthall. Although Anne Knutsford certainly did reveal information which her clients believed was of a private sexual character, she said in addition much that was related to even more sensitive issues of property and wealth. Of course, according to law, bastardy in early-modern Nantwich was always the result of fornication outside of wedlock. In the common law court it was punished very severely. Both offenders, male and female, were subject to the punitive measure of whipping or gaol at the house of correction.

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76 Ibid.
77 See, for example, EDC51664/68 Anne Knutsford cites Anne Blagg. This cause discloses further antagonism between Anne Knutsford and Anne Blagg. The events recorded in this case took place in July 1663. The conflict began, however, in the early months of 1663.
78 Deposition of Elizabeth Proudman.
79 J. Addy, op. cit., p. 158. Addy suggests that fornication, of course, encouraged bastardy, and that bringing a child into the world was, in a patriarchal society, unacceptable. Furthermore, he argues, tying down the father was an 'unquestionably anti-social act.'
Those accused of such an offence had the option of pursuing a suit at the Consistory Court and this is exactly what the townsfolk did.

Who is a Bastard?

Richard Walthall

Richard Walthall was the focus of much gossip in Nantwich. The midwife's accusation of his involvement with his female tenants was more likely than not to have been truthful. His behaviour was highly questionable. Elizabeth Johnson's deposition clearly demonstrates that he paid her, and other people, to appear at the Court to speak well of him. In addition, he was implicated in a number of liaisons, vividly described by the midwife. Later, in 1675, he was married 'clandestinely' to wealthy Maria Wilbraham. As with others of high standing in the community, he was deeply disturbed by the midwife's gossip. He took aggressive measures against the midwife not only to stop her from practising midwifery but to stop her from naming him as the father of the town's bastards.

At least four deponents testifying against Anne Knutsford were related to Richard Walthall. Most of those who were not had a monetary relationship with him. For example, the Johnsons, were indebted to him and leased land from him. Innkeeper Elizabeth Cliffe, who also rented property from him, was vague and confusing in her admission that she was related to him through her 'gratfather [her grandfather so that she and Walthall] were brother and sister as she hath been told.' Although she was vague she was more certain than his other relatives, who could not explain their connection by

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80 See C.R.O. EDC5/13/1675, Nantwich, Andrewes c Bristowe, Marriage of Richard Walthall to Maria Wilbraham. Richard Walthall paid a bond of five hundred pounds to be married secretly to Maria Wilbraham in the house of Ralph and Margaret Briscoe. See QDR7 MP96/6 where Briscoe has a house listed under non-conformist groups in the Register of Dissenting Meeting Houses, 1689-1853. Andrewes admonishes the 'promoter of the cause.' The meeting house was in Barker Street Nantwich. The entry is dated 15th January 1695 but the meeting house was established before this date.

81 Deposition of Elizabeth Johnson: 'they hold a small garden under Mr Walthall for three lives.'

82 Ibid., Deposition of Elizabeth Cliffe.
kin at all. Margaret Wirkstad, for example, said she was related to Richard Walthall but could not say how. In her deposition she said: '[her husband] was neare a kin to [the promoter of the cause, Richard Walthall] but how neare she well knoweth not.'

Margaret Jeurl, said that she and Richard Walthall were cousins, but she was unable to account for the family connection. Of her connection with him she said the following: 'Mr Walthall and this respondent doe ordinarily call Cosens but what if kin they are?'

Similarly, Elizabeth Church, who was also related to Richard Walthall, could not account for the family association: 'her husband is of kin to Mr Walthall but how neare she knows not.' So many were related to him but none could explain the family connection. Some, such as Elizabeth Church, were even hostile when asked to explain her family association. Was it not unusual that so many members of Nantwich town were related to him? Why was it that they could not, (or would not), own up to the family connection? Was it not possible that the rumoured associations of Captain Richard Walthall and respectable married women of the town were not without foundation? Was it not possible that Captain Walthall might have fathered a number of bastards around the town of Nantwich, like his forefathers before him?

The evidence given by the witnesses for Richard Walthall and against Anne Knutsford in their depositions reveals a number of inconsistencies. Much of the evidence they gave indicates a consensus that was reached without basis in fact. It was probably true that Anne Knutsford had a scurrilous tongue, and that she had cursed people frequently, but unlike the situation which was demonstrated in earlier chapters, where victims or their families were damaged in some way by a curse, none of the deponents claimed to have been materially or physically damaged by the midwife's curses. They were largely concerned about the damage she might have done to their reputations. Most of the evidence they gave to the Court was hearsay, not fact. If any hearsay was true then it was probably the observations made by the midwife about prostitution and bastardy. But it is not the purpose of this chapter to investigate whether the midwife was guilty or

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83 Ibid., Deposition of Margaret Wirkstad.
84 Ibid., Deposition of Margaret Jeurl.
85 Ibid., Deposition of Elizabeth Church.
innocent. The purpose is to explore female verbal crime and to reflect upon the social and economic circumstances which underpinned the accusations. It is clear that Anne Knutsford was present as an eye-witness on several occasions when various alleged lovers were seen to have met secretly. What is more, she was consulted by each of the women involved to deliver their children. In the capacity of midwife, Anne Knutsford was required by law to express any doubts she had about the parentage of the children she delivered. Her disclosures about bastards meant she was simply doing her job.

Captain Richard Walthall, supported by his Nantwich allies, reacted immediately. He approached the Court to silence the midwife. He was the principal protagonist in the action to silence Anne Knutsford. He initiated the first petition, and sought support from the townsfolk who were in debt to the midwife; he then paid them to sign the petition and offered to pay them to appear. As noted above, the Minister of Nantwich, Richard Jackson, was commanded by Richard Walthall in February 1663 to publicise Bishop Wainwright's prohibition against Knutsford, in order to stop her from practising midwifery, and Walthall insisted that the prohibition be placed on the church door. Walthall instructed the Minister to make public his intentions:

the Inhibition was delivered to the deponent and he was required by a messenger sent from Mr Walthall to publish it in the Church where accordingly he did when Anne Knutsford was in the Church and this deponent hath been told by several persons of credit that after that time she did the office of a midwife to the articulate Pratchetts wife as Pratchett himselfe told this deponent.  

The cause at last was heard by the Chester Consistory Court on 24 March 1663. Amongst other charges, the Minister said that the midwife was guilty of disturbing the peace of the neighbourhood. His evidence raises a number of questions. Why did the Minister in this instance rely so heavily upon hearsay? Why was it that he acted so

86 Ibid., Deposition of Richard Jackson.
87 Ibid., Deposition of Richard Jackson: He testified that Anne is 'too much adicted to lyeing, swearing and cursing and for such a one is comonly taken and reputed in that neighbourhood.'
quickly upon the evidence of Richard Walthall? Why was it that Mr Pratchett, who was referred to in the document, was not called to give evidence? As for Anne Knutsford, curser, revealer of secrets and 'public bawd' - if she was such a disreputable one, what was she doing at Church?

Anne Knutsford ignored Walthall's 'Inhibition,' and continued to practise.\footnote{88} Furthermore, she displayed contempt for the Court, Richard Walthall and his allies, and, in a symbolic gesture of defiance, contrived what was in her opinion a more useful function for the document. The Registrar wrote:

\begin{quote}
[Anne Knutsford] you have not only contumaciously abused the Authority of this court - when the inhibition was served upon you, you said it should serve to wipe your arse with.\footnote{89}
\end{quote}

When Anne Knutsford continued to practise midwifery, during February 1663, Richard Walthall then replied with a final case against the midwife. The list of twelve articles examined at the beginning of this chapter were produced with the intention of discrediting her and ending her practise.\footnote{90} The subsequent examination of the depositions of witnesses, as we have seen, revealed that the midwife's 'lewd and scurrilous tongue' had indeed unearthed some uncomfortable facts from the lives of Nantwich folk. Anne Knutsford was a loose cannon in an extremely volatile community. Richard Walthall acted to protect his honour and reputation in relation to his associations with Elizabeth Cliffe and Dorothy Hussey. Their appearance at court gave them the opportunity to publicly demonstrate their innocence, which no doubt explains why they agreed to appear for Walthall and to discredit the midwife. Elizabeth Johnson's evidence explicitly demonstrates that Walthall 'secured' witnesses to appear against the midwife.\footnote{91}

\footnote{88} Items against Anne Knutsford: 'for the misdemeanours aforesaid and other reason appearing to the judge...was privately and personally inhibited and publiquely in the congregation soe declared to bee...but have proceeded to exercyze the office of midwife to the wives of John Pratchett, Johnathan Chones and soe are reputed to have done.'
\footnote{89} Ibid.
\footnote{90} Ibid., Items against Anne Knutsford, John Wainwright v Anne Knutsford.
\footnote{91} Ibid., Deposition of Elizabeth Johnson.
deponents appeared as witnesses, firstly, because they were paid to appear by Richard Walthall, and secondly, because they wanted to conceal that they were in debt to the midwife. Elizabeth Cliffe, Dorothy Hussey, Ann Blagg, and Dorothy Delves could not meet the expense of maintaining a high profile in society, and neither were they in a position to pay rent to Walthall. When they paid in kind the midwife delivered their bastards. Walthall's allies did not act for the sole purpose of curbing the tongue of the 'lew'd and scurrilous' Anne Knutsford, but because they were afraid that others might believe her.

The Midwife - Moneylender

There were, in fact numerous previous legal disputes between the midwife and various petitioners, in 1663 itself and in foregoing years. Barbara Croxton informed the Court of an altercation between herself and the midwife, which came shortly before the cause with Walthall. It resulted in Anne Knutsford bringing a 'Citation' against Barbara Croxton for allegations she made about Anne Knutsford, Mrs Walley and Mrs Brumall. Croxton deposed as follows:

Last Summer Anne Knutsford did serve this deponent with a Citation out of this Court for words pro deposed which she told Mrs Brumall but Anne sent Mrs Walley to this deponent to desire her that the suite might be staid, and thereupon it was soe but Anne alsoe served her with another Citation a while agoe.92

The litigation with Croxton subsequently went ahead later that same year. Anne Blagg's deposition told of an ongoing antagonism which had resulted in legal action between herself and Anne Knutsford, but Anne Blagg did not say that she was in debt to the midwife. Janet Brookett's account is significant in drawing attention to Ann Blagg's concealed motive which was unrelated to allegations of sexual slander, cursing and

92 Ibid., Deposition of Barbara Croxton.
defamation. Mrs Janet Brockett's account of the people who have subscribed to the certificate stated that, although she was familiar with many of them and acknowledged them as persons of good 'repute', she was unable to say the same of their good 'credit.' She claimed that many of them were financially indebted to the midwife:

she knows most of the persons subscribed to the Certificate now shewed her and saith that they are persons of good repute, but this deponent hath heard that severall of them are or have been engaged to Anne for money that she hath lent them.\footnote{Ibid., Deposition of Janet Brockett.}

It is clear from this report that the witnesses withheld this information from the Court. Why did they not tell the Court that they owed Anne Knutsford money? The fact that Anne Knutsford was a money-lender adds a further dimension to the social role of the midwife. She wielded financial power and was a moneylender, even to those 'of good quality'. It is not unreasonable to suggest that those who signed the petition did so in order to control not only the midwife's verbal power but also her financial control over them. The midwife's critics, those who sought legal action against her, in 1663, were fearful not only of her cursing, and revealing secrets, but also that the midwife would expose the circumstances of their indebtedness.

In conclusion, the main protagonist in this drama of accusation and counter-accusation, the midwife, has much to tell us about female power and verbal crime. Anne Knutsford was no shrinking violet; this was a very powerful woman. She would go on to defend her reputation through the Court with counter-suits and citations against her enemies. She wielded a great deal of power within the community, and was well acquainted with the strategies of defence and attack. The extent of her power may be affirmed by the legal measures that her neighbours, headed by Captain Richard Walthall, took to silence her. Her greatest strength lay in her verbal power. She attacked persons of any status, but demonstrated a tendency to attack the pretentious, and of course, those who owed her money. In this context, cursing was clearly a pragmatic response to the
pressures of every day existence. Money, power, reputation and honour was often at stake, and a position of status in a social hierarchy based upon reputation, good character and credit was a valuable commodity to be fought over. As in most early-modern towns, an unblemished reputation was of the utmost importance to the townspeople of early-modern Nantwich. Each person considered it essential to maintain one’s status in what was an unstable environment. A person’s reputation was fiercely defended in court and community. Local gossip and hearsay were carefully guarded, monitored, and subject to censure, and the townsfolk were highly litigious. Whether allegations were true or not, what had been said, and what was alleged to have been said, were subject to rigorous public scrutiny. The litigation process was a counter measure, reflecting the attempts of worried townsfolk to defend themselves during what was a particularly unstable time. During one altercation in this on-going drama, when Anne Knutsford was criticised for using ill-spoken words, she retorted: 'it was no hanging matter.'\textsuperscript{94} Some people might agree with her, but it is doubtful whether the good folk of Nantwich would do so.

\textsuperscript{94} \textit{Ibid.}, Deposition of Janet Brookett.
Chapter Eight

'A Very Powiful and Ready-Handed Woman'

Anne Knutsford, Her Friends and Her Enemies

There is none whatsoever in these parts of the country so apt and fit for the execution and performance of midwifery as Anne Knutsford.¹

Even though much of the language that Anne Knutsford used was offensive to her neighbours, investigation of the causes which were heard by the Chester Consistory Court establishes that it was not unusual for Nantwich women to conduct themselves in such a way. Neither was it out of the ordinary to swear, or curse, or use what would, today certainly, be regarded as obscene language. Indeed, Nantwich had a long tradition of producing such cursing, foul-mouthed women.

Patterns of Language: The Nantwich Experience

Sexually explicit terminology was customary in this town. It was in common use in arguments generated by cases of adultery, bastardy, divorce, prostitution, and a succession of issues associated with the sexual goings-on of Nantwich's residents. Parlance of the ribald kind was principally related to the functions of the female body, and in some instances, the circumstances of childbirth. Allegations of prostitution were also very frequently made. A classic archetype of bawdy speech is one which transpired in 1683, when Maria Bostocke complained to the court that she was the recipient of 'bad words' from Anne Warburton of Welsh Rowe in Nantwich. Warburton was alleged to

¹ C.R.O. EDCS/1663/54 Suspension Revoked.
have said to Bostocke: 'she was never fuct for a strike, or lent her cunt out as her grandmother [had]. Warburton admitted however, that: 'when she was drunk, she showed her cunt to John Rowe and Richard Lewes, but added: 'she never sold hers to any as her [Bostocke's] Grandmother did.' Speech of this category was common throughout the sixteenth century, but it became more widespread in the seventeenth century, as the instances below will demonstrate.

Early evidence from the Church Court records disclose that some women, similar to Anne Warburton in the case above, often referred to their neighbours in such crude and undignified terms. Whilst some Nantwich women themselves executed verbal indignities, some were also the casualties of allegations that proclaimed them as whores. The earliest example of one such state of affairs occurred in 1567, when Petronilla Vernon summoned Anne Homes for saying she went 'whoring.' A similar situation occurred the following year, but this time both the male and the female involved in the situation were in trouble for sexually improper behaviour. For example, Richard Wilkes and Sara Wilkes each complained to the court of being called respectively 'knave and whore.' and took action against the offender. Similarly, in 1572, Anne Holland summoned Anne Harris to answer charges of defamation. The following year, in 1593, a woman was referred to as 'a married man's whore.' A few years later in 1596, another woman took legal action for having been referred to as a 'rambeaten whore.'

The frequent accusations of bastardy that arose were littered with phraseology that attempted to denigrate women and made reference to the lower female body. Nantwich folk particularly favoured language that implied carnal frenzy or excessive libidinous engagement. In one such case in 1597, Marie Barrowes was referred to as a 'burnt-arse

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3 C.R.O. EDC5/1567/19 Nantwich.
4 C.R.O. EDC5/1568/3 Nantwich.
5 C.R.O. EDC5/1572/5 Nantwich.
6 C.R.O. EDC5/1593/24 Nantwich.

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whore'. Her accusers suggested that 'she was naughty with Randle Harrison' and that the liaison produced a 'bastard child.' The origin of the dispute was traced to the allegations of bastardy. The statement of a witness noted the words: 'one of Marie's children (named Richard) was, and is a bastard.' It was subsequent to this cause, that Marie's husband, Richard Barrowes, then accused her of adultery.

Nantwich women began to be accused more often in the seventeenth century of improper conduct. Such behaviour was increasingly being associated with drinking, adultery, producing bastards and prostitution. In 1600, for example, Elizabeth Wright cited Anne Kerry for telling all and sundry that: 'Elizabeth Wright is a whore, an arrant whore, and she hath been delivered of two red herrings instead of children.' Another woman, in 1601, who did not approve of excessive drinking, referred to an individual as 'a drunken pisspot.' The following year in 1602, a woman brought a libel suit against a person who referred to her as a 'whore.' Two years later, a woman sued an individual in the court who said she had 'a disease (presumably venereal disease) worse than the plague.' Again in 1606, a Nantwich woman was again accused of adultery.

The steady rhythm of accusations that appeared in the court, such as those above, demonstrates that though women were exposed to regulatory pressure, they also denounced those whose language they found offensive. The statements likewise show that Nantwich women often vindicated themselves from similar verbal attack. Some of the instances of adultery above, illustrate the fact that, in Nantwich, both men and women were prosecuted for adultery. Both sexes were equally litigated against for reproaching the sexual piety of their neighbours. The foregoing information demonstrates that whilst

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8 C.R.O. EDC5/1597/76 Nantwich.
women were referred to as 'whores', there was an equivalent term of abuse for males who, when they committed sexually offensive transactions, were described as 'knaves.' Whilst such bawdy terminology was common between men and women, it is interesting to note that, nowhere in the records analysed in this thesis, were there references to homosexual behaviour of any description.

Both men and women sought the justice of the church court to solve issues of paternity and divorce. One such instance eventuated in 1608 when a divorce cause was heard at the court.\textsuperscript{16} The following year, in 1609, however, when Jacob Hulme and Anna Smith locked horns over a paternity suit, the case was subsequently referred to the High Commission.\textsuperscript{17} Similarly, in 1615, Ann Brassie forced John Rydsey to appear in the court for saying he was her 'better' and for referring to her as a 'bastard'.\textsuperscript{18} Issues arising from marriages gone sour occurred frequently in Nantwich. In 1620 a woman complained of being referred to as a 'brazenfaced whore.'\textsuperscript{19} The registrar's office in the same year called William Cleve to answer their enquiries about a matrimonial issue.\textsuperscript{20}

Whilst some women found certain terms of reference offensive, others were spiteful in their attempts to seek legal retribution. Some Nantwich women vociferously pursued male offenders to make them take back their words or pay compensation. One such situation occurred when Elizabeth Street made John Kilmer suffer for referring to her as a 'runagate queane.'\textsuperscript{21} Whilst in 1628, John Haslehurst and Margaret Cumberbach argued in court over Haslehurst's euphemistic sexual allusion which implied she had requested him to 'garth her butter tubb.' He claimed Margaret was perturbed by his reply which was that 'he should garth her butter tubb when butter came out of Ireland.'\textsuperscript{22}

\begin{thebibliography}{99}
\bibitem{16} C.R.O. EDC5/1608/50 Nantwich.
\bibitem{17} C.R.O. EDC5/1609/102 Nantwich.
\bibitem{18} C.R.O. EDC5/1615/33 Nantwich.
\bibitem{19} C.R.O. EDC5/1620/26 Nantwich.
\bibitem{20} C.R.O. EDC5/1620/27 Nantwich.
\bibitem{21} C.R.O. EDC5/1621/46 Nantwich.
\bibitem{22} C.R.O. EDC5/1628/41 Nantwich.
\end{thebibliography}
Accusations that Nantwich women were 'whores' were fought out in the court in 1630.\textsuperscript{23} Similar accusations were flung about again in 1631.\textsuperscript{24} The following year saw yet more Nantwich women struggling to clear their names of slander.\textsuperscript{25}

Certain Nantwich mothers were expected to conform to standards of behaviour, which were, at times, predetermined by men. The following event demonstrates that patriarchal pressure was sometimes unsuccessful in attempting to impose such standards upon women. In Nantwich in 1635, for example, Elizabeth Colly was admonished by her father for her failure to conform to what he regarded as appropriate conduct for a female. He brought a legal action against his daughter to make her yield to his will. According to his allegations, she 'kept unfittinge and unfashionable company' whilst leaving her children, whom he described as including 'one very younge' at home alone.\textsuperscript{26} In addition to his admonishment for irresponsible behaviour on her children's part, he had her booked for going to cockfights, gambling and drinking. Her father also initiated the move to accuse Elizabeth Colly of adultery with Thomas Wildinge of Grappenhall. Robert Colly, her husband, whom her father described as 'a silly man', was believed to have been with them. The evidence implies that her husband was not only aware of Elizabeth's conduct, but actually condoned it. Her father's hostility to the situation was recorded by the court. He was said to have spoken 'in great anger and great perplexity of mind.' He repudiated his daughter, and 'asked her whether her town of Cheshire was not big enough to play the whore in, but she must travel to Staffordshire for a lewd companion.\textsuperscript{27} The incident illustrates that some women, notably Elizabeth Colly, did not conform to the patriarchal model of wifely conduct. Moreover, Robert Colly's awareness of the behaviour of his marriage partner, implies that 'adultery' was not always necessarily perceived as a crime in the popular community. Moreover, gambling, and drinking were entertainments that were

\textsuperscript{23} C.R.O. EDC5/1630/55 Nantwich.
\textsuperscript{24} C.R.O. EDC5/1631/15 Nantwich.
\textsuperscript{25} C.R.O. EDC5/1631/81 Nantwich.
\textsuperscript{26} C.R.O. EDC5/1635/87 Nantwich.
\textsuperscript{27} C.R.O. EDC5/1635/87 Nantwich.
enjoyed equally by both women and men. Whether Elizabeth Colly was a 'good' mother or not, however, is open to question.

When some members of the community attempted to impose their standards of behaviour upon women, on occasion they were successful. Numerous cases of adultery were reported to the court. For example, in 1636 two controversial instances involved women in Nantwich. One was a case of adultery, and the other was a case of cruelty.28 Further instances of adultery emerged in 1637 and again in 1640, whilst in 1638 the court heard a case of a 'prohibition of marriage.'29 Also in 1638 a woman defended her reputation after having been referred to as 'a drunken queane.'30 The following year, actions were brought against one angry woman who defended herself from indictments of 'fornication.'31

Bastard-Bearing and Cursing:

The Wright-Briscoe Case of 1663

The evidence above demonstrates that not all women in early-modern Nantwich conformed to patriarchal standards of behaviour. On some occasions, however, women were required by law to comply with the court's decision. Whilst there were some women who met the imposed standards of behaviour, there were some who did not. Moreover, the evidence heard in the church court from Nantwich demonstrates that women such as Anne Knutsford were not exceptional in the use of bad language. As discussed in earlier chapters, the period of 1660 to 1670 was one of three peaks in the number of court cases which appeared in the Chester Consistory Court related to female verbal crime. The

28 C.R.O. EDC5/1636/9 Nantwich (Adultery), EDC5/1636/10 (Cruelty),
highest proportion of all cases referring to female verbal crime appeared during this decade and the cases originated in Nantwich. Most of these lawsuits were closely connected with the social controversy surrounding Anne Knutsford. The causes that were unrelated to the upheaval in 1663, did, however, echo controversies similar to Knutsford's. In these instances both marital partners took legal action against an offender at the same time. For example, a mutual defence of reputation occurred in 1661, when both husbands and wives appeared jointly to clear their marital name from slander. Nantwich men took legal action to stop gossip about the conduct of their wives when Thomas Sare and Richard Sare resorted to the court to protect their wives from slander. At the same time, Anna Sare, Thomas Sare and Jane Boskett appealed to the court in 1661, all remonstrating against others who had slandered them.

The kinds of situations described above began to arise more frequently in the church court, and involved significantly larger numbers of people. In April 1663, a situation similar to that of Anne Knutsford transpired when Anne Wright accused Mary Briscoe of cursing and witchcraft. Mary Briscoe, in identical fashion to Anne Knutsford, was described as 'a very troublesome wrangling woman among her neighbours.' In this occurrence, five people in Nantwich tried unsuccessfully to impeach Mary Briscoe, whose mother was, thirty years earlier, convicted of witchcraft and hanged in Chester. Briscoe was charged with bewitching two of Ann Wright's children to death, one of whom was a bastard child. In addition, Briscoe was charged with bewitching Wright's husband and killing him. Underlying the accusation of witchcraft, however, were the familiar themes of agitation about property ownership, bribery and bastardy.

35 C.R.O. EDC5/1662/63 Nantwich. Anne Wright contestes Mary Briscoe, April 1663. The manuscript includes the libel, depositions, interrogations, confessions, and sentence.
36 Ibid., Deposition of Elizabeth Whitlowe.
The Wright and Briscoe affair involved eighteen Nantwich people, fourteen of whom appeared as witnesses. Two of Anne Wright's witnesses were 40 year old Elizabeth Whitlow, and 56 year old Elizabeth Jenkins. Elizabeth Jenkins was described as a 'poor woman.' Both witnesses were discredited because it was found that they had been bribed by persons unknown. Ann Ridgeway, 20 year old spinster, and daughter of Elizabeth Jenkins, also Wright's witness, provided graphic accounts of the bewitchment of the children, and said that she believed that Anne Wright's bastard child was bewitched even during its conception. Robert Wynne, who was a 50 year old husbandman, a neighbour of and witness for Wright, and his wife Cicely Wynne, provided the court with evidence about Briscoe's alleged sorcery. The Wynnes' evidence might have been more damaging had it arisen thirty years earlier because both Wynnes went into minute detail in describing the supernatural elements of the situation. In 1663, in Nantwich, Cicely Wynne's statement in particular was discredited and she was denounced as a 'common tattler and tale bearer.'

Much information was provided by midwife, 31 year old Elizabeth Wright, (no relation to the aggrieved Ann Wright) who gave the court important evidence about slander and claimed to have knowledge of Anne Wright's original infidelity which had produced her bastard child. The midwife's role, as it was revealed in this situation, demonstrates the importance of a midwife to the intimate social affairs in Nantwich. The midwife, according to this evidence, occupied a position of great importance. She was called upon, and required by law, to divulge the details of potential bastard-bearers. The Wright and Briscoe matter disclosed the details of one such situation. The midwife determined that Wright's bastard child had the 'King's evil 7 or 8 years before her death. Elizabeth Wright's deposition highlights why it was that Nantwich midwives were handled with care. As with the circumstances of Anne Knutsford, it was because

37 *ibid.*, Deposition of Cecilia Wynne.
38 *ibid.*, Deposition of Elizabeth Wright. The description of the symptoms, however, is confirmation that she probably suffered from a fever or illness such as smallpox or measles, or a similar illness during which she was subject to convulsions.
they were given the unenviable responsibility of naming the town's bastards and bastard-bearers.

Elizabeth Wright was midwife to Ann Wright during the delivery of a 'bastard child.' She carried out her duties as midwife as was expected of her and questioned Ann unsuccessfully 'during her extremetie' about the identity of the father.\textsuperscript{39} She was previously required to swear before Thomas Mainwaring, Justice of the Peace, that she did not know the father's identity. Anne Wright did not deny the charges of bastardy. She admitted that she gave birth to a 'bastard child' and did so without doing penance.\textsuperscript{40} She was equally as adamant in her accusation against Mary Briscoe whom she charged with murdering her children by use of magic. A widow, one Margaret Wright, gave evidence about a 'bastard child' and said the child was born in 1660. (Unfortunately, the documents do not clarify any family relationship between the three Wrights in the case). Hugh Delves, yeoman, tried but failed to amend the relationship between Wright and Briscoe. Most importantly, the documents also show the origin of the dispute: animosity between the protagonists preceded the court case by ten years and arose out of Briscoe's attempts, in Anne Wright's words, to 'take the house from over her head.'\textsuperscript{41}

In the event, Anne Wright's charges of witchcraft against Briscoe were not taken seriously by the court and the case was dismissed. Although the court claimed that Anne Wright was in the wrong, it was sympathetic to her circumstances owing to her neighbours' claims that she was distressed about the deaths of her children. This situation demonstrates the scepticism of the court in dealing with claims of supernatural activity. It was a turning point in the history of the Church Court which meant that neighbours could no longer expect to have such accusations of sorcery taken seriously. Anne Wright was, however, expected to make a 'confession' in Nantwich Church. She was required 'in a humble manner with an audible voyce [to say] an apology to Mary Briscoe'. She failed at

\textsuperscript{39} Ibid., Deposition of Elizabeth Wright.
\textsuperscript{40} Ibid., Deposition of Ann Wright.
\textsuperscript{41} Ibid.
every opportunity to apologise. She, for one, obviously believed that Briscoe had recourse
to unnatural power. The minister, Richard Jackson, was to have heard the public apology
of Ann Wright to Mary Briscoe, but Anne Wright refused to carry out the penance.42

The sense of desperation which was so often highlighted in the many instances of
female verbal crime throughout the Northwest was clearly obvious in this situation. The
familiar themes of money, bribery, sickness and the connection with recourse to
supernatural power were reiterated during the event described above. In this instance,
however, the court would not listen to the desperate and disturbed stories of its bereft
parishioners. Curiously, and as with the many other instances of bastardy which occurred
during the period of 1660 to 1670, Richard Walthall's name had also surfaced. It is not
clear from the evidence precisely what his role in this lawsuit was. His involvement in yet
another instance of alleged bastardy, however, invites further speculation about his role in
the Knutsford case, especially his determination to assemble a formidable alliance of
Nantwich's aggrieved citizens against the midwife.43

Anne Knutsford's Enemies

Despite the initial commotion of 1663, and her prohibition from practicing
midwifery in February, Anne Knutsford did not refrain from her habitual swearing or
cursing. Accusations of cursing were thrown at her again and again. Knutsford, in
reply, initiated cursing allegations of her own. The material concerns revealed in the
previous years were to resurface repeatedly in the litigation which appeared in court
throughout the rest of the decade. Cursing, slander, pew disputes, disputes over rent,

42 Ibid.
43 Ibid.
property and legal costs, were all to be the subject of continuing conflict between the midwife and her neighbours. The subsequent proceedings embraced a broad range of issues, but almost without exception, the causes could be related back to the material domain.

Walthall's alliance and Anne Knutsford clashed repeatedly. The details of their battles were to be recorded in the Consistory Court papers across the 1660s. The more specific issues relating to money-lending, property, sick children, childbirth and bastardy, which arose in the action of Richard Walthall, and that were to involve Knutsford during the 1660s, were mentioned again in each of the ten separate causes. The problem of money-lending arose most particularly, however, in 1663, when Anne Knutsford took Anne Blagg to court to collect an outstanding debt.\textsuperscript{44} Knutsford, perhaps because her reputation for cursing had undermined her credibility, failed to obtain the money owed to her by Blagg. Subsequently, in later years, when it was decided that she should apologise to Ann Blagg for cursing, she opted instead to refer the matter to the high court at York, only to decide against this action eventually when the cost of running the case proved to be too expensive.\textsuperscript{45} As the court record for 1668 makes clear, financial considerations loomed large in the case:

After sentences were given in this court on the behalf of Edward Blagge and Anne his wife in two causes, Richard Williamson advised Anne to appeal to Yorke, telling her it would but cost her fifteen shillings to prove the cause thither, but shortly after he advised her to agree with Blagge which she forthwith did, and paid Blagge in compensation £4, and had his peleace [word] for the same.\textsuperscript{46}

The details of Ann Knutsford's long-running pursuit of Ann Blagg were provided by witness, Foulke Harte, who appeared in court to support Anne Blagg's action. In his

\textsuperscript{44} C.R.O. EDCS/1664/68 Nantwich.
\textsuperscript{45} C.R.O. EDCS/1668/10 Nantwich.
\textsuperscript{46} C.R.O. EDCS/1668/10 Nantwich. Responses of Anne Knutsford and Thomas Knutsford.
deposition, he claimed that Anne Knutsford had vociferously pursued Ann Blagg for the money she owed her.⁴⁷

The background behind another long-standing antagonism, that between Elizabeth Cliffe and Anne Knutsford, was also revealed in the Blagg case of 1664. Anne Knutsford had long asserted that Elizabeth Cliffe was guilty of producing bastard children. Further evidence came to the fore through the lawsuit against Anne Blagg, which claimed that it was in reaction to Anne Knutsford's continuing claims of whoredom against her that Elizabeth Cliffe was compelled to clear her name. Knutsford apparently scattered her accusations of prostitution in numerous conversations. She alleged that Cliffe was 'nought [naughty] with John Egerton, and Dorothy Hussey parded out her rent with Richard Walthall, her landlord.'⁴⁸ The persistence of these allegations, and the repetition of the claims in the subsequent lawsuits, eventually forced Elizabeth Cliffe to pay, what Knutsford described as a 'journey', [a fee for swearing one's freedom from guilt], and to swear her innocence before a Justice of the Peace.⁴⁹

To understand the accusations piled against Knutsford in 1663, and the motivation of her enemies, one must also be aware that the case had a strange prelude. Knutsford herself had launched proceedings against Barbara Croxton in 1662, in a case which anticipated many of the features of the major case in 1663. In March 1662, Knutsford summoned Barbara Croxton for slander and for revealing indiscretions during the private business of childbirth.⁵⁰ It was Anne Knutsford, however, who took exception at Barbara Croxton's report about her client, Mrs Bromall. Croxton was alleged to have said:

⁴⁷ Ibid., Deposition of Foulke Hart.
You, Barbara Croxton did report and say of Anne Knutsford, when you were in labour and in extremity of paine that you had occasion to say that Anne Knutsford bidd you shitt or do your business in her hands, for Mrs Bromhall, (one who Anne Knutsford is midwife unto) did shitt or do her business in her hands, and most of her children were brought into the world that way.\textsuperscript{51}

Again, in 1664, in yet another lawsuit, Knutsford had Barbara Croxton arraigned for saying that Knutsford's techniques of midwifery had endangered her child. It is clear from the evidence above that Croxton was offended by the Knutsford's technique 'of having her shitt in her hands.' Knutsford also denied having spoken of Elizabeth Bromhall indiscreetly. Croxton's evidence inadvertently puts on record Knutsford's 'hands off' approach which gave women in labour greater freedom by allowing them to decide for themselves the precise time at which to go to a 'birthing stool.'\textsuperscript{52}

\textit{A Powifull and Ready-Handed Woman:}

\textbf{The Vindication of Anne Knutsford, March 1663}

In March 1663, Anne Knutsford won the battle against Richard Walthall and his Nantwich satellites' attempts to stop her from practising as a midwife. A notice was issued by the Chester Consistory Court which declared 'Anne Knutsford's innocence of the charge of revealing the secrets of women.'\textsuperscript{53} Twenty-one women came to Chester, from not only within Nantwich, but also the neighbouring areas of Acton, Wybunbury and Wrenbury, to sign a petition which affirmed Knutsford's 'great skill and judgement.' The Petition read as follows:

\begin{quote}
51 Deposition of Anne Knutsford.
52 C.R.O. EDC5/1664/6 Anne Knutsford cites Barbara Croxton for slander of Knutsford who was midwife to her on the birth of her child and for claiming that Knutsford had advised her to 'get rid of it.'
53 C.R.O. EDC5/1663/54 Suspension revoked.
\end{quote}
There is none whatsoever in these parts of the country so apt and fit for the execution and performance of midwifery as Anne Knutsford.\textsuperscript{54}

What is more, the court proved Walthall's alliance to be 'without just cause' and came out in favour of Anne Knutsford, deciding that she had proved her innocence. In the Registrar's words:

the information mentioned in [the] Suspension or Copy of [the] Suspension now written, was maliciously and without just cause devised and given against Anne Knutsford.\textsuperscript{55}

Clearly, the town was divided when it came to losing the service of such a proficient midwife. Walthall's pressure to discredit Anne Knutsford was rejected. The women, who had originally supported Walthall against the midwife, formed an unlikely alliance of female solidarity, albeit one which was born of self-interest. Women who had previously given evidence against Anne Knutsford for cursing, when forced to speak of her expertise as a midwife, had second thoughts when they realised that she was going to lose her licence - and they were going to lose a midwife. Nantwich's women, who had previously signed Walthall's petition, now testified in favour of reinstating Anne Knutsford. The women who changed their minds about Anne Knutsford were Jane Wright, Elizabeth Cliffe,\textsuperscript{56} Margaret Birkerton,\textsuperscript{57} Janet Brookett,\textsuperscript{58} Elizabeth Proudman,\textsuperscript{59}

\textsuperscript{54} Ibid.
\textsuperscript{55} Ibid.
\textsuperscript{56} Ibid., Deposition of Elizabeth Cliffe: 'Made use of Anne Knutsford as a midwife above 14 years agoe.'
\textsuperscript{57} Ibid., Deposition of Margaret Birkerton: 'Anne is a good midwife and generally accounted soe to be.'
\textsuperscript{58} Ibid., Deposition of Janet Brookett: 'Anne has had much to do with this family havinge done the office of a midwife to the depot. of sixe children.'
\textsuperscript{59} Ibid., Deposition of Margaret Robinson: 'About thirteen years ago she had occasion to make use of the articulate Anne Knutsford as a midwife.'
Elizabeth Johnson,\textsuperscript{60} Barbara Croxton\textsuperscript{61} and Maria Elledge\textsuperscript{62} As in the case of Margaret Jackson, although the female members of Walthall’s alliance cited evidence against the midwife for verbal crime, they were unable to prove fault against her as a midwife. Moreover, a further five women were explicit in their belief that they found the midwife to be a superior practitioner. One of these was apothecary Elizabeth Walley, who had a high opinion of Anne Knutsford. She flatly contradicted the evidence of Knutsford’s enemies and denied having heard the midwife speak abusively of women, but did say that she had heard them speak ill of her. In contrast to the ‘vitiously disposed public bawd’ cited by others she knew her to be a highly skilled professional.\textsuperscript{63} She drew attention to Knutsford’s charitable side and spoke of her success in delivering safely from complicated childbirth.\textsuperscript{64} Elizabeth Walley was the head of an all-female coalition which denied the charges of professional incompetence, preferential treatment and neglect. All of the women changed their minds, contradicted their former statements, and supported Elizabeth Walley. Elizabeth Walley explained that she had signed the petition only in order to obtain an opportunity to speak in support of the midwife.\textsuperscript{65} Whilst she believed that the others who had signed the petition were good and creditable individuals, she believed it was in the interest of the public to protect Anne Knutsford, and she was not prepared to join them in their condemnation of the midwife. She stated:

\textsuperscript{60} \textit{Ibid.}, Deposition of Elizabeth Johnson: ‘Anne is a woman very skillfull in her profession and by her endeavours and God’s blessing hath laid this deponent in bed of 4 children and she is accounted to be a good midwife.’

\textsuperscript{61} \textit{Ibid.}, Deposition of Barbara Croxton: ‘Anne is an experienced woman in her profession this deponent having made use of her in that way and is soe accounted to be.

\textsuperscript{62} \textit{Ibid.}, Deposition of Maria Elledge: ‘Anne is a skilfull woman in the Art she professeth and is accounted soe to be.’

\textsuperscript{63} \textit{Ibid.}, Deposition of Elizabeth Walley: ‘Of Anne Knutsford she said the following words Anne is a very skilfull midwife, and comonly soe reputed, And (as this deput. hath heard) by Gods blessing hath brought women safe to bed when others could not...she hath many times heard the articulate Anne Knutsford talk merrily but never heard her abuse anyone with her tongue though she hath heard some people say that she hath a bad tongue.’

\textsuperscript{64} \textit{Ibid.}

\textsuperscript{65} \textit{Ibid.}, Deposition of Elizabeth Walley.
The onely cause of this deponent subscribing [the petition] was to testify her knowledge of Anne's ability and dexterity in her profession, and for her readiness to help poore people, and that she might be continued in her employment. 66

Elizabeth Walley's view found equal support from two women of 'gentle' status. One was Elizabeth Church, and the other, her daughter, Elizabeth Bromhall. Their evidence declared that Anne Knutsford had been midwife for over two generations. Thirty-two year old Elizabeth, who was married to mercer Thomas Brumall, said that Anne was midwife to her upon six occasions. 67 Her mother, fifty-four year old Elizabeth Church, also pronounced that she had first hand experience of Anne Knutford's skills:

Anne is a very good midwife and one of the best thereabouts and is reputed soe to be. Anne Knutsford 14 or 15 years agoe having done the office of a midwife and taken a childe of this deponent into the world soe long since. 68

Elizabeth Church's daughter, Elizabeth Bromhall, refused to sign the petition against Anne Knutsford. She highlighted the midwife's assiduity in attending to women experiencing troubled labour. Indeed, she said Anne Knutsford came to the aid of women when other midwives refused. 69 Margaret Jackson whose deposition did much to injure Anne Knutsford in regard to cursing, could not denigrate her ability as a midwife because Anne Knutsford had delivered each of her seven children. 70

A further twenty-one women signed a Petition, requesting that Anne Knutsford's suspension be revoked. The Petition highlighted the desperate conditions of some of the

66 Ibid., Deposition of Elizabeth Walley.
67 Ibid., Deposition of Elizabeth Brumall: 'Anne Knutsford haveing taken this deponent sixe children into the world.'
68 Ibid., Deposition of Elizabeth Church.
69 Ibid., Deposition of Margaret Robinson: 'About thirteen years ago she had occasion to make use of the articulate Anne Knutsford as midwife ...Anne is a good midwife in this deponents judgement and soe accounted to be. And this deponent hath heard she not long since laid a woman in bed when another before her would not do it.'
70 Ibid., Deposition of Margaret Jackson: 'haveing made use of Anne Knutsford at the birth of seven or eight children as a midwife...is a very ready handed and powful woman in her profession.'

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women she tended, and Knutsford’s willingness to assist with the problems they faced.

The women put their signatures to the following statement:

In regard whereof and of her great skill and judgement in the execution and performance of midwifery and especially her readiness to assist and helpe poore women not onely in the performance of the office, but also in sending and furnishing them with money, clothes, and other necessaries in their straites.71

Anne Knutsford, after a long and expensive legal battle, was finally victorious. In the succeeding years, she resorted to, and was the recipient of, a series of charges and counter-charges by which she intended to make her enemies sorry for denouncing her. Throughout the rest of the decade, she issued citations almost as often as she did curses.

The 'Inhibition' and Knutsford's Struggle with Nantwich Doctors

Anne Knutsford won the first round in a protracted legal battle but the war was not yet won. The midwife faced opposition from the town’s doctors who sought to discredit her. In July 1664 she was forced to answer to the charge of practising midwifery when prohibited by the law. Margaret Jeurl was the principal witness. She alleged that the midwife had practised outside the law of the court.72 She also said that the midwife refused to attend the labour of a poor woman named Mrs Garrott:

Anne by this deponent sending was desired to come to one Garrots wife in Namptonch being a poore woman, and whose she had formerly been

71 C.R.O. EDC5/1663/54 Nantwich, Suspension Revoked. The signatories to this document were Frances Fletcher, Grace Bostock, Elizabeth Jackson, Margaret Bostocke, Margaret Mainwaring (her mark), Elizabeth Church, Anne Bowey, Anne Wathmull, Hannah Action, Elizabeth Bromhall, Elizabeth Malley, Elizabeth King, Anne Wenken, Bridgit Seavill, Joane Henshaw, the mark of Jane Beckit, Margaret Parker, Elizabeth Bulton, Robena Milroy, her marke, Anne Masseye, Alice Milton.
72 Deposition of Margaret Jeurl: ‘Anne was inhibited by the Judge of this court and she hath laid several women in bed and this deponent believes it to be true.’

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midwife, but she denied or neglected to come, but went to the Christening of Bullens childe, soe they were forced to send for an other, and within hours or a very short space after the other Midwife came she was dellivered.\textsuperscript{73}

Margaret Jeurl said that although she knew Anne Knutsford was a good midwife, she was aware of Knutsford's limitations: 'she hath knowne an other to do that about a woman in extremity which she could not doe'.\textsuperscript{74} Oddly, and in spite of her reservations about the midwife's skill, Jeurl sent for Anne Knutsford to deliver Mrs Garrot's child. Her statement raises two obvious questions. Firstly, why did Margaret Jeurl send for Anne Knutsford to visit Mrs Garrott when she doubted her abilities? Secondly, and more importantly, why did she send for Anne Knutsford when she knew that she had been forbidden by the court from practising midwifery?

More important evidence in this case was provided by one Elizabeth Johnson who was thirty-two years old and married to Francis Johnson. She had four children, each of them delivered by Anne Knutsford. It is noteworthy that she and her husband had financial connections with Richard Walthall and rented property from him.\textsuperscript{75} Elizabeth Johnson's deposition provided the basis for the accusation against Knutsford of practising outside of the inhibition, and of withholding her services from two poor women, Margery Sparrow and Mrs Walker. Johnson's statement, however, was based upon hearsay from Sparrow. Elizabeth Johnson's statement stressed that, while neglecting the poor, Knutsford had been willing to attend two other better-off clients, a Mrs Pratchett and a Mrs Clowes:

Margery Sparrowe told her that Anne did the office of midwife and she was practising since the inhibition when Anne laid the articulate Pratchets wife in bed, and she hath also heard by others that she did soe likewise by the articulate Clowes, his wife.\textsuperscript{76}

\textsuperscript{73} Ibid.
\textsuperscript{74} Ibid.
\textsuperscript{75} Ibid., Deposition of Elizabeth Johnson. Johnson stated: '[w]e hold a small garden under Mr Walthall for three lives'.
\textsuperscript{76} Ibid.
Elizabeth Johnson, who accused the midwife of neglecting the poor in favour of the rich, also asserted that Knutsford distracted herself with the superficialities of her profession. She claimed that on an earlier occasion, Anne Knutsford did not attend a woman who was in need of a midwife. In her statement she said:

She hath heard that the articulate Anne hath not been soe diligent to poore people in the extremity of their Labour as she should have been and particularly Walkers wife, whoe (as the midwife whoe laid her in bed said) that she might have been delivered two hours sooner if she had Annes help when they desire it but she was busied about dressing of Mr Melbournes childe.\textsuperscript{77}

Elizabeth Johnson’s assertions of malpractice were, in the end, inconsistent with her other statements. In a blatant contradiction of the above statement, Elizabeth Johnson eventually conceded to the court that the midwife was generally skilled in the art of midwifery:

Anne is a woman very skillfull in her profession, and by her endeavours and God’s blessing hath laid this deponent in bed of 4 children, and she is accounted to be a good midwife.\textsuperscript{78}

Barbara Croxton also gave evidence against the midwife, alleging professional indiscretion. She was married to shoemaker Joseph Croxton, and had lived in Nantwich for seven years.\textsuperscript{79} She referred to an ongoing legal battle between herself and the midwife over accusations of slander. Knutsford had served her with a Citation between June and August of 1663. This precipitated negotiations, and then recriminations, as Croxton’s statement made clear:

\textsuperscript{77} Ibid.  
\textsuperscript{78} Ibid.  
\textsuperscript{79} Ibid., Deposition of Barbara Croxton.
That the last Summer Anne Knutsford did serve this deponent with a Citation out of this Court for words which she told Mrs Bromall, but Anne sent Mrs Walley to this deponent to desire her that the suite might be stayed, and thereupon it was soe Anne alsoe served her with another Citation a while agoe.  

Barabara Croxton, however, spoke surprisingly well of her skills as midwife and said she had relied upon her on several occasions.

Another revealing statement in this case of Knutsford breaking her prohibition was given by fifty year-old Margaret Robinson who was married to Miller, Joseph Robinson, and the statement establishes that the Robinsons family was one of the least well-off families in Nantwich. She stated that she and her husband supplemented their income by selling ale and did not always earn enough. Anne Knutsford was midwife to Margaret Robinson on several occasions. What was unusual about Margaret’s deposition is that she reneged upon her signing of the original petition, and spoke favourably of the midwife, particularly in relation to her skills as a midwife. Contrary to the statements of those above, she said that Anne was diligent in her efforts to attend to women in troubled labours and helped woman when others had refused. Margaret Robinson asserted:

Anne is a good midwife in this deponents judgement and soe accounted to be. And this deponent hath heard she not long since laid a woman in bed when another before her would not do it.

A further witness, a notorious enemy of the midwife, Elizabeth Proudman, expressed the belief that the midwife was incompetent and wilfully neglected her duties.

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80 Ibid.
81 Ibid., According to Croxton, ‘Anne is an experienced woman in her profession this deponent haveing made use of her in that way and is soe accounted to be.’
82 Ibid., Deposition of Margaret Robinson. Robinson stated that ‘her husband keeps a handmill and she sells a cup of ale for their Lively hood and she hath lived in Namptwich all her life.’
83 Ibid., Robinson stated that ‘about thirteen years ago she had occasion to make use of Anne Knutsford as a midwife.’
84 Ibid.
She said that Knutsford refused to attend the lying-in of poor woman Mrs Sherman.

Elizabeth Proudman stated:

That she heard one Thomas Sherwin, who lives about two miles from Namptwich say that he could not agree with Anne Knutsford to goe to his wife who was in labour at that time, but before he could get another midwife his wife miscarried. 85

The use of the word 'miscarryd' in the above statement implies that the child was born prematurely. Nowhere in any of the depositions is there evidence that a child died. Nevertheless, Elizabeth Proudman argued that the midwife was responsible. Thomas Sherwin's wife, however, was not called as a witness, which is unusual given the seriousness of the alleged crime.

The statements above show that there was much disagreement amongst the Nantwich townsfolk. None of the poor people mentioned appeared as witnesses. Much of the evidence reported in these cases was based on hearsay, was not supported with evidence, and some statements were inconsistent. By any measure, the case against Knutsford did not appear to be strong.

Another finding is noteworthy. According to the evidence of the records of the Chester Consistory Court there was considerable competition between midwives and doctors in Nantwich. There was certainly much hostility between Anne Knutsford and Nantwich's doctors, Dr Barlar, Dr Walley and Dr Fisher. Margaret Jackson's deposition referred to medical practitioners who doubted Anne Knutsford's skills as a midwife. The depositions of various witnesses confirm that there was indeed conflict between Anne Knutsford and doctors. Margaret Jackson's deposition referred to several such instances as the statement below demonstrates:

85 Ibid.
This deponent heard her [Anne Knutsford] say that Mrs Walley of Namptwich, when she call’d Doctor Walley, he had with his sisser saurs killed many a one. 86

Referring to a separate incident which involved one Doctor Barlar, she said:

In her judgement Anne Knutsford is a very ready handed and powifull woman in her profession, but in cases of danger this deponent thinkes that there are other women in the country both better and more able than Anne, and this deponent hath heard both Docter Balar and others upon occasion say soe much bye her. 87

In similar fashion, Hugh Delves spoke of hostility between midwife and doctor. Hugh Delves’ account has much in common with the deposition of Margaret Jackson. Each was hostile towards the midwife and each repeated what medical practitioners said. Hugh Delves was married to Dorothy Delves, of ‘Gentle’ status and fifty years old. He had lived in Namptwich for 16 years ‘having a wife and family in the towne.’ 88 He was also related to Captain Richard Walthall but could not account for the family connection. 89 Although he tended to rely heavily upon hearsay, he obviously valued the opinion of the ‘docter’ who, it is reported, in many circumstances, demonstrated hostility towards the midwife. In his deposition, he alluded to many examples of the midwife’s bad behaviour. He cited the opinions of the local doctor, and the doctor’s wife, who denigrated Anne Knutsford’s skills as a midwife. He gave the following evidence:

One time Anne Knutsford was imployed as a Midwife to Docter Fishers wife then of Namptwich but finding her short in her judgement as they thought, an other in the towne was sent for and came and by Gods blessing, did work, and afterwards this deponent heard both the docter and his wife say that Anne was not able to give any Account to him in her profession, especially concerning Mrs Fisher, but the other Midwife, one Margaret Haslehurst who

86 Ibid.
87 Ibid.
88 Ibid., Deposition of Hugh Delves. ‘He is something of kin to the party producent but howe neare he know as not.’
89 Ibid.

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is yet a new midwife in the town was a farre abler midwife and could give a farre better account than she. And to this purpose this deponent hath heard the docter upon occasion speaking of Anne declare many times.\textsuperscript{90}

As with Margaret Jackson, Hugh Delves relied upon hearsay and the word of the doctor because there was no concrete evidence of malpractice and none was proved against Anne Knutsford. What these statements show, however, is that the local doctors did not think highly of Anne Knutsford, and indeed, they were antagonistic towards her.

On 31 July 1664, Anne Knutsford finally said that she would submit herself to the court for 'justice'. She was found guilty of flouting the law by practising midwifery when ordered to stop. After all the disturbance, and Walthall's scurrilous campaign, Anne Knutsford was fined the sum of £4.5.9d.\textsuperscript{91}

\textbf{Recriminations: Knutsford's Actions Against Her Accusers}

Knutsford would not easily forget her humiliation. A powerful woman such as the midwife was quite prepared to use the resources of the law to avenge herself against her accusers. During the remainder of the decade she was to launch a number of expensive court battles. One such lawsuit, was taken out by Anne Knutsford in July 1663 against Anne Blagg, as we have seen, in order to recover money that Anne Blagg had borrowed.\textsuperscript{92}

In 1664 the court was to decide whether Anne Blagg was an 'honest woman' or whether Anne Knutsford was 'a woman turbulent by her tongue'.\textsuperscript{93} It was said by Anne Blagg that Anne Knutsford continued to abuse and scandalise the most 'virtuous matrons of Nantwich'. Anne Knutsford's reply to Anne Blagg's accusation was to

\textsuperscript{90} Ibid.
\textsuperscript{91} C.R.O. EDCS/1664/57 Wistaston. Richard Walthall cites Anne Knutsford for slander, sentence, bill of costs, confession, citation.
\textsuperscript{92} C.R.O. EDCS/1664/68 Anne Knutsford cites Anne Blagg.
\textsuperscript{93} C.R.O. EDCS/1664/68 Anne Knutsford cites Anne Blagg.
denounce her, as she had done in Walthall's case as a 'whore, a porky arst whore and a coon whore.' It is during the execution of this lawsuit that we find that Anne Knutsford had been persistent with her claims of sexual impropriety against Dorothy Delves and Elizabeth Cliffe. In her statement, Delves divulged that Elizabeth Cliffe was forced to go to a Justice of the Peace to defend her reputation. In Delve's words: Anne Knutsford had said that Mrs Cliffe had taken a journey [bond] of 40 shillings from a Justice of the peace but this deponent [Delves] did not apprehend her meaning.'

The above evidence was repeated by Maria Ellidge who said 'Anne Knutsford had reported that Mr James Cliff's wife had a forty shillings for a jounery of a justice of the peace and before that Anne told them that Dorothy Hussey kissed out her rent with her landlord.' One of Anne Blagg's witnesses, Foulke Hart, currier, however, emphasised the fact that the dispute was about Anne Blagg's refusal to repay the money Anne Knutsford loaned to her. In his deposition he claimed the following:

That about the latter end of May or beginning of June last, [he] did heare Anne Knutsford speaking to Anne Blagg say unto her thou porkie arst whore bring me home the money thou owest me, and bid her run like Jim Baxter, with diverse base and scandalous speeches in the present of a great many people, which words were spoken in the open street in Nantwich.

It was Anne Blagg’s witness, Margaret Markland, however, who claimed that Anne Knutsford was persistent with her allegations about Elizabeth Cliffe and Dorothy Hussey. In her deposition she repeated the following:

Anne Knutsford said Elizabeth Cliffe was nought with Sir John Egerton and Dorothy Hussy parded out her rent with Captain Walthall her landlord.

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94 Ibid., Deposition of Dorothy Delves.
95 Ibid., Deposition of Dorothy Delves.
96 Ibid., Deposition of Foulke Hart.
97 Ibid., Deposition of Margaret Markland.
When interrogated by the court, Anne Knutsford discredited Margaret Markland in the following words:

Margaret Markland is a woman of noe credit or reputation but a slanderous person and hath beene for her bad tongue and behaviour committed to the house of correction for many months together, and her husband hath departed from her for bed and board.98

Margaret Farrer, shoemaker and wife of John, confirmed Anne Knutsford's story. She made the following deposition:

Margaret Markland some years ago in war time was committed to the house of correction for slandering one Anne Scarnell and remained soe for half a year. And for such her idle and bad behaviour her husband forsooke her and went into Ireland and never returned since.99

Anne Knutsford's sister, 24 year old spinster, Margaret Clowes added to Anne Knutsford's and Margaret Farrer's statements by providing corroborating evidence of the story of Masrkland's imprisonment in the house of correction at Nantwich. In addition, she claimed that she had behaved improperly and was irreleigious. This she asserted in the following statement:

Margaret Markland is a very idle drunken woman and this deponent hath seen her many times soe drunk that she neither knew what she did nore said, and would many times lye by the fire all night she was soe drunk and not goe into any bed. And this deponent hath known her to borrowe a pair of sisers to open the barre to get to the good Ale when the people were forth of the house where she was, and she never knew nor heard ever that she was of any church.100

This legal action resulted in Anne Knutsford having to apologise to Anne Blagg for verbal infringement and yet the midwife did not receive the money that Anne

98 Ibid., Interrogatories, Anne Knutsford.
99 Ibid., Deposition of Margaret Farrer.
100 Ibid., Deposition of Margeret Clowes.
Blagg owed to her. What the matter demonstrates however, is the persistence with which the midwife pursued her enemies. This situation is but one of many which indicate that there was much agitation in Nantwich arising from disputes over money.\(^{101}\)

For example, in a suit, which was started in June 1666, and ended on January 23 1667, Anne Knutsford cited Margaret Howell and Thomas Howell for allegations made against her for cursing. It was Anne Knutsford this time, who claimed to have been 'cursed' and 'pulled by the bosom.'\(^{102}\) Anne Knutsford's husband, Thomas was also involved, as were her daughters, 29 year old Ellen Knutsford and 19 year old Sara Clowes. Dorothy Delves, Anne Knutsford's opponent in the Walthall instance, was a witness for Margaret Howell. Her evidence was ignored though, when she was expelled by the court, because it was established that she was a 'notorious enemy' of Anne Knutsford.\(^{103}\)

As with the previous instances of cursing, this representation of cursing was related to hardship. This predicament, as with the situation described of Anne Blagg, above, demonstrated that there was much agitation about money which the Nantwich folk could not, or would not, pay to Anne Knutsford. The situation arose out of Margaret Howell's refusal to pay the midwife. Things came to a head on the Tuesday before All Hallowes Day in 1667, when Anne Knutsford was carrying out her midwifery duties with a labouring mother, Elizabeth Burch. It was Burch who acquainted her with the details of a previous situation where Howell had cursed Anne Knutsford behind her back, and affirmed, somewhat sarcastically, that Anne Knutsford should pay her patients, rather than

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\(^{101}\) See for example, at the C.R.O. the Wills and Inventories of the townsfolk involved in the upheavals of 1660 to 1670. The average amount that Anne Knutsford's contemporaries accumulated in a lifetime was between £70 and £80. Most of Knutsford's contemporaries who were yeomen, shoemakers, innkeepers, tanners, and mercers, who did not earn a great deal. Edward Blagg, yeoman, C.R.O. WS 1674, Blagg, Inventory, £76.18.0d. Randle Muttershead, C.R.O. WS 1690, £55.14s.10d. There were exceptions, however. One was Elizabeth Walley, Apothecary, who bequeathed the sum of £600 and a house and household goods to her daughter, Sarah Oldfold, and her children 'to be divided equally.' See C.R.O. WS 1681, Walley. See also, C.R.O. WS 1712, the will of Hugh Delves, yeoman, who was also wealthy.

\(^{102}\) C.R.O. EDC5/1667/2 Nantwich. Anne Knutsford cites Margaret Howell. Depositions, Articles, Bill of Costs, Responsons, Interrogatories and Citation.

\(^{103}\) C.R.O. EDC5/1667/2 Nantwich.
they pay her. Howell, as Elizabeth Burch's statement explained, cursed her in the following words:

Is she [Knutsford] not beholding to you for haveing her for your midwife? And then speaking (meaning by Anne Knutsford) [said] the plague of God or the Plague of Christ light upon her, and curse her and the devill give you good on her for you to have her for a midwife.  

Sara Clowes, Anne Knutsford's sister, verified that Anne Knutsford was physically and verbally attacked by Howell as she went about her business in Pepper Street. Clowes affirmed this with the following deposition:

A fortnight before all hallows tide last, Anne Knutsford going upon her occasions in Nantwich when she came about or neare to Margaret Howell's house in the Pepper Street. Margaret fell upon her (without occasion or provocation given that this deponent heard of or saye) in a very bitter scolding and cursing manner, and did gravously curse her, and pulled her by the bosom.  

Anne Knutsford's daughter, Ellen Knutsford, confirmed Clowes' account. She said 'the words were spoken after milking time about 6 or 7 a clocke in the evening, a little after sun time.' In her deposition she said the following:

Margaret Howell gave Anne Knutsford, this deponents mother, a great many words, and told her she was beholding to her, and Margaret said bid the plague of Christ take this deponents Mother, and pulled and shaked her by the bosom.  

Margaret Howell, however, described Sara Clowes as 'a pampling young girl and one who not understand the nature of an oath.' In reply to this, Anne Knutsford successfully

104 Ibid., Deposition of Elizabeth Beech.
105 Ibid., Deposition of Sara Clowes.
106 Ibid., Deposition of Ellen Knutsford.
107 Ibid., Deposition of Ellen Knutsford.
108 Ibid., Deposition of Margaret Howell.
discredited Margaret Howell's witness, Mary Walley, whom she described as 'of very weake capacity and understanding.'

The court heard evidence which described Anne Knutsford, Margaret Howell 'scolding and chiding together on Pepper street.' The situation was so heated that Howell and Knutsford almost came to blows. When scolded by Margaret Howell, Anne Knutsford was alleged to have said: 'I am not confounded whore, go about thy business or I'll kicke thee down the streete.'

The above evidence illustrates the difficulty Anne Knutsford had in obtaining payment from some of the women she attended. The incident of cursing, as with numerous instances before, was related to monetary affairs. Anne Knutsford claimed that Barbara Howell owed money to her but Howell retaliated by claiming the Anne Knutsford was 'beholding' to her. The fact that Anne Knutsford was so often forced to resort to legal pressure to force some Nantwich women to pay her, is confirmation that Nantwich was experiencing some kind of sharp economic downturn.

A further situation of financial hardship in Nantwich is recorded in 1668 in the litigation of Elizabeth Williamson, who attempted to obtain payment from Anne Knutsford for fees that she declared were due to her late husband and Proctor, Mr Williamson.

The dispute arose about payment of Anne Knutsford's debts for suits that were previously heard in the Chester Consistory Court. The debts owed by the midwife were considerable. Anne Knutsford's son, Thomas Knutsford, a tanner, gave evidence in

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109 Ibid., Deposition of Anne Knutsford.
110 Ibid., Deposition of Richard Ilidge.
111 C.R.O. EDC5/1668/10 Nantwich. Elizabeth Williamson cites Anne Knutsford for fees due to her late husband. Allegations, responisons and depositions.
112 Anne Knutsford's expenses were very high. Her husband Thomas left a will 'valued and prized at £77.03.08d.' See C.R.O. WS Admon with Inv 1690. Anne Knutsford's legal expenses were as follows: EDC5/1663/4 Schedule of expenses 5 June - 21 January 1663, £12.8.3d. This schedule was possibly the action with Henry Greenhalgh in a dispute about pew space. EDC5/1664/57 Schedule of expenses of articulate Richard Walthall contesting Anne Knutsford in official negotiation, signed, John Wainwright, total £13.15.3d, and 1663, schedule of expenses from Richard Walthall dated 1664, £4.5.9d, and £11.17.9d, dated 5 April, 1664. It is not clear from the manuscript exactly who paid for the costs. Anne Knutsford was certainly liable to pay a proportion of the costs of EDC5/1664/57. EDC5/1667/2 Knutsford cites Howell. Schedule of expenses, Anne Knutsford and Thomas Knutsford contestes Margaret wife of Edward Howell date 1667. List of expenses beginning 6 June and ending January 23 1667, £3.17s.1d. A further
which he claimed to have paid the Proctor £3. Some of the money, it seems, was returned to him as 'not good money.' Anne Knutsford claimed to have made eight separate payments to the Proctor, which she professed was paid on her behalf, by eight different people. Since one of these was Henry Greenhalgh, with whom she had quarrelled over pew space, it may have been the case that the sums of money that they were asked to pay the Proctor, were the same amounts that they owed to her. The incident referred to took place on 11 July 1668 and it was signed by Anne and Thomas Knutsford. The hearing occurred in September 1668, when it was concluded that though Anne Knutsford owed the court more than £25, Robert Parker said that in 1665 he paid money on Anne Knutsford's behalf and received an acquittance from the Proctor Mr Williamson. Knutsford's son, Thomas also referred to 'fees of court.' He said that, during the time that Anne Knutsford was in litigation with Richard Walthall, he paid £3.2s.6d, on his mother's behalf, to the Proctor, 'at the Register's office, near in the Abbey court in Chester.' Bridget Clowes, in 1664, Anne Knutsford's sister, also claimed to have paid the Proctor for fees in connection with 'suites that were then in this court.' Similarly, Thomas Halsall also deposed in the incident to say that he had paid the Proctor £3.

The above instances demonstrate that bickering about money was not unusual for Nantwich people during this period. The above case is strange, however, in that eight witnesses claimed to have paid money on Knutsford's behalf, and yet, Williamson's

schedule of expenses was issued on 6th February, 1667. It listed costs from 6 June to January 23 which referred to Anne Knutsford, wife of Thomas Knutsford, and Margaret, wife of Edward Howell, total £5.17.1d.

113 Ibid., Deposition of Thomas Knutsford.
114 The Proctor, Richard Williamson, was to receive 'expenses of a suite for and against and paid by Henry Greenhalgh, £7.2s.6d, at another time paid by Mr Robert Parker, £4. more by the same, at another time, £1.6.0. more paid in lieu of Bridgit Clowes and Ellen Cowper £19.9d, and at another time of them £0.14s.8d, more at another time, Knutsford Junior, £4.0s.0 at another time to Mr Williamson, £2.17s.0. more at another time by Thomas Halsall £3.0.0.'
115 Deposition of Thomas Knutsford. Knutsford Junior's statement was informative about the debt Anne Knutsford incurred through her many suits at the court and highlights the fact that there were problems in Nantwich related to the flow of currency. He deposed the following: 'during the time of the dependency of a suite in this court betwixt Mr Walthall and his mother, Anne Knutsford, this deponent by his mother's order paid the sum of £3 out of which he returned back three shillings as not good money.'
widow claimed not to have received it. There was no decision made by the court respecting payment of fees. It appears, from the evidence though, that there were problems in Nantwich, not only with currency circulation, but with the value of coins, and some Nantwich townsfolk were blatantly untruthful in matters pertaining to their financial transactions.

Charges involving fornication, pew disputes, slander and adultery continued in Nantwich, in the decades that followed, but not with the same intensity as they did in the decade 1660 to 1670. In 1672 the Registrars office impeached Thomas Tench, for adultery with Margaret Briscoe. An additional instance arose the following year when John Burford summoned Thomas Tench for slander, and Tench was fined for the offence. Richard Walthall's name came up in the following year in 1675, concerning a clandestine marriage to Maria Wilbraham. The court, however, was more concerned with Andrewes and Briscoe contravening the law of the church, by marrying the couple in a non-conformist meeting house, than it was with Richard Walthall's clandestine marriage into the wealthy Wilbraham family, albeit without the family's permission.

The kinds of cases such as those discussed above emerged less often after 1670. There were fewer pew disputes, with only one in 1685 between Roger Wright and Frances Cholmondeley. There were fewer incidents of verbal crime. The following year, Anna Woods cited Robert Lowndes for slander. In 1691, the proctor of Nantwich Church, Thomas Waite cited Roger Shaw for non-payment of fees. In the following

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119 C.R.O EDCS/1676/2.
120 C.R.O. EDCS/1685/10 and EDCS/1686/11.
121 C.R.O. EDCS/1686/10.
122 C.R.O. EDCS/1691/11.
year, the minister of Nantwich church, Richard Jackson, cited Henry Brooke for
slander.\footnote{123} Fornication charges, and indictments for lewd behaviour and sexual slander
continued to come forth in Nantwich, though they appeared far less regularly than they had
in previous years. In 1693, John Webb was charged with fornication.\footnote{124} In 1694, Abigail
Tench was forced to undertake a 'Declaration of Penance' for indecent conversation with
John Wickstead.\footnote{125} When in 1709, Maria Speakman impeached John Lowndes for
slander, Lowndes was forced to make a full apology to her before the Justices of the Peace
'on his knees.'\footnote{126} A further verbal infringement occurred in Nantwich in 1715, when
Elizabeth Minshull cited Joseph Warell for slander.\footnote{127} The last substantial incident of
verbal crime appeared before the court in 1726 when Maria Oulton cited Bookseller,
Edward Barrister for slander.\footnote{128}

Throughout the ten-year period in Nantwich analysed in this chapter, the
problems relating to midwifery were sharply visible. Although such problems had existed
in former years in Nantwich, the concerns led to bitter disputes which resounded
tumultuously during the decade of 1660 to 1670. Throughout this period, women literally
came to blows in disputes about the payment of fees, and when they could not force their
creditors to pay, they took each other to court. The town was divided about Anne
Knutsford. The women who were bribed by Richard Walthall to convict her as a foul-
mouthed cursing woman were forced to ward off Walthall's attack, and support her, when
they were faced with the dangerous prospect of childbirth without so proficient a midwife.

\footnotesize
\begin{itemize}
\item \footnote{123}{C.R.O. EDC5/1692/31.}
\item \footnote{124}{C.R.O. EDC5/1693/2.}
\item \footnote{125}{C.R.O. EDC5/1694/11.}
\item \footnote{126}{C.R.O. EDC5/1709/8.}
\item \footnote{127}{C.R.O. EDC5/1715/5.}
\item \footnote{128}{C.R.O. EDC5/1726/11.}
\end{itemize}
According to the records, money-lending took place with greater frequency, with lenders, such as Anne Knutsford, resorting to extreme measures to ensure their monies were returned. There was uncertainty associated with payment of leases and with the circulation and value of currency. As the above incidents of cursing have illustrated the deaths of Nantwich children or the threat of eviction from a home were often at the heart of cursing. Issues such as these were evident in every case, but in Nantwich, in certain years of the decade 1660 to 1670, the townsfolk felt these effects more sharply than ever. Chapter six of this thesis has demonstrated that Nantwich children were dying in infancy at an alarming rate. A high proportion of the children that Anne Knutsford delivered also died in infancy. Knutsford's own child, Robert, baptised on 4 January 1656, was buried on 28 April, 1660, at only four years of age, whilst son, Richard, baptised on 6 September 1655, was buried on 25 June 1657.129 A similar situation was repeated with the children of Anne Knutsford's neighbours. In some situations, all of the children that were delivered died in infancy. All but one of Margaret Jackson's children, delivered safely by Anne Knutsford, died at a very early age. It is hardly surprising that a midwife as skilled as Anne Knutsford, was so highly prized in such dangerous and unpredictable social circumstances. Anne Knutsford herself died on 23 October, 1689, two days after husband, Thomas.130 She was replaced very quickly by Ellen Hodgson, who was certified as a practising midwife in December of that same year.131

Although Nantwich was, by some standards, a thriving market town, the divisions between the rich and poor were sharp indeed. The Nantwich rich, a large proportion of whom were women, were very rich, and the poor were unable to feed or clothe themselves adequately. Skilled midwives such as Anne Knutsford, when carrying out their duties, traversed the entire social spectrum. The misery of losing so many of its

129 C.R.O. Nantwich Parish Register, Burials.
131 C.R.O. EDC5/1689/6 Nantwich. Her application for a licence was supported by seven women and signed by the Churchwardens. She was described as 'a woman of good, decent, modest and Christian carriage and behaviour and hath good experience and skill in the Calling of a Midwife.'
young took its toll on the community of Nantwich, and dramatically affected families, perhaps prompting them to desperate measures. The loss of its young children was such that in the mid-seventeenth century, the most precious commodity to the people of Nantwich was not the cheese, leather, or salt it was famous for, neither was it gold, nor the money or bribes which were offered by Richard Walthall. Its most precious asset was its children.
Conclusion

This thesis has found that female verbal crime in northwest England in the early-modern period arose chiefly from concerns about survival in uncertain conditions. Evidence from the court records of north-west England suggests that incidents of verbal crime, especially cursing, increased during particularly difficult times. During the period of 1541 to 1700, women were represented in more than ninety percent of cases of verbal crime in the Chester Consistory Court. One hundred percent of cursing cases involved women. Seventy-five percent of cursing cases were directly connected with infant deaths, and in forty percent of them, plague, or some other disease, was mentioned.

Within the general patterns of shifts and changes that took place in the economy and social structure of the Northwest, in the decades 1610 to 1620, 1630 to 1640, and 1660 to 1670, there were also several local 'spasmodic' social and economic down-turns - evidence of the human impact of these down-turns is recorded in the depositions of disturbed petitioners; their colourful language reveals the raw emotions behind socio-economic statistics. During periods of such hardship, the ordinary people experienced hunger, waves of disease, and material losses. Towns and villages scattered throughout the Northwest were affected in these ways at different times. For example, Ormskirk, Little Boulton, Chadderton, Ashton-in-Makerfield, Orrell, and Ellel, were amongst those areas that suffered more acutely during the seventeenth century. Cunning man, Henry Baggillie of Chadderton, who used healing charms on 'freinds and cattle' in 1634 explained that, his healing 'wordes were made use of dyverse times, though more frequently for these two yeares last past.'1 Similarly, the community of Little Boulton, in 1629, turned against cunning man William Nuttall during a wave of disease during which children were struck down, became 'lame' and died.2 Testimonies such as these tell of the experiences of those

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1 L.R.O QSB1/139/81, 1634. Examination of cunning man, Henry Bagillie.
2 QSB1/139/85 1630, Lancashire Wiseman, William Nuttall.
people made desperate by hunger and in fear of their lives. It was experiences such as these that often lay behind the outbreaks of ritual of cursing.

Similar conditions existed at various times in Nantwich, and especially during the period 1660 to 1670. But community tension, as noted above, was especially pronounced in 1663. During this year, the Knutsford cursing case brought to light community concerns over shortages of money, and the welfare of children, and disputes over debt and credit between neighbours, as well as other quarrels that often forced them into the court. The fate of children was of particular importance. It is clear from Nantwich's 'Buglawton Rent' that the children of impoverished parents were often forced into work as a result of dire economic circumstances, because they attracted family support from charities if working. In this way, children contributed to the upkeep of families that, for much of the time, lived in conditions of desperate hardship.

The data also confirms that women often were directly involved in many social, economic and professional activities in early-modern northwest England. The evidence strongly suggests that women in the Northwest resisted attempts to control them, and their objections to social control were often registered in the accounts given in their depositions before church courts. Women of professional standing, such as midwives, were required to defend their positions, and some women were forced to resist attacks on their status and property. Within a situation of constant conflict, there were several periods of intensified pressure when women were being forced from a position of respect and accomplishment, to one of male-dependency. The situation of Anne Knutsford is a prime example. Whilst in Lancashire, the Puritan Justices of the peace prosecuted with extreme vigour those women who did not comply with the required standards of morality. Notwithstanding the reaction against Puritanism in the wake of the Restoration, the Puritan ideology, which by 1660 had been internalised by many members of society, was self-regulating, and continued to impose controls on female social space and female sexuality. Aware of the power of
women as 'mass media', there were continued efforts to repress and control their traditional public voice. Women, such as Anne Knutsford, who were in the vanguard of the struggle to defend themselves from encroaching ideological control, resisted and challenged the ideals which some of her neighbours took for granted. In this, Anne Knutsford was not alone. Nantwich society grew increasingly hostile to female involvement in the many avenues of social and economic life, but occasionally, women did successfully defend themselves through the legal channels that existed.

The cases of such women as Sybill Farclough, Jenet Wilkinson, and Joane Elderson, discussed in preceding chapters reveal the acute desperation of those living in circumstances of severe hardship and scarcity especially during the years 1630 to 1640. It was during this period that issuing curses and composing charms in the Northwest came to be perceived by the Justices as crimes that were closely related to sorcery. The most striking feature of female verbal crime during the period 1630 to 1640, however, is that the accusations were often instigated by the neighbours of the accused. Women became more susceptible to accusations, and neighbours became more litigious. In response to prosecutions that were initiated by the townspeople, the Justices responded quickly and mercilessly. During this period, the evidence shows that crimes of verbal violence were connected with socio-economic deprivation, and from 1630 onwards, women consistently expressed concerns about goods, property and belongings.

As we have seen, in Nantwich, there was rivalry between doctors and midwives. Though often divided, women expressed their resistance through the legal system. In the conflict surrounding the midwife, Anne Knutsford, the women of Nantwich eventually reacted very strongly, rallying behind their midwife when they felt that such moves against her threatened their lives or the lives of their children. The circumstances of Nantwich in 1663 give some indication of the state of tension and uncertainty that arose out of the changes that were occurring more widely in society. The situation in each region remains to
be thoroughly researched. Through examining the local and regional aspects of female verbal crime, this study hopes to contribute to that broader field of research inquiring into the huge demographic, economic and political changes that took place in England in the early modern period. Further research is required into other towns to determine whether the circumstances revealed in the Northwest were repeated throughout England on a grander scale.

In exploring the social and economic aspects of female verbal crime, this thesis has raised a number of questions and discovered some interesting contradictions. At the same time as an ideological battle was being fought out in the linguistic domain, there were periods of contraction and expansion and scarcity and growth in the region. As chapter two of this thesis has emphasised, several studies reveal a number of contradictions within what some would identify as a broad area of growth in the Northwest. On the one hand indeed there was a high percentage growth well above the national average of 68 per cent. Innovations in the marketing of dairy goods, agricultural expansion, improved transport systems, the spread of cottage industries in textiles, and the mining of coal were all indications of a dynamic transformation. This change modified the existing social and economic infrastructures of the Northwest in the sixteenth and seventeenth centuries. But, on the other hand, other studies demonstrate that sectors of the economy were in decline, owing to the changes in the salt industry. It is possible that there were a number of contractions within a general expansion of the economy, where old systems of salt-making were breaking down, whilst trade between Nantwich and London increased. The growth of Nantwich during this period may have been assisted by its geographical position on the great roads from London to Holyhead, making trade between Nantwich and the capital easy. In any case, the radical doctrines of Calvin were carried through trading connections from London - thus explaining the hold of non-conformism in the area. Similarly, experts have found that the notion of the 'Godly' household was particularly strong in the eastern
pastoral areas of Lancashire and Cheshire. The intensification of trade along existing routes between Nantwich and London, therefore, would certainly explain the growth of non-conformist attitudes in Nantwich. Additionally, the evidence suggests that there was great pressure on the roads, a result of war perhaps, but also through overuse by commercial traffic.

Whilst demographic studies show that infant mortality was high, those surviving children born to poorer families faced a life of hard work. During cycles of fever, smallpox or measles, many young children lost their lives. According to the details of depositions related to cursing, most families in Nantwich were touched by the loss of at least one child. The distress of such loss, together with rising tension about social status, territorial squabbles, scarcity of money and essential services such as midwifery and nursing, and the discontent of those who were impoverished by previous wars - all of these features combined to make Nantwich an extremely volatile community.

Evidence from the 1660s examined here shows that the middle strata of Nantwich, who are believed to have been upwardly mobile, often lived in the shadow of debt. Some of those families, according to the evidence, were even forced to compromise their ideals of respectability in order to survive. Such people lived in fear, and were, during the period under question, found to be constantly in conflict with each other. Such circumstances, when considered alongside the periods of life-threatening illness, had a devastating effect on the children. What each member of Nantwich society shared in common was the fact that their children were in danger of being struck down. Fevers, measles and smallpox took the lives of many children, and all mothers, even wealthy ones, such as Maria Wilbraham, risked their lives in childbirth. The period of 1660 to 1670, and particularly the year 1663, stands out as a period of an unusually high rate of prosecutions of cursing in Nantwich. The evidence discloses with great certainty the fact that Nantwich was a deeply divided community during the time in question. Some wives, even those of gentlefolk,
were forced to imperil their good names when harsh conditions forced them to offer landlords sex instead of money.

Those who brought cases of cursing to court demonstrated in their depositions the outlook of a bereft and superstitious townsfolk. Such hostility might suggest a reason for the increase in the prosecutions of cursing and magical healing in the decade 1630 to 1640 in the Northwest. The enthusiasm with which the judiciary reacted in this decade to such accusations, arose out of their efforts to rid the Northwest of what they believed were surviving remnants of 'papish ritual'. The legal emphasis in 1660 to 1670, however, suggests a shift away from charges of magical healing and sorcery, and a concentration instead on cursing as a manifestation of female social protest. Here, women's language, as revealed through accusations of cursing and scolding, and overt demonstrations of women's sexual propensities, became increasingly subject to regulation.

The period 1630 to 1640 also showed an increase in litigation in the Chester Consistory Court and the Quarter Sessions courts against the cunning folk as the charges of superstitious practice fell upon a wider range of traditional activities. Those people whose practices could be associated with Catholicism - however innocuous their actual rituals such as 'blessings' or 'casting water' may have been - were subject to harsh regulation. The litigation against the cunning folk was often initiated by ordinary people, who, with no explanation to hand for the disastrous occurrences that overtook them, then accused the cunning people of resorting to the dark side of magic. As with the crimes associated with speech, the 'charms' of the cunning folk were depicted as 'inchaunements', or even worse, as 'sorcery.' The accusations, however, were rarely inspired by ideology alone; as with cases of cursing, the accusers repeatedly referred to the deaths of children, sickness, the loss of goods and fear of starvation among the reversals of fortune provoking their allegations against cunning folk. Such evidence expresses very clearly the desperate state of affairs in the communities in which petitioners existed.
The social and economic circumstances which provoked the accusations confirm that cursing was a response to the pressures of everyday existence in Nantwich. In general terms, the investigation of church court records has disclosed a colossal legal struggle which was related to money-lending, property ownership, and maintaining one's status in Nantwich's fluctuating circumstances. The desperate social and economic circumstances that were present in towns throughout the region were more acute in Nantwich. The familiar themes of sickness, money shortages, and concerns about property, surfaced again and again.

In such difficult conditions women were required to fight hard in order to receive payment for the work they carried out. Some were forced to take extreme measures to oblige their stubborn creditors to pay. The town was torn asunder when Anne Knutsford legally responded to accusations of cursing. The women who at first condemned her and accused her of cursing, then supported the midwife when it became clear that she would be forced to stop practising. The evidence reveals that money-lending occurred frequently; there was uncertainty associated with the payment of leases, arguments over pew space, disagreements about the enclosure of land and problems with the value of currency. Incidents of cursing illustrate that it was the deaths of Nantwich children that often underpinned accusations of cursing. Issues such as these were evident in every case, but in Nantwich the records of the court clarify the situation even further. Studies suggest that fevers, measles and smallpox were responsible for taking the lives of young Nantwich children, and that disease did not discriminate between the rich, the poor or the middling sort. The deaths of children, and the reality of women dying in childbirth, affected everybody similarly.

The evidence identifies a situation of on-going gender struggle in the Northwest, made worse during contractions in the economy, and, as with those studies of Devon,
London, Somerset and Wiltshire, carried out by Thompson, Gowing, Quaife, Ingram and, in the Northwest, Addy and Phillips and Smith, these research findings reject the view that women were voiceless and powerless in a male-dominated society. The evidence confirms that women in the seventeenth century challenged the ideological constraints that were being placed on them and found both the courage and opportunity to articulate their own views, sometimes with great effectiveness, and always with passion. The system within which they operated was not exclusive, nor was it an impenetrable male domain within which women were impotent or unable to express their opinions. On the contrary, the English legal infrastructure operated in such a way that it allowed women to take advantage of the system for their own ends, which they did, and often very successfully. Women, the mass media of the seventeenth century, made certain that their voices were heard in the private and public domain, whether in the home, in the mercer's shop or grocer's shop, on the streets, in the ale-house, in the court, or, when under pressure from social and economic constraints, through the power of the curse. As this thesis has demonstrated, the women of seventeenth century northwest England, during a great upheaval, were anything but silent and invisible.

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FEMALE VERBAL CRIME IN NORTHWEST ENGLAND,
C. 1590-1675, WITH SPECIAL REFERENCE TO CURSING

by
Karen O'Brien

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This thesis is the end result of five years of researching, writing and discussing female verbal crime in early modern England. It arose out of a desire to clarify ideas that were long rattling around my head. These ideas eventually prompted me to embark on a long and continuing process of enquiry into working-class women in the early modern period to discover an explanation for their exclusion from history. During this process of discovery I have incurred a number of debts. The first debt of thanks is owed to my initial supervisor, Keith Wrightson, who did much to guide my research at the archives in the United Kingdom. Secondly, my thanks go to the staff of the School of History at the University of New South Wales, especially to Jenni, who was always so helpful. I am grateful also to Clare Kaspura and other staff members of the Faculty of Arts and Social Sciences at the University of Western Sydney, Macarthur. In particular I would like to thank David Rollison for his guidance with secondary source reading - his presence was always an energising one. A debt of thanks is owed to the staff of the Cheshire Records Office, the Bodleian Library, and, in particular, the staff of the Oxfordshire Records Office.

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The work presented in this thesis is, to the best of my knowledge and belief, original except as acknowledged in the text. I hereby declare that I have not submitted this material, either in whole or in part, for a degree at this or any other institution.

Karen O'Brien
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Abbreviations

C.R.O.  Cheshire Record Office
L.R.O.  Lancashire Record Office
O.R.O.  Oxfordshire Record Office
Abstract

Female Verbal Crime in Northwest England, c. 1590-1675, With Special Reference to Cursing

Broad changes in early-modern English society were often reflected in the community via a 'war of words'. A close investigation of the social circumstances of individuals and of the relationships between individuals who were caught up in verbal crime provides a detailed context or 'micro-history' of this phenomenon, which in turn sheds light on the socio-economic changes occurring in the Northwest during this period. Since crimes associated with speech increased fourfold between 1580-1680, an investigation of the symbolic domain of speech is important to an understanding of early-modern society. This includes an investigation of chiding, cursing and scolding. In this thesis, the sources of female power in the early-modern community are examined, as well as the dynamics of ill-will behind female verbal crime. Such crimes are researched from manuscripts of proceedings in the local church courts and quarter sessions, which often provide insights into the popular politics of early-modern towns. By examining such texts, we may access a 'micro-history' of gossip which contributes to the debate over such macro-historical questions as gender, social politics and female social space. Networks of power and factional divisions with the community are revealed by exploring the attitudes of those involved in cases of female verbal crime, since individuals from every walk of life appeared in order to give evidence to the courts investigating such crimes. In particular, the thesis explores the numerous incidents surrounding charges of verbal violence against one Anne Knutsford, a midwife, in the small market town of Nantwich between 1660 and 1670, charges which provoked a series of court cases revealing the deep rifts between people in the town.
Introduction

Women in Early-Modern England:
Silent and Invisible?

In the open street at Nantwich Anne Knutsford did call Ann Blagg a whore, porkie arst whore, Coon whore and a bitch and bid her run thou bitch like Jim Baxter and bring me home the money thou owest me, with such base and scandalous speeches in the presence of a great many people.

In Nantwich, before all Hallows tide, Margaret Howell in a very bitter scolding and cursing manner did gravously curse Anne Knutsford and pulled her by the bosom, and bid the plague of Christ take her.¹

Between 1600 and 1675 in northwest England, hundreds of women were prosecuted for verbal crimes. One woman who appeared in court was a Nantwich midwife named Ann Knutsford. In 1663, she was accused of 'lying, swearing and cursing'. The language that she used outraged the Nantwich community who censured her for 'abusing and injuring townsfolk' with 'scandalous speeches', for having a 'scurrilous tongue' and for 'revealing the secrets of women'.² This incident sparked off more than ten years of litigation which was to involve eventually over one hundred people from every level of the social scale. From the highest-ranking members of Nantwich society to the poorest of individuals, each registered his or her opinion. Controversial and protracted as this case was, by no means was Anne Knutsford's situation an exceptional one; verbal crime in the period was overwhelmingly a female crime, and there were many such cases. Why is it then, that women in the early-modern period are so often described as silent and invisible when so many women were prosecuted for verbal crimes, such as cursing, between the years 1600 and 1675 in northwest England? This fascinating paradox forms the basis of enquiry for this thesis. In pursuit of answers, I

¹ Cheshire Record Office EDC5/1667/2 Nantwich. (Referred to from this point onwards as C.R.O.)
Anne Knutsford cites Margaret Howell for slander and for pulling her by the bosom.
have found the archives of northwest England to be a wonderfully rich mine of information, and they have revealed more than a few documentary gems that have thrown new light on the problem of female verbal crime.

**Female Verbal Crime Defined**

This thesis is first and foremost a study of female verbal crime. The above term, which may be unfamiliar to some, deserves some definition. In the sixteenth and seventeenth centuries, verbal crime included 'defamation', 'slander', 'scolding', 'chiding' and cursing. Each of these terms had a more precise meaning in early-modern England than each has today, and the last three deserve some careful clarification. Scolding was predominantly a female crime, in which one woman or more disrupted the peace of the neighbourhood by verbal attacks on others in a public place. If found guilty by the ruling authorities, women could be, and often were, severely punished. They could be fined, imprisoned or whipped. Chiding bore a close relation to scolding, but involved females criticising or abusing others in a more private setting. Chiding similarly incurred severe punishment. The most offensive crime, however, and the one which was regarded most gravely of all types of female verbal crime, was that of cursing. Cursing was not simply a matter of swearing, insulting or slandering. To curse an individual was a spoken ritual contrived to bring down the wrath of God upon one's enemies. It was considered to be especially heinous and the curse was greatly feared. Because it was such a grave offence, cursing was punishable with a beating, a fine, and, in some of the more serious instances, where an individual died, or where sorcery was suspected, women who were found guilty could be executed. It is the crime of cursing, ahead of other female verbal crimes, which provides the chief focus of enquiry here. This thesis will consider several important questions arising from the study of female cursing. The first question to receive consideration is why it was that women, and only women, were such prolific cursers? Secondly, the thesis will analyse precisely what it was about the social and economic
conditions that resulted in cursing being an exclusively female crime. Thirdly, the thesis will explore the circumstances that gave rise to long-running cases, such as the Knutsford one, which so disrupted the town of Nantwich in 1663.

**Why Northwest England?**

**Why the Special Focus on the 1660s?**

The incidence of cursing, and some other forms of female verbal crime, was apparent in a wide variety of sources in northwest England. The geographical area of the Northwest has been chosen for study for two reasons. Firstly, the Northwest region is generally under-explored, and secondly, female verbal crime of the cursing kind was particularly common in this region. Indeed, experts, such as Keith Thomas, have suggested that cursing may well have been a distinctive feature of only the Northwest, and therefore it warrants investigation.³

The evidence from the Chester Consistory Court demonstrates that there were three distinct increases in prosecutions of female verbal crime. In the Northwest, female verbal crime increased in the decades preceding the Civil War, and in the decade following the collapse of the Commonwealth. In the decades 1610 to 1620, 1630 to 1640 and 1660 to 1670, there was a notable increase in the number of cases. But in 1660 to 1670, the decade of the Restoration, the numbers of cases increased sharply. Further analysis of the evidence suggests that this high incidence of female verbal crime in 1660 to 1670 was related to an especially traumatic period of social hardship, which is certainly discernible in the experience of the people of Nantwich. Here, the dynamics of ill-will that had gathered momentum over previous decades suddenly erupted in legal chaos in 1663. A wave of litigation arose from one particular incident of cursing and continued until the end of the decade. It was also during this decade, and in the particular year of 1663, that a record

number of 126 cases was heard by the Chester Consistory Court. As documents drawn from this court figure prominently in this thesis, it deserves a brief explanation below.

The role of this court was not only to control the moral behaviour of an individual but also to settle some matters of property between them. According to Christopher Hill, the Church Courts were popularly referred to as the 'Bawdy Courts.' He argues that 'the Church Court had its own hierarchy of more than 250 courts, which had come down from the Middle Ages, like the rest of the institutional backbone of the State, little modified by the Tudor monarchy. They came under thunderous attack from the Protestant reformers, but they emerged unscathed.' The Church Court concerned itself with tithes, probates, the dividing of lands under laws of inheritance, alimony, the fining of individuals for debts and defamations. In addition, such courts had jurisdiction over the goods and livings of midwives, doctors and ministers. In the Northwest, charges of cursing came within the Church Courts' responsibility for 'moral' welfare and such cases were typically heard there.

**Manuscript Sources: Strengths and Weaknesses**

There are obvious advantages and disadvantages to using documents generated by lawsuits as a source for historical research. One disadvantage is that of legibility. These old manuscripts are filthy and in varying states of decay. Most accounts are often written in a mixture of Latin and English, and there are varying degrees of palaeographic complication. Some suits contain only partial evidence, whilst others are abundantly rich and informative in subject matter. Many give no hint concerning the final judgement of the court. The great advantage to using such a source, however, lies in its originality. It is likely that the evidence found in such a source will be new to scholars. In recent years, scholars have rejoiced at the richness of the original documents but lamented the

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disorganisation of the material. Others question the completeness of archival sources and some question the reliability of the 'female voice' in the sources.

In her study of London, Laura Gowing argues that women dominated oral culture, and that the church courts offered women 'a rare official institutional weapon.' She acknowledges the richness of the documents, noting that the witnesses and litigants in the courts revealed many details concerning contested events, and that their depositions in London courts 'bore traces of long, detailed and original narratives.' Gowing argues that men's adultery was only very seldom exposed in the London courts and that, therefore, women 'publicised their husband's behaviour through the words of insult.' Gowing contends that such litigation at the courts often put women centre-stage. The court provided a means of 'shifting personal, semi-public disputes into a much broader official sphere, to which women rarely had access.'

In the court of Chancery, Henry Horwitz has explored the surviving records of equity proceedings. He cautions that 'though these records are voluminous, they are far from complete'. Nevertheless, a source such as Chancery is useful in reflecting the visible developments in English institutions and society. Horwitz and Polden, in their studies of the records of this court, claim that 'the surges and ebbs in the level of business were characteristic of the central courts as a whole'. This impressive study identifies a

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5 See, for example, J. Milhous and R. D. Hume, 'Eighteenth Century Equity lawsuits in the Court of Exchequer as a Source for Historical Research' Historical Research (The Bulletin of the Institute of Historical Research), Volume 70, Number 172 (June 1997).
8 Ibid., p. 43.
9 Ibid., p. 43.
10 H. Horwitz, 'Record-Keepers in the Court of Chancery and Their Record of Accomplishment in the Seventeenth and Eighteenth Centuries', Historical Research, Volume 70, Number 171 (February 1997). Horwitz gives an account of record-keeping and explores the surviving records of chancery equity proceedings contained in the Public Record Office. He questions the completeness of this source but is emphatic about the vastness.
growth in commercial and artisanal litigants. The authors have also detected a 'pronounced rise in suitors from the metropolis'. The increase was found to be linked with concomitant economic and demographic trends, a fall in debt cases, a rise in estate cases, and shifts in the mix of suits, associated with changes in statutory law. They identified 'a falling off of litigation business in the Chancery and an avoidance of the central courts by the provinces.' In view of this finding, Polden and Horwitz maintain that further research is required in other local courts beyond those of London. They maintain that 'the problem cries out for answers and it is now evident that the answers do not lie at the centre.'

The evidence consulted for this thesis was obtained from a broad range of national, regional and local sources. The main body of manuscripts derive from the rich, plentiful and informative records of the Chester Consistory Court. While documents from the Consistory Court papers from the years 1525 to 1860 comprise some 3,000 documents, a focus is placed more particularly upon those documents from the period of 1590 to 1675. Additionally, sources from numerous shire record offices, such as the Quarter Sessions records from Lancashire and Cheshire, were also consulted.

As explained above, the varying availability of sources has, to a certain extent, dictated the structure of the thesis. In order to maintain a certain flexibility, a number of approaches have been adopted, moving from the general to the particular according to the level of information held in each set of manuscripts. In some manuscripts, there were only one or two lines giving brief details of the crime, whilst others provided a more generous account of events. In some instances, some sixty pages of depositions were found to offer minute details about a particular incident. In all situations, the Chester Consistory Court recorded at least the names of those involved, the details of the crime, and the ages and occupations of those involved. In certain cases, the sentence which an offender received

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was also recorded. In most instances heard by the Consistory Court, there were extensive details contained in the 'depositions', 'interrogatories', 'responsions', 'sentence' and, sometimes, there might also be a 'confession'. Schedules of Confession have been advantageous in providing evidence about the punishment of female verbal crime. Similarly, details of the kind described above were entered in the records of Quarter Sessions. The Quarter Sessions documents consulted in this study are informative about the responses of Puritan Justices of the Peace, as well as about the social and economic circumstances of verbal crime. In addition, hearth tax records, state papers, parish records, wills and inventories have been useful in providing details relevant to female verbal crime.

**The Structure of the Thesis**

The structure of the thesis deserves some preliminary explanation. Owing to the uneven distribution of information relating to female verbal crime in the archival sources, the thesis is constructed in two parts. The evidence relating to cursing as a whole during the period of 1590 to 1670 appears in the first part of the thesis. The sources best able to provide the most detailed account of the local history and background to cursing, however, emerged during the decade 1660 to 1670. Therefore, a greater emphasis is placed upon the decade 1660 to 1670 in the second half of the thesis. Part One, Perspectives, incorporates chapters one to five. It is here that a bird's-eye view of the area under study is presented and the general problem of female verbal crime is introduced. It also explores crucial elements of the background, such as the unevenness in the growth of the economy in northwest England during the period in question, and highlights the deteriorating material context which was so significant in the provocation of female verbal crime. This study also takes into account the role of the cunning folk in the early-modern community and, through manuscript evidence, highlights the ways in which 'blessings', bore much in common with curses, in that they resulted also in the prosecution of many of those accused. The first part of the thesis will uncover the broader issues and
circumstances surrounding female verbal crimes such as curses, 'inchaunements' and scolding. Part Two of the thesis will be engaged with the more difficult task of trying to explain the circumstances of female verbal crime in one particular town at one particular time, Nantwich in the 1660s.

The broad overview of the Northwest and of female verbal crime in the first part of the thesis provides crucial background information and discussion which will then inform a micro-historical enquiry. The second part of the thesis is presented as that micro-history. The richness of archival information relating to the town of Nantwich is such that it enables an in-depth investigation, from within the world of those accused of cursing in Nantwich in Part Two of the thesis. The thesis, therefore, explores fully the problems and intimate details of female verbal crime at a grass-roots level. Part Two of the thesis will draw out the underlying social, political, economic and ideological changes that are charted in Part One. It will then establish the more particular features of cursing in Nantwich between the decade of 1660 to 1670.

Three more general chapters begin the thesis. Chapter One presents an examination of the questions of historiographical importance to the analysis of female verbal crime. Chapter Two will concentrate upon the society and economy of northwest England. It furnishes a broad context within which the occurrence of female verbal crime in the Northwest as a whole will be examined. Chapter Three will explore the restraints that contemporary governing authorities imposed on women's language. It will focus on the process of elimination of what was once a powerful female voice from public and private affairs, and will trace the criminalisation in the Northwest of certain kinds of female conduct.

Chapter Four, through a close analysis of the manuscripts from Chester Consistory Court, will explore the social and economic context of the state of affairs in the community more closely. The thesis will at this point highlight the testimony of those accused of cursing, and concentrate on the 'desperate voices' of those who were overwhelmed by the problems of survival in a difficult world. The evidence examined in Chapter Four will also identify the relationship that existed in early-modern northwest
England between verbal violence and periods of hardship. According to the sources, such a situation existed more perniciously during the period of 1630 to 1640 and again from 1660 to 1670 in a number of towns scattered throughout the region. It was through the many incidents of cursing that individuals were best able to express their misgivings about community well-being. The chapter will explore the hypothesis that curses were often provoked by the bereavement of family members, illness, or ruin of goods, loss of property, or belongings or a swift decline in social status, and, in some circumstances, all of the above.

Chapter Five, whilst still concerned with female verbal crime, explores the details of cases of persons accused of pronouncing 'inchauntements.' This kind of verbal crime shared some similarities with cursing, because it was believed that those who spoke such words possessed special powers and had recourse to the same supernatural world as did those who cursed. Pronouncing the 'blessings' that came to be regarded as 'charms' or 'inchauntements', had long been a healing practice in communities throughout northwest England. This chapter, then, takes for its focus the practices of the cunning folk. It reveals how they, the practitioners of healing, were prone to accusations. The accusations levelled against the cunning folk, as in the case of those accused of cursing, also intensified during periods of hardship. One such period was that of 1630 to 1640 in Lancashire. As the testimonies of the cunning folk will reveal, they were called on to help individuals whose families were troubled by sickness and hardship.

In the first chapter of Part Two, the town of Nantwich becomes the focus. The social and economic analysis of Nantwich, derived from numerous archival sources, is presented in Chapter Six. The chapter examines the distribution of wealth within the town as revealed by the Hearth Tax records. It analyses records of charities to find out information about the town's poor and includes evidence from sources which tell of hardships and of the social climate within Nantwich, especially the destruction which occurred in the aftermath of the Civil War. For example, the chapter includes the evidence that soldiers' widows, orphans, and 'maymed' soldiers related to Justices of the Peace.
about their dire circumstances. While on the other hand, the detailed wills and inventories of some Nantwich women record great wealth. The parish records and church court records which preserved details of baptisms, marriages and burials, and studies of these records, are consulted to reflect on the unusual number of children that were dying during the period under investigation.

Chapter Seven explores the explosive nature of Nantwich's social relations and the circumstances of cursing in this volatile town. The chapter identifies numerous contrivances to control unruly women, such as the formidable midwife Anne Knutsford, who employed imprecatory methods to highlight their grievances. Anne Knutsford drew attention to her grievances when she became embroiled in a complex turn of events in the aftermath of her having been accused of cursing in 1663. This chapter explores, in great detail, those accusations made against her and identifies the underlying dynamics of ill-will through an examination of the lengthy depositions of the many willing witnesses in this long series of court cases.

Chapter Eight investigates the driving force and the motives behind the allegations of the Nantwich townsfolk against Knutsford. It clarifies the often contradictory evidence of witnesses and explores the most intimate details of the relationships between Nantwich men and women. The thesis exposes the buried core of cursing accusations and the deep-rooted economic hardships that such cases emphasised.
The Historiography of Female Verbal Crime in Early-Modern England

I pray that the curse of god might light on thee and all thy wares, [that] the curse of god will blow foe upon thee whereby thou might become a beggar.\(^{14}\)

Thou Ellis Prestwyche, art a foresworne man, and thou hast foresworn thyself for two years and thou hast given thy soul to fairies, and thou hast gotten thy goodes with it and the fairies have brought thee thy goodes.\(^{15}\)

There is an influential view that language, as it currently operates, is not a woman's language; but this view has been criticised for not allowing women access to the discourses of power.\(^{16}\) A number of myths about women's history, which are largely unsupported by concrete evidence, continue to dominate the agenda of women's history. The first myth is that women had no voice in a society that is believed to have been pervasively patriarchal. Contrary to such a belief the female voice is be heard most audibly when careful attention is paid to archival sources.

In an effort to achieve a balanced consideration of the female contribution to early-modern history, this thesis addresses one main area of current debate. This debate concerns whether increased litigation in society denotes a general crisis in gender relations.\(^{17}\)

Some recent research carried out on women's language has demonstrated a high level of female involvement in verbal crime which challenges patriarchal myths about women and history. It also puts into clearer perspective those feminist accounts which


\(^{15}\) C.R.O. EDC5/1601/7 Parish of Manchester, diocese of Chester. Margaret Cheetham, Ellis Prestwyche.

\(^{16}\) See, for example, C. Burgass, 'Out and Out Attack: Postmodern Feminism and the problem of Power', in J. Dowson and S. Earnshaw, (Eds.), Postmodern Subject/Postmodern Texts. Postmodern Studies, Number 13 (Leicester, 1996). p. 10. Burgass argues cogently against the suggestions of the postmodern feminist theorists Luce Irigaray and Helene Cixous who claim that 'language as it currently operates is not a woman's language.'

\(^{17}\) The debate is best expressed in D. Underdown's essay The Taming of the Scold: the Enforcement of Patriarchal Authority in Early Modern England' in A. Fletcher & J. Stevenson, (Eds.), Order and Disorder in Early Modern England (Cambridge, 1985) and M. Ingram, 'Scolding Women Cucked and Washed' in J. Kermode and G. Walker, (Eds.), Women, Crime and the Courts in Early Modern England (London, 1994), p. 71. Ingram argues that 'it is difficult to see scolding cases as evidence of a crisis of gender.'
invariably portray women as 'victims' of male domination.\textsuperscript{18} Phyllis Mack, for
example, in \textit{Visionary Women: Ecstatic Prophecy in Seventeenth Century England}
argues that women had access to a prophetic 'voice' that men did not.\textsuperscript{19} The Quaker
movement of the 1650s was important for female prophecy, and Mack's work provides
an important contribution to the understanding of seventeenth-century religion and
gender. Mack's interpretation has been compared to that of Keith Thomas' in \textit{Religion
and the Decline of Magic}, for Mack, it is said, 'offers us a new way of understanding
the subjective identities and mental worlds of people in early-modern England'.\textsuperscript{20}

The subject of female verbal crime in early-modern England has attracted the
attention of a number of scholars, and studies are now available which range across a
wide geographical area that includes London, Devon, York, Wiltshire and Somerset.
All agree that crimes of speech typically involved a high proportion of female offenders.
For example, Janet Thompson's work on Devon indicates the presence of women in
100\% of the defamation suits brought to courts in the period 1635-1688.\textsuperscript{21} Laura
Gowing in \textit{Domestic Dangers: Women, Words and Sex in Early-Modern London}\textsuperscript{22}
and 'Language, Power and the Law' argues that archival records arising from cases of
verbal crime show a significant female presence in the London Consistory and
Archdeaconry courts in the period 1572 to 1640.\textsuperscript{23} In Somerset, women were found to
have had a high profile in such instances by Geoff Quaife in the same period.\textsuperscript{24} James

\textsuperscript{18} For a postmodern feminist account, see, for example L. Irigaray, \textit{This Sex Which Is Not One}
(Ithaca, New York, 1985), and H. Cixous and C. Clement, \textit{The Newly Born Woman} (Manchester,
1986). The latter has been criticised for reinforcing 'cultural stereotypes of women as hysterical and
illogical', C. Burgass, \textit{op. cit.}, p. 11.
\textsuperscript{20} S. Amussen, 'Women's Voices in Seventeenth-Century England' in \textit{The Journal of British Studies},
\textsuperscript{21} J. A. Thompson, \textit{Her Good Name and Credit: The Reputation of Women in Seventeenth-Century
Devon}, PhD thesis (Cincinnati, 1987). My thanks to Sally Hickey of the History Department,
University of New England for bringing my attention to this thesis.
\textsuperscript{23} L. Gowing, 'Language, Power, and the Law', pp. 26-48. Having examined marriage cases between
1572-1640, Gowing found a total of 5,371 witnesses who appeared. She argues that women sued half
of the time and 35\% of witnesses were women; in defamation cases 46\% were women, and in these
cases fought between women 60\% of witnesses were women.
Sharpe's work on York demonstrates a 75% female involvement in such suits.25 Similarly, David Underdown has found that women were involved in a majority of legal cases arising from scolding. In those areas where a high incidence of scolding persisted, Underdown argues that the evidence points to a situation of crisis in gender relations.26 However, Martin Ingram's research on Wiltshire has modified Underdown's conclusion. Ingram argues that increased scolding denoted not so much a crisis in English gender relations, but rather the presence of mere crisis 'hotspots.' He does not, however, suggest where such hotspots may have been, nor does he provide evidence to support this view.27 Laura Gowing's recent work concludes that gender relations in London were in 'perpetual conflict.'28 John Addy, who has examined defamation causes in the Diocese of Chester, identifies a high proportion of female involvement in defamation suits, but does not investigate spoken infringements as a specifically female-centred crime.29 There is no question, however, that women in early-modern England had a high profile in the courts.

Another prominent historian, who has recently demonstrated that women in the early-modern period were by no means powerless when caught up in the legal system of early-modern England, is Amy Louise Erickson. A brilliant and refreshing analysis of women in early-modern England has recently been provided in her examination of the records of the Court of Chancery, probate accounts, and sample settlement forms. Erickson argues that women have invariably been perceived as the victims of the common law of marriage, when, in reality, this was not so. She puts this down to historical reliance upon one of the two types of marriage settlements known to historians as 'strict settlement' and 'sole and separate estate.' The former was based on the principle of primogeniture, which, she argues, has 'served to reinforce the idea of

early-modern England as an intensely patriarchal society in which women were largely victimised by the common law of marriage.30 'Sole and separate estate', the less commonly known contract, however, originated in sixteenth century England, and gave women, according to Erickson,' an independent interest in specified property during her marriage.31 Erickson's study provides a broad context for the study of marriage, and she puts forward two propositions, namely, that 'the primary purpose of a marriage settlement was to preserve the wife's property rights, and [that] not only the wealthy, but also ordinary people regularly employed such settlements.32 Erickson also argues that historians have tended to overlook the fact that ordinary women exercised a degree of legal and economic autonomy because investigation of subjects such as marriage settlements has over-emphasised the importance of common law. Historians have not taken into account, in Erickson's words, the use of 'marriage settlements by those women who did not own a great deal, but who wished to enforce in equity or through ecclesiastical probate, the desire to protect themselves and their property rights and those of their children'.33 As this thesis will demonstrate, some women in the Northwest actually did take advantage of the law to protect themselves and their property. A great number of Nantwich women left wills and some women were very wealthy.

This thesis will argue that discontent over material welfare was at the heart of accusations of a great number of cases of female verbal crime. It will adopt a similar approach to that of Erickson, and will explore female independence in the economic domain of property and ownership as this is an area which many consider to have been dominated by men.34 The following chapters will document the struggle of women in the Northwest during periods of change to preserve their right to ownership of property

31 Ibid., p. 22.
32 Ibid.
33 Ibid., p. 37.
34 See also Erickson's book entitled Women and Property in Early Modern England (London, 1993). Patricia Crawford in her review asserts that Erickson, in this study, has made a major contribution to our understanding of the economic behaviour of ordinary women. 'Rethinking the Familiar: Domestic Relations, Property and Law in Early Modern England', Journal of British Studies, Volume 35, Number 3 (July 1996), p. 406.
and wealth and to maintain their status. The thesis will explore the function of female verbal crime, and particularly cursing, in society. It will argue that cursing was an expression of discontent amongst those women who were, amongst other things, forced to defend themselves from ever-encroaching religious and ideological constrictions.

The act of damaging another's reputation was illegal in early-modern England. Speaking ill of another person was commonly regarded as defamation, but defamation was not exclusively a crime that was carried out by women. When litigation involved cursing or scolding, however, it typically, if not invariably, involved a female offender.35 This type of verbally related crime fell largely within the jurisdiction of the church courts. However, some cases of cursing and witchcraft were heard by Quarter Sessions and Assize courts where punishments were often more severe.

The occurrence of defamation and sexual slander in early-modern England has received some historical attention in recent years, but cursing has not. Although the cursing phenomenon has been closely associated with witchcraft, and witchcraft has been the subject of much research and debate, cursing, and its specific relationship with the female domain has been overlooked. One reason why historical investigation has not been carried out is the belief that cases of cursing were rare.36 The evidence presented in this thesis, however, will demonstrate that in the Northwest region of England this was not so. Nevertheless, Keith Thomas' important argument, that witchcraft incidents often served a socio-economic function as a 'redress for adversity', hasproved useful in providing a perspective for investigating cases of cursing. This

35 J. Sharpe, Crime in Early Modern England 1550-1750 (London and New York, 1984). The 'umbrella' term of verbal violence was coined by Sharpe to describe cursing, scolding, chiding and defamation. He argues that in the majority of cases, verbally related crime was committed by females and it was most prevalent during the early-modern period in England.

36 K. Thomas, Religion and the Decline of Magic, Studies in Popular Beliefs in Sixteenth and Seventeenth-Century England (London, 1971), p. 508. Thomas contends: 'It may be that such ritual cursing was a particular feature of the Welsh Border country.' See also Sharpe, op. cit., p. 87. He states: 'Examples of formal cursing are rare in court records, but those which survive suggest that being cursed might be a traumatic experience.'
thesis will examine the high incidence of female verbal crime in the Northwest, a significant proportion of which involved cursing.

Although a number of historians have alluded to the high level of female involvement in verbal crime, none has offered a full account of cursing as a transgression that was virtually peculiar to women. The area of scolding has received more attention from Martin Ingram, who denies both women's high level of involvement in scolding and any special pattern of female involvement above that of male in the crime of scolding. Scolding has, however, been described as 'the most distinctive offence of the early-modern period' by John Addy in his *Sin and Society*, but, unfortunately, Addy interprets scolding merely as a branch of 'defamation' in church court records.

Wiltshire church court records have generated a study by Ingram of marriage and sexual relationships from 1570 to 1640. Ingram acknowledges that scolding warrants further analysis. He proposes 'delving deeper into the actual circumstances of scolds and scolding in order to get closer to the reality of the lives both of women and of men in the past.' Gowing has suggested that scolding was 'the armoury of interpersonal conflict.' Whilst defamation and sexual slander in Cheshire have generated some historical interest, little analytical emphasis has been placed upon the female sphere, or upon the incidence of cursing. There are some historians that recognise female verbal crime as a commonplace feature of the early-modern period in

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37 See, for example, Martin Ingram's comments in his 'Scolding Women Cuckled and Washed' in J. Kermode and G. Walker, (Eds.), *Women, Crime and the Courts in Early Modern England* (London, 1994). Ingram argues that 'barratry', a similar crime to scolding, involved men to the same extent as women. He does not, however, provide concrete evidence of this.
38 J. Addy, *Sin and Society in the Seventeenth Century* (London and New York, 1989). On this point see also Sharpe, *op. cit.*, pp. 807-89, who argues that 'the greatest threat to community order came not from stealing, rape or murder but from 'scolds'. It was a crime which was usually dealt with by the church court or local manorial court.
41 L. Gowing, *Domestic Dangers*, p. 264.
northwest England; regretfully, however, they recognise it merely as a component of 'sin' in society.\footnote{This is true of Addy, \textit{Sin and Society}. This study does not investigate verbal crime as a specifically female crime.}

The studies of Ingram, Underdown, Addy and Sharpe, acknowledge cursing and scolding as a social problem especially common in the early-modern period, but their analyses assume that these verbal crimes may be examined within the legal parameters of defamation. The different types of verbal crimes have not been considered as distinctly separate occurrences. What is more important, scolding and cursing have been ignored as crimes peculiar to the \textit{female} sphere, and yet the records show clearly that this crime was committed by a predominantly female miscreant.

A valuable study of female verbal crime in Devon is provided by Janet Thompson, whose thesis, focuses on social attitudes towards women after the English Civil War in Devon. Her analysis demonstrates the importance of women's reputations to their well-being in seventeenth-century England. Thompson examines primary sources from Quarter Sessions, borough sessions and ecclesiastical court records from the Diocese of Exeter, including wills and abstracts of wills, administrations and inventories.\footnote{J. Thompson, 'Her Good Name and Credit:' The Reputation of Women in Seventeenth-Century Devon, unpublished PhD thesis (University of Cincinnati, 1984), p. 103.} Thompson argues that women's status was under threat, and suggests that, if the Restoration had not occurred, the position of women would have been much worse, especially in those towns which were dominated by the non-conformist Protestants. For example, she argues that there was an increase in gender-specific witch trials in Devon in the late seventeenth century. In the same period, her study demonstrates that the numbers of female ale-house keepers decreased, and that there was increased gender specificity in defamation cases, which increasingly involved the sexual slander of women.\footnote{\textit{Ibid.}, p. 105.}

Thompson's study demonstrates, in particular, the sorts of actions often taken in order to discredit a woman's reputation. Such actions, she argues, often took place
before a case went to court. She analyses the depositions of witnesses in slander cases reported within fifteen books of the Consistory Court for the diocese of Exeter, covering the period 1635 to 1640 and 1661 to 1688. Her work demonstrates that a high proportion of the litigation involved women. As with other courts in England, no deposition books were available for the Civil War years. Thompson shows that the number of cases rose sharply in Devon after the Civil War with defamation cases up 40%. There are other problems which arise with the precise dating of cases and depositions. Unlike the Chester Consistory Court papers, which are dated and in sequence, the Exeter court did not date cases and many are out of chronological order. For these reasons her survey did not permit a close analysis of a particular run of cases which might illuminate the social tensions behind verbal crime. Similarly, Sharpe's study of the Diocese of York estimates that 75% of all York defamation causes in general, and 90% of those relating to women plaintiffs, were slanders of sexual reputation. Those Devon defamation suits involving sexual slander from 1634 to 1688 were nearly 100% of the total. The proportion of those suits which directly involved women defending their own reputations in the court was above 70%. The proportion of those suits where both plaintiff and defendant were female was above 40%. Thompson argues that the level of misogyny in English society was exceedingly high, as was the level of verbal and physical violence, but this does not explain why women fought, and defended, their cases in the church court. Thompson claims that ‘many women felt little solidarity with other women’ and additionally, that women, more than men, simply chose litigation ahead of physical violence. Whilst the latter is also largely true of the Northwest, women appeared regularly in both secular and church courts on charges of physical violence. Evidence from the Chester

45 Ibid., p. 103.
46 Ibid., p. 104. Thompson’s study of defamation in Devon observes four main combinations of litigants. These are: female plaintiff and male defendant, female plaintiff and female defendant, male plaintiff and male defendant and male plaintiff and female defendant.
48 J. A. Thompson, op. cit., p. 105.
49 Ibid., p. 105.
50 Ibid., p. 106.
51 Ibid.
Consistory Court papers presented in this thesis also demonstrates that the dangerous circumstances of childbirth encouraged women to maintain a powerful network of solidarity. This situation remained whether a woman’s good name was damaged or not.\footnote{See, for example, the causes relating to midwife, Anne Knutsford, from Nantwich, which are examined in detail in Part Two of this thesis: C.R.O. EDC5/1662/18/19, EDC5/1663/16, EDC5/1663/54, EDC5/1664/6, EDC5/1664/57, EDC5/1664/68, EDC5/1667/2, EDC5/1667/62, EDC5/1668/10.}

Another local study that sheds that more light on the issue of verbal crime is Geoff Quaife’s study of Somerset, entitled \textit{Wanton Wenches and Wayward Wives}. Quaife argues that charges of adultery levelled against the wife of the pious, upwardly-mobile yeoman could be a powerful weapon, a finding for which much support can be found in the records of northwest England.\footnote{G. R. Quaife, \textit{Wanton Wenches and Wayward Wives} (London, 1979).} Both Quaife and Sharpe perceive the increase in litigation as an indication of social unrest and of social distancing between respectable and disorderly society. Thompson, however, found that social tensions in Devon were particularly high during the years 1634 to 1640 and 1661 to 1688. Her study found that during this period ‘all known executions for witchcraft occurred.’\footnote{J. A. Thompson, \textit{op. cit.}, p. 119.} During the years 1682 to 1684, the numbers of female plaintiffs having to defend their reputations from charges of slander reached 100%.\footnote{Ibid.} What is clear from each of these studies is that female verbal crime signalled extreme dissatisfaction in the social realm and that women were indeed vocal in their expression of discontent.

Laura Gowing’s \textit{Domestic Dangers: Women, Words and Sex in Early-Modern England} identifies the value of church court records about women who were ‘most silent’\footnote{L. Gowing, \textit{Domestic Dangers}, p. 8.} and draws attention to a ‘recognisable women’s voice’.\footnote{\textit{Ibid.}, p. 9.} The study focuses on the London church courts between 1570 and 1640 and on three types of legal case: sexual slander, contracts of marriage, and marital separation.\footnote{\textit{Ibid.}, p. 12.} Gowing argues that

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this period produced a 'transformation that put women, uniquely for any court, at the
centre of their business', and she identifies as a driving force the words of slander or
'the language of insult'.\textsuperscript{59}

Gowing proposes that the increase in women's court business may be explained
by London's increasing population and fluctuation in population. London was a much
more mobile city than most villages. Gowing's study also raises questions about a
'crisis' in gender relations such as David Underdown has suggested, arguing that if
gender relations were becoming especially stressed anywhere in England in this period,
it would surely have been London.\textsuperscript{60} Gowing concedes, however, that London's
social relations did not necessarily provide the most fertile ground for the kinds of
dramas that have been identified as a part of a crisis of gender. She argues that
prosecutions of scolding, as with accusations of witchcraft, involved long histories of
neighbourhood dispute. Relationships between governors and governed were
necessarily shaped by size and relative anonymity, while in many ways its
neighbourhoods exhibited patterns of permanence, continuity and conservatism.\textsuperscript{61} The
kinds of dispute that led, in small towns and isolated communities to prosecutions for
scolding and witchcraft, she argues, did not take the same shape in London.

Gowing found that women negotiated 'status, power, dependence and identity'
and found that the conceptual model of crisis itself is not the best way of analysing
gender. She argues that gender relations in early-modern England were in \textit{perpetual}
conflict. The definition and implications of gender were \textit{always} in contest, but changes
and shifts took place in the shape of conflict rather than from stability to crisis and back
again.\textsuperscript{62} Although Gowing's study offers an important means by which we may
understand the perpetual conflict inherent in the gender relations of early-modern
England, what it is unable to do, owing to the transitory conditions of London, and its
fluctuating population, is to offer any explanation for \textit{why} such increases occurred.

\textsuperscript{59} \textit{Ibid.}
\textsuperscript{60} \textit{Ibid.}, p. 274.
\textsuperscript{61} \textit{Ibid.}, p. 275.
\textsuperscript{62} \textit{Ibid.}
Underdown proposes a perception of a crisis in gender relations whilst Ingram relegates female involvement in scolding to a mere 'undercurrent' of criminal activity, even though it is obvious from every available source that women figured prominently, if not exclusively, in this crime. Ingram produces no chronological, temporal or geographical evidence to support the 'hotspot' theory. In a crime which is essentially female, Ingram's study curiously asserts that males predominated. His suggestions, however, undermine the argument of a general crisis in gender relations in early-modern towns where scolding occurred, but, unfortunately, he does not provide evidence to support this view.

In view of this controversy, this thesis will examine the available evidence of female verbal crime and it will raise questions about Underdown's thesis of a 'crisis' situation in gender relations in the Northwest. It will also question whether such verbal outpourings were indicative of isolated areas of social turbulence, as Ingram has suggested, or whether Gowing's model of gender relations in 'perpetual' crisis applies as equally to the Northwest as it does to London.

One branch of the tree of female verbal crime which was not explored in Gowing's study is that of cursing. This thesis, then, will concentrate on cursing and on the *driving force* behind the shifts and changes in the sudden increases of women charged with cursing appearing in Consistory Court cases. With a view to Gowing's remarks about the unsuitability of the London records, it is important to note that the records of the Northwest, unlike the London records, reveal the history of disputes which occurred over many years, and, in some cases, allow a thirty-year long history of a community in conflict to be explored. The thesis will examine the *background* of female verbal crime to better understand why such increases occurred.

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The Objective of the Thesis: To Explore the Driving Force Behind Female Verbal Crime

One aim of this thesis is to investigate the close relationship between cursing and the private lives of women in early-modern northwest England. It will explore the likelihood that the curse was a vocal expression of discontent provoked by hardship in the private worlds of those involved. It will consider cursing as an outward ritual display on the part of those women, who, in dire circumstances wished to 'publicise' their grief. The thesis will also explore the premise that women were not powerless victims of male dominance, but expressed their discontent through the courts. In this way women also effectively registered their dissatisfaction with those who sought to regulate their conduct, social space and economic independence. By examining incidents of cursing in towns such as Ormskirk, Ellel, Orrel, Ashton-in-Makerfield and particularly Nantwich, where women issued curses, the thesis will explore the premise that underlying the expression of the curse was grief, a grief that was very strongly associated with scarcity, loss, uncertainty and the untimely deaths of children.

In seeking to find explanations for the issues summarised above, one must firstly draw attention to some historiographical perspectives arising from recent studies of the experience of women in early-modern England.