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To what extent did pre-existing Welsh customary practices and laws shape witchcraft trials and accusations in Early Modern Wales? An examination of Witchcraft as Malefice trials in Wales and their outcomes in relation to customary laws during the Seventeenth Century

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EMA for A329: The Making of Welsh History

Dissertation

To what extent did pre-existing Welsh customary practices and laws shape witchcraft trials and accusations in Early Modern Wales? An examination of Witchcraft as *Malefice* trials in Wales and their outcomes in relation to customary laws during the Seventeenth Century.

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Introduction

During the seventeenth century a period known as the 'witch-craze'¹ was taking place across Britain and Europe. This was a period in which thousands of persons, most of them women², were persecuted due to accusations of witchcraft. Across Europe an estimated 90,000 people were prosecuted for witchcraft³ and in England in the County of Essex alone, 291 people were charged with witchcraft from 1560-1672, and 74 of them were executed⁴. In Wales however, it was a different story. There was a distinct lack of witchcraft accusations in Wales during the seventeenth century and there was only one woman known for definite to have been executed for witchcraft; a woman named Margaret Verch Richard⁵ whose trial took place in 1655⁶. Witchcraft trial records from Wales in the seventeenth century provide a very valuable source when researching witchcraft in Wales. Despite the lack of witchcraft persecutions in Wales, they do document witchcraft trials of Malefice, or witchcraft cases in which the accused has been said to have practised harmful, black or maleficent magic⁷ which intended to hurt another person. However, hardly any of these cases ended in punishment or with the accused being charged. This is to a certain extent surprising, as by the seventeenth century, Wales and England had been joined by the Acts of union 1536 - 43⁸ and were therefore supposed to follow the same laws. England's laws towards witchcraft during the seventeenth century were harsher than what the evidence in Welsh records show, despite them supposedly following the same law system. In England, there were significantly more witchcraft allegations ending in execution or imprisonment than in Wales, especially in the reign of James I who in 1604 passed the Witchcraft Act, a law which outlined punishments for those practising witchcraft. It also made the successful

¹ Brian p. Levack, *The Witch-Hunt in Early Modern Europe*, 3rd. edition (Edinburgh, 2006), p.1.

² Levack, *The Witch-Hunt in Early Modern Europe*, p.1.

³ Levack, *The Witch-Hunt in Early Modern Europe*, p.22.

⁴ See Table 1 Regional execution-rates in witchcraft trials in Levack, *The With-Hunt in Early Modern Europe*, p.23.

⁵ Sally Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice' (2002) p. 282.

⁶ For the transcript of Margaret Verch Richard's trial in the records of the Courts of Great Sessions see Appendix II of Sally Parkin's 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice' (2002) p. 341-342.

⁷ Levack, *The Witch-Hunt in Early Modern Europe*, p.4.

⁸ Geraint Jenkins, *A Concise History of Wales* (Cambridge, 2008), p.143.

harm or killing of another person by means of magic punishable by death⁹. This therefore begs the question, why were there so few witchcraft trials in Wales resulting in the accused being punished at a time when there were laws in England condemning witches to be executed? This dissertation will try to answer this question by exploring whether Welsh courts followed English witchcraft laws. The lack of evidence of Wales following British law when it comes to witchcraft trials may shed light on the relation between England and Wales during the seventeenth century.

The study of witchcraft and its historiography has become more prominent over the years, helped by the writings of historians like Keith Thomas and his work 'Religion and the Decline of Magic: Studies in Popular Beliefs in Sixteenth and Seventeenth-Century England' which was first published in 1971. Works like Thomas's have put more emphasis on witchcraft as an important part of social and cultural history. Other influential historians who have written about the subject of witchcraft include historian Brian P. Levack, who has written several works on witchcraft in Europe one being 'The Witch-Hunt in Early Modern Europe' first published in 1987. His work looks at and evaluates the suggested causes of the witch-craze and witch-hunts that took place during the seventeenth century. However, it is only relatively recently that historians have started to investigate witchcraft trials in Wales, as previously, Welsh witchcraft had largely been thrown in together with England and not considered in great detail on its own. By not studying Welsh witchcraft separately from England and Europe, it creates generalisations which make accommodation of the intricacies of regional variation difficult¹⁰.

It has only been in recent years that the study of witchcraft in Wales has been looked at in greater detail, with historians looking at Wales as a regional study. Historian Sally Parkin in her work 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice' (2002), explains that it is important to look at Wales separately when it comes to witchcraft trials of Malefice. Parkin explains that regional studies are important when it comes to looking at the causes of witchcraft persecutions as

⁹ John Newton and Jo Bath, *Witchcraft and the Act of 1604* (2008), p.41.

¹⁰ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.11.

contexts, causes and effects in each country or region are different ¹¹. This dissertation will therefore look at Wales on its own to a large extent in order to understand the regional impact witchcraft and witchcraft trials had on Welsh society. However, this dissertation will also hope to look at and compare witchcraft trials in Wales and England after the time of the Acts of Union 1536-1543, for as previously explained they did not witness the same outcomes from witchcraft trials despite supposedly following the same laws. It is important to look at Wales in a wider context to help understand and explain why this was. By looking at Wales and England comparatively, this dissertation will hope to fill gaps in previous regional studies of Welsh witchcraft but also shed light on witchcraft Malefice trials in Wales where many previous witchcraft studies of England and Europe have failed to do so.

Another point to note is that this dissertation will look at Witchcraft as Malefice trials in Wales throughout the whole of the seventeenth century, rather than focusing on a smaller time period. This is because a significant primary resource for witchcraft trials in Wales, the records of the Courts of Great Sessions ¹² contain cases spreading across this period, and they do not contain many cases for specific years. This lack of primary accounts could be due to the lack of witchcraft trials in Wales, but it could also be because the Courts of Great Sessions only met twice a year ¹³. Sally Parkin has studied these records in her work, and they offer very valuable insight into reasons why there were so few witchcraft persecutions in Wales. Parkin implies that a main reason for the lack of persecution is due to pre-existing customary practices and laws in Wales ¹⁴. This dissertation will look at this line of enquiry and hopefully add to Parkin's existing argument on customary practices in Wales being the main reason why there were so few witchcraft persecutions in Wales. In addition, this dissertation will also hope to fill in gaps in Parkin's research and suggest other factors as to why there were so few trials in Wales. Historians such as J. Gwynn Williams, who conducted an in-depth regional study of Flintshire ¹⁵ has suggested that reasons why there was a lack

¹¹ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.12.

¹² Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736)', p.74.

¹³ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736)', p.76.

¹⁴ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736)', p.107.

¹⁵ J. Gwynn Williams, 'Witchcraft in seventeenth-century Flintshire' Part One (1973-1974) and Part Two (1975-1976) in *Journal of the Flintshire Historical Society*.

of trials in Wales is in fact due to other factors like religion, superstition and the supernatural.

Taking all this into account, Chapter I will focus on Welsh witchcraft as Malefice trials and look at how customary practices and laws affected their outcomes. This will also include an examination of certain primary sources from the records of the Courts of Great Sessions like the trial of Margert Verch Richard in 1655, as they offer insight into how trials were conducted, the reasons for prosecutions and the trials outcomes. This will provide valuable insight into Welsh attitudes towards witchcraft during the seventeenth century and how the courts of law were conducted. It will also include an examination of tensions between neighbours and social conflicts¹⁶ within Welsh communities and the part these played in witchcraft trials. Chapter II will then take into consideration other factors that may help explain the lack of witchcraft trials in Wales for example, religion, existing social and cultural norms in Wales like the existence of 'cunning folk'¹⁷, and existing Welsh attitudes towards magic. Looking at these factors it is hoped to reach a more comprehensive conclusion as to the extent to which witchcraft trials in Wales were caused by pre-existing customary practices and laws. This will hopefully lead to some valuable insight into Welsh society and its attitudes towards witchcraft and magic. The conclusion will sum up the findings of these chapters and assess the evidence and evaluate the extent to which existing customary practices and law shaped witchcraft trials and accusations in Early Modern Wales.

¹⁶ Brian P. Levack in 'The Witch-Hunt in Early Modern Europe' highlights the importance of neighbourly tensions and social conflict between the accuser and the accused when it comes to evaluating Witchcraft trials and persecution. He states that 'Witchcraft accusations allowed members of Early Modern European communities to resolve conflicts between themselves and their neighbours and to explain the misfortunes that had occurred in daily lives' (Edinburgh, 2006, p.143). It would therefore be valuable to apply this line of thought to accusations made against witches in Wales.

¹⁷ Owen Davies in his book 'Popular Magic: Cunning-Folk in English History' describes cunning folk as 'Multi-faceted practitioners of magic who healed the sick and the bewitched, who told fortunes, identified thieves, induced love and much else besides' (London, 2003), p.viii.

Chapter 1

When it comes to evaluating the extent to which customary laws and practices played a role in Welsh witchcraft trials and their outcomes, it is important to look at the trials themselves, the courts they were conducted in and the accusation these witches were on trial for. By examining court records from Wales during the seventeenth century, they can help to uncover potential reasons why women were accused of witchcraft in Wales, but they can also highlight potential reasons why so few women in Wales were punished or executed for witchcraft compared to the rest of Britain.

Firstly, something important to note about Welsh witchcraft trials and something that can be seen in Welsh witchcraft malefice cases in the court records, is that all the accused were women. In some places in Europe, it was believed that 'men could, just like women, practise harmful magic'¹⁸, but it was only women being persecuted for witchcraft in Wales. Historian Sally Parkin highlights that this may have something to do with the gendered nature of the word 'witch' in Wales. In Welsh popular culture it was dictated that only women could be witches because only women engaged in *malefice*¹⁹, which to a certain extent explains why only women were accused of witchcraft in Wales. The word *witch* was originally an English term that came from the middle English word 'wits'²⁰. In 1547 a Welsh translator named William Salesbury published an English and Welsh dictionary and within it, the word *Wit* was defined as *dewim*²¹ which in Welsh meant a woman or female diviner or soothsayer²². This shows the definition of the English word *witch* being only used to refer to women in the Welsh language. This use of language implanting the idea that only women were described as witches can help to explain why only women in Wales were accused of witchcraft. The

¹⁸ Brian P. Levack, *The Witch-Hunt in Early Modern Europe*, 3rd edition (Edinburgh, 2006), p. 141.

¹⁹ Sally Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice' (2002), p. 7.

²⁰ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.16.

²¹ William Salesbury, 1520?-1600?, 1547. *A dictionary in Englyshe and Welshe moche necessary to all suche Welshemen as wil spedly learne the englyshe to[n]gue thought vnto the kynges maiestie very mete to be sette forthe to the vse of his graces subiectes in Wales: wherevnto is p[re]fixed a litle treatyse of the englyshe pronu[n]ciacion of the letters, by Wylliam Salesbury*. (London), p. 79.

²² Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.16.

evidence of the court records themselves also imply that witchcraft cases in Wales were a gendered issue as the only people documented on trial for being a witch are women.

The trials of women accused of witchcraft in Wales are mostly documented in the records of the Courts of Great Sessions. The Courts of Great sessions were set up in Wales after the Acts of Union between England and Wales in 1536 and 1543²³. These courts were held in each Welsh county for six days twice a year²⁴ and they were responsible for administering the jurisdiction of both the English Court of the King's Bench and that of Common Pleas²⁵. The Courts of Great sessions were the highest courts available to the Welsh people²⁶ often meaning they were the last option for some. They were also presided over by Welshmen who acted as juries and judges²⁷. This and the fact the Courts of Great Sessions were independent from London's central courts²⁸ could add to the idea that Welsh courts were not following English laws surrounding witchcraft, especially those set out in the Witchcraft Act in 1604, but that they were instead basing their judgement of witchcraft cases on older pre-existing Welsh laws.

The court records and the cases they document can also reveal information about the way existing Welsh laws were still being used in Welsh courts during the seventeenth century, and the court records can also provide a good framework for analysing witchcraft in early modern Wales²⁹. The Acts of Union made 'the king's law supreme'³⁰ and replaced pre-existing Welsh laws that had been upheld in Wales since the 1200s. These were the Laws of Hywel Dda, a compilation of laws and law books made between c.1250 and 1500³¹. The

²³ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.73.

²⁴ John Davies, Nigel Jenkins, Menna Baines, et. al. 'Law', The Welsh Academy Encyclopaedia of Wales (2008) Available at: <https://search-credoreference-com.libezproxy.open.ac.uk/content/entry/waencywales/law/0?institutionId=292> (Accessed 17/05/2021)

²⁵ Davies et. al. 'Law', The Welsh Academy Encyclopaedia of Wales.

²⁶ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.74

²⁷ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.74

²⁸ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.75

²⁹ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.1.

³⁰ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.73

³¹ Davies et. al. 'Law', The Welsh Academy Encyclopaedia of Wales.

Laws of Hywel Dda have been traditionally attributed to Hywel Dda, the King of Deheubarth, Gwynedd and Powys during the tenth and eleventh century. These law-books hold great cultural significance for Wales. The Law of Hywel Dda has been described as one of Wales's most seminal contributions to European civilisation³². Scholars have also highlighted and emphasised the contents of the Laws of Hywel Dda as showing elements of mercy, common sense, and respect for women³³. Historian Geraint Jenkins has also suggested that these pre-existing Welsh laws reflect a society in which people were deeply sensible of the importance of kinship and neighbourhood³⁴. Jenkins also highlights the fact that despite being compiled in a male-dominated world, the Laws of Hywel Dda reveal a good deal about matrimonial property and sexual norms and touches upon aspects of women's lives³⁵. One law for example states that if a woman becomes pregnant then the man must help raise the child as a woman 'ought not to fear loss on account of the man'³⁶. Historian Sally Parkin also stresses the importance of these laws in the lives of Welsh women and that it benefitted them to have had an ancient customary and written legal framework³⁷ that had laws concerning a woman's relationship with her kin, property interests, marriage status and inheritance rights³⁸. The Laws of Hywel Dda demonstrate that there was a sense of protection for women in medieval Wales and while women in medieval Wales were still seen as the property of either their husbands or fathers and had fewer rights than men, Welsh women maintained a greater measure of freedom than their counterparts in Europe³⁹.

If the Courts of Great Session were indeed inclined to follow pre-existing customary laws as seen in the Laws of Hywel Dda, then it is possible that Welsh women accused of witchcraft were more likely to have had more protection than those whose were accused in English

³² Geraint Jenkins, *A Concise History of Wales* (Cambridge, 2008), p. 45.

³³ Davies et. al. 'Law', *The Welsh Academy Encyclopaedia of Wales*.

³⁴ Jenkins, *A Concise History of Wales*, p. 46.

³⁵ Jenkins, *A Concise History of Wales*, p. 47.

³⁶ Owen, A., *'Ancient laws and institutes of Wales; comprising laws supposed to be enacted by Howel the Good: modified by subsequent regulations under the native princes prior to the conquest by Edward the First: and anomalous laws ... with an English translation of the Welsh text. To which are added a few Latin transcripts, containing digests of the Welsh laws, principally of the Dimetian code. With indexes and glossary ...'* (Wales, 1841), p. 91.

³⁷ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.89.

³⁸ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.89.

³⁹ Jenkins, *A Concise History of Wales*, p. 47.

courts during the seventeenth century. Therefore, these laws and the use of them in Welsh courts can to an extent explain that lack of prosecutions in Wales compared to England. Parkin points out in her work that the low prosecution rate of witches in Wales compared to England 'seem reflective of a higher degree of legal protection offered to Welsh women under Native Law'⁴⁰. The gaol records from the Courts of Great Sessions do reflect women having a higher degree of protection to some extent. When looking at the cases of women being accused of witchcraft many of those accused and some of those who were even found guilty were subsequently let go without charge or consequence. In seventeenth century England under the Witchcraft Act of 1604, anyone found guilty of witchcraft would have been punished to varying degrees, with many being executed. This phenomenon of a woman being found guilty in Wales but still being let go therefore implies that the Courts of Great Sessions were rejecting English law. This may be due to the Courts of Great Sessions choosing to follow older Welsh customary laws and law practices instead. It is also important to keep in mind the idea mentioned previously that pre-existing Welsh laws showed an element of mercy and highlighted the importance of neighbourly relationships. This attitude can be seen in the outcomes of many witchcraft cases from the court records. It can be argued that it was this mentality of forgiveness and reconciliation that led to the lack of women being charged for witchcraft in seventeenth century Wales.

An example of a Welsh witchcraft as malefic court case that demonstrate this idea of reconciliation where the witch on trial was let go with no charges despite having fourteen witness accounts against her was the case of Olly Powell, which took place sometime between 1693/94. The evidence of Olly's case comes from a letter written by a man named John Edwards who was a justice of peace for Pembroke⁴¹. While it is not the precise proceedings of the court case, the letter gives insight into the types of crimes of witchcraft women were being accused of in Wales, and highlights aspects of Welsh communities and their attitudes towards those considered to be a witch.

⁴⁰ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p. 74.

⁴¹ A letter by John Edwards (1693/94). The Letter details the case of Olly Powell. For a transcription of John Edwards Letter on the trial of Olly Powell see Appendix II of Sally Parkin's 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice' (2002), p. 357-360.

What is interesting about Olly Powell's case is that there are quite a few different accounts against her with varying reasons as to why members of her community are prosecuting her for witchcraft. John Edwards writes that there were fourteen witness accounts against Olly, which one would assume would be conclusive evidence for the courts to convict her, however she was let go without charge.

In his letter Edwards writes that Olly had cursed a miner called by the name of Henry Phillips and 'plagued' him and his family. Phillips claims that after Olly 'went away muttering' he 'was taken all over his body with stiches'⁴² and it got worse over the course of a few days. With his sickness continuing Phillips believed himself to be bewitched. Edwards then claims that in order to ease Olly's curse the victim then poked Olly with a nail 'thrust it thrice' into her hand 'and with much squessing forced an inconsiderable drop'⁴³ of blood from her. This practice was known as 'bleeding' a witch. It was used as a protective measure and as 'an effort to solve an ongoing malefice problem'⁴⁴. The thought was that the witches curse and malefice was in her blood and that by draining some of her blood it would weaken the witch's power and as a result weaken the curse.

The testimony from Olly's trial provides an exact account of bleeding a witch⁴⁵. This act may give insight into the severity of fear and increasing aggravation the curse was causing and that there was a sense of building tensions between Olly and her community. This act of bleeding the witch also highlights that members of the community were trying to tackle witchcraft themselves with old folk practices rather than taking matters straight to the Courts of Great sessions. This may be somewhat due to how infrequently the courts met and that the community would therefore have nothing to do but wait and deal with the witch themselves. However, it could also show that communities were willing to take matters into their own hands first and deal with a suspected witch at a more local level and try to rectify the communal discord themselves.

⁴² A Letter by John Edwards (1693/94), p. 357.

⁴³ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p. 358.

⁴⁴ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p. 298.

⁴⁵ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p. 298.

An important point to note about Olly's cursing and bewitching of Phillips is that it was not unprovoked. Edwards's letter mentions how Phillips and a group of coal miners insulted Olly when she went to ask them for some coal, saying to her 'poore wrech thou or thy horse are not able to carrey more unless thou wilt run on all four and help him'⁴⁶. It is also worth acknowledging that for many in Wales, the actions of malefice performed by a witch were regarded more as a reaction of the witch⁴⁷ to a previous wrong done to her. In the case of Olly Powell this wrong done to her is made clear at the very beginning of the letter. In a way this gives an excuse for Olly's behaviour towards Phillips and the hurt she had supposedly caused him. This idea that the witch was reacting in defence of herself could help to explain why those like Olly who had many witness accounts against them went free without punishment. This idea of malefice being a provoked action from a witch can also be seen in the case of Anne Ellis, who claimed she had only cursed a man named Richard Hughes because he had apparently 'pissed down her chimney'⁴⁸. The verdict of Anne's trial was that she was found guilty of several accounts of malefice, but no action was taken against her. Sally Parkin suggests that this demonstrates that an admission of guilt would satisfy a community and that despite Anne's community taking her to court, they 'did not exhibit any willingness to see her harmed'⁴⁹. Gwynn Williams account in 'Witchcraft in Seventeenth Century Flintshire' also notes how Anne's case 'indicates that several persons felt a sense of guilt'⁵⁰, as they had not always acted towards her in a 'spirit of neighbourliness'⁵¹. It seems that for some communities in Wales reconciliation was enough, along with the guilt felt by members of a community towards the accused it may be likely that some women in Wales were not charged due to acts of malefice being seen as purely a witch acting in self-defence or reacting to previous hurt done to her.

Olly Powell as well as cursing Henry Phillips, was also accused of bewitching animals.

Edwards in his letter notes that Olly was accused of bewitching seven ducks which led to

⁴⁶ A letter by John Edwards (1693/94), p.357

⁴⁷ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p.307

⁴⁸ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p. 308

⁴⁹ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p. 280.

⁵⁰ J. Gwynn Williams, 'Witchcraft in Seventeenth Century Flintshire: Part 2', in *Flintshire Historical Society*, (1975-1976), Vol. 27, p. 5-35.

⁵¹ Gwynn Williams, 'Witchcraft in Seventeenth Century Flintshire: Part 2', p. 5-35.

their death. She supposedly also cursed and as a result killed sixteen cattle after a witness had refused to give her oats to eat. She also apparently caused the death of another cow on a separate occasion. The idea that a witch was responsible for the bewitching and death of livestock was common place in the Courts of Great Sessions records and it was a popular belief throughout England and Europe. The bewitching of animals was prevalent in witchcraft trials and many believed that a witch could curse livestock. There was even a section dedicated to the idea of witches cursing and killing animals in the *Malleus Maleficarum* also known as 'The Hammer of Witchcraft'. The *Malleus Maleficarum* was published in 1486 and is perhaps 'the most terrible work on demonology ever written'⁵². The *Malleus Maleficarum* played a major role in 'the savage efforts undertaken to stamp out witchcraft in western Europe during the sixteenth and seventeenth centuries'⁵³. The work details how the bewitching of animals could be recognised and how these acts and the witch responsible should be dealt with. It also acknowledges that 'often the whole of a person's cattle are destroyed by witchcraft'⁵⁴ and this can be seen in Olly's case and others throughout Wales during the seventeenth century.

Olly Powell's case also demonstrates the kinds of conflicts and tensions between neighbours that were a frequent occurrence in witchcraft cases all across Europe during the seventeenth century, and many historians have attributed this to be one of the main causes for prosecutions in the first place. In Olly's trial witnesses stated that when she came near them, they would 'would fall trembling all over' and that one member of the community 'stood in such dread of Olly'. This clearly demonstrates a sense of rising fear within the community which likely ultimately led to Olly being taken to court. Historian Brian Levack notes that in most witchcraft trials, the victim and the accused knew each other, often coming from the same town or village. He explains that 'witchcraft accusations allowed members of the community to resolve conflicts between themselves and their neighbours and to explain misfortunes that...occurred in their daily lives'⁵⁵. This idea that witch accusations stem from times of hardship could be a factor that played a large part in Olly's

⁵² Jacobus Sprenger and Heinrich Kramer, '*Malleus Maleficarum*, The Hammer of Witchcraft', trans. Montague Summers, edited by Pennethorne Hughes (London, 1968), p. 11.

⁵³ Christopher S. Mackay, 'The Hammer of Witches. A complete Translation of the *Malleus Maleficarum*' (Cambridge, 2009), p. 1.

⁵⁴ Sprenger and Kramer, *Malleus Maleficarum*, p. 203.

⁵⁵ Levack, *The Witch-Hunt in Early Modern Europe*, p. 135.

case. The fact that sixteen cattle died would have been a big loss for the community and Olly already an outcast, was likely used as a scapegoat. Olly herself in many of the witness statements was said to be looking for food like oats or bread perhaps highlighting that she was poor, and times were hard and likely hard for other members of the community. Levack notes that a witch may have been responding to hard economic pressures when cursing her enemies. It is likely that Olly and other women like her were used as scapegoats to take the blame for tough economic and social times that were out of people's control.

Levack also points out the importance of the personality of a witch, and that often those accused would exhibit certain behavioural characteristics⁵⁶. He remarks that witches were often seen as bad-tempered and quarrelsome, 'traits that naturally involved them in disputes with their neighbours and directed no-specific, communal resentment against them'⁵⁷. It seems that this could have been one of the reasons Olly was taken to the Courts of great sessions due to her hostility towards other members of the community.

Olly's case shows some of the types of accusations against witches in Wales and indeed most of Europe, however despite the fourteen witness accounts against her there was no conviction or punishment. This unusual outcome can be linked to the pre-existing Welsh laws as mentioned previously. However, historian Sally Parkin also highlights the idea that those accused of witchcraft were let off as reconciliation in an attempt to restore communal harmony and resolve tensions between individuals. Parkin highlights that it appeared as though the courts wanted to resolve community conflict rather than punishing a witch. Parkin states that the punishment of a witch could result in more conflict. Parkin also stresses that it was at times important for a witch to admit her guilt in order to provide closure.

A case that highlights the importance of reconciliation and the admittance of guilty or rather the dangers of not admitting guilt, is the trial of Margaret Verch Richard. Margaret is the only woman accused of witchcraft in Wales that we know of to have definitely been executed for crimes of witchcraft. Margaret was put on trial after supposedly causing the death of a woman called Gwen Meredith. The trial records state that Margaret 'being led

⁵⁶ Levack, 'The Witch-Hunt in Early Modern Europe', p. 160

⁵⁷ Levack, 'The Witch-Hunt in Early Modern Europe', p. 160.

and seduced'⁵⁸ by the devil and calling on evil spirits she made Gwen 'dangerously and mortally sick'⁵⁹ which resulted in Gwen's death. The court records state that Margaret intended 'to do hurt to her neighbours' and that she 'did slay and kill contrary to the public peace'⁶⁰. This accusation of murder against Margaret is one of the more serious accusations within the records of the Courts of Great Sessions. Unlike Olly Powell's trial, the records also make it clear that Margaret's supposed acts of malefice were unprovoked and not a reaction to previous wrong doings against her which would have almost certainly weighed against her. It is also worth noting that it was unlikely that accusations of unprovoked murder would have been resolved at a community level and it is fair to say the accusations of murder against Margaret are one of the more extreme accusations in the records of the Courts of Great Sessions.

The court makes a point of stating that Margaret broke 'the public peace'⁶¹, which implies that there was not much hope of reconciliation for Margaret, which was likely another reason for her execution. Within the record of the trial, when asked if she was guilty or not Margaret apparently said that 'shee was not theroff guilty at all'⁶². This is interesting as it is an example of a witchcraft case where the accused did not admit their guilt. By not admitting her guilt there was no room for remorse and reconciliation and therefore community tensions would have continued. This shows a deviation from the use of pre-existing Welsh laws which may have ultimately been the reason for Margaret's execution. As well as highlighting the importance of reconciliation in Welsh witchcraft trials, Margaret's trial also highlights the importance of community in Wales during the seventeenth century. The emphasis on community attitudes towards the death of Gwen relates to Parkin's ideas that communal harmony was a main goal for the courts in relation to the outcomes of witchcraft trials in seventeenth century Wales.

Another important point to note is that Margaret's trial specifically relates the practices of witchcraft with malice and evil forces. It links Margaret's actions with those of the devil and

⁵⁸ The trial of Margaret Verch Richard in the records of the Courts of Great Sessions (1655), see Appendix II of Sally Parkin's 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice' (2002) p. 341.

⁵⁹ The trial of Margaret Verch Richard, p. 342.

⁶⁰ The trial of Margaret Verch Richard, p. 342.

⁶¹ The trial of Margaret Verch Richard, p. 342.

⁶² The trial of Margaret Verch Richard, p. 342.

states that she used the 'devilish arts called witchcraft and sorcery'⁶³. It may be fair to say that by looking at Margaret's trial one might think it was more English in character than Welsh. The connection between witchcraft and the devil was not always present in witchcraft trials in Wales and Margaret's case is unusual as it is the only case that assumes that the individual on trial has made a 'spiritual alliance with the devil'⁶⁴. The feature of the devil in witchcraft trials was much more prevalent in witchcraft trials in England. This link or lack thereof between witchcraft and the devil in Welsh trials compared to England and the English nature of Margaret's trial will be looked at more closely in chapter two when discussing the part religion played in witchcraft persecutions.

Overall, it is clear that pre-existing customary Welsh Laws played a part in the outcomes of witchcraft trials in seventeenth century Wales. The trials of Olly Powell and Margaret Verch Richard highlight the importance of old Welsh laws surrounding women and the important role Welsh attitudes surrounding forgiveness and reconciliation had to play in the lack of witchcraft prosecutions in Wales. It is clear that when customary Welsh laws were absent as seen in the case of Margaret Verch Richard, the outcome was more extreme with the trial resulting in execution and not reconciliation. These trials also highlight the importance of community and show that in many ways witchcraft trials in Wales were in fact a way for a community to resolve a problem in order to restore harmony.

⁶³ The trial of Margaret Verch Richard, p. 342.

⁶⁴ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736): A Continuation of Customary Practice', p. 283.

Chapter 2

While pre-existing Welsh customary laws and practices do partly explain why there was a lack of witchcraft accusations and persecution in Wales, looking at them exclusively as the main reason for the lack of persecutions may give a somewhat limited perspective on witchcraft accusations in Wales. It should be acknowledged that there were other factors in conjunction with these laws and practices that may also help to explain why there were so few witchcraft persecutions in Wales during the seventeenth century. These factors include the existence of 'cunning folk' in Wales and existing beliefs in magic, and also the use of religion in relation to witchcraft trials in Wales compared to England.

In Wales during the seventeenth century, popular beliefs in magic were widespread. Many believed in the existence of magic and Wales was seen as a country with 'swarmes of southsaiers and enchanter's'⁶⁵. In seventeenth century Wales, beliefs in magic were popular and superstitions were rife. Many 'sought in magic an explanation of their misfortunes'⁶⁶ as it helped to explain things that could not be explained through religion. Wales was home to many practitioners of magic commonly known as 'cunning folk'. 'Cunning folk' or cunning persons were essentially 'multi-faceted practitioners of magic'⁶⁷ who were well regarded within communities due to their knowledge and roles as healers and problem solvers. Common magic was used by many in order to solve problems someone might face, whether they were caused by magic or not. They were able to provide 'cures and blessings not otherwise procurable by religion and medicine'⁶⁸. Cunning folk were able to offer members of a community guidance at a low price on health matters and they were also frequently used in order to locate lost or stolen goods⁶⁹. Their low costs made the services 'cunning folk' and witches provided more obtainable for the poorer within society. This put them in 'competition with medical professionals and the clergy'⁷⁰.

⁶⁵ Spoken by John Parry in 1587. Found in J. Gwynn Williams, 'Witchcraft in Seventeenth Century Flintshire: Part 1', in *Flintshire Historical Society*, (1973-1974), Vol. 26, p. 16-33.

⁶⁶ Gwynn Williams, 'Witchcraft in Seventeenth Century Flintshire: Part 1', p.16-33.

⁶⁷ Davies popular magic Owen Davies, 'Popular Magic: Cunning-Folk in English History' (London, 2003), p. viii.

⁶⁸ Gwynn Williams, 'Witchcraft in Seventeenth Century Flintshire: Part 1', p.16-33.

⁶⁹ Stuart Clark and P.T.J Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', *Journal of Ecclesiastical History*, Vol. 27, No. 1 (1976), p. 38.

⁷⁰ Clark and Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', p. 38.

A source that gives some insight into the extent of the use of magic and 'cunning folk' in Wales and the place they held in Welsh communities, is a demonology written by Robert Holland in the sixteenth century. Robert Holland's demonology '*Tudor and Gronow*' is the only demonology to be printed in the Welsh language⁷¹, which would have made it more accessible to Welsh people than those demonologies written in Latin or English. The demonology is very negative in tone towards the use of magic due to Holland's 'Puritan persuasion'⁷² and religious views as Protestantism and Puritanism 'was extremely hostile'⁷³ towards magic. The main focus of Holland's work is to tackle thoughts and practices relating to magic in Welsh communities and he calls into question the 'legitimacy of beneficent magic'⁷⁴ and the role of 'cunning folk'. 'Protestant anti-witchcraft literature...was as much concerned with the diabolic threat posed by cunning-folk as with witches'⁷⁵. Historians Stuart Clark and P. T. J Morgan remark how Holland's inspiration for his demonology came from 'his experience of rural society in the parishes where he served'⁷⁶. This alone shows that a belief of magic must have been wide spread across Wales for Holland to feel that the writing of a demonology in Welsh was necessary. Also, Clark and Morgan point out that within Holland's demonology it is clear that his main concern is 'with the prevalence in his congregation of the superstitious reliance on demonic remedies for misfortune'⁷⁷. This consolidates the idea that people were resorting to magic and making use of 'cunning folk' to solve their problems. In the demonology one of Holland's characters 'Tudor' remarks that 'As for witches and wizards we cannot do without them, for they do great good'⁷⁸. This was written by Holland to be representative of the common thoughts held within Welsh communities and it clearly demonstrates the importance placed on 'cunning folk' and witches within rural communities. In fact, there was a lot of 'respect given to wizards, soothsayers, astrologer and fortune tellers by all elements of Welsh society'⁷⁹ as they held a wealth of useful knowledge and had over the centuries proven themselves to be a valuable

⁷¹ Clark and Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', p. 31.

⁷² Clark and Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', p. 31.

⁷³ Clark and Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', p. 38.

⁷⁴ Clark and Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', p. 37.

⁷⁵ Davies, 'Popular Magic: Cunning-Folk in English History', p. 30.

⁷⁶ Clark and Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', p. 35.

⁷⁷ Clark and Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', p. 35.

⁷⁸ Clark and Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', p. 39.

⁷⁹ Clark and Morgan, 'Religion and Magic in Elizabethan Wales: Robert Holland's Dialogue on Witchcraft', p. 39.

part of Welsh society. This alludes to why there were so few witchcraft persecutions in seventeenth century Wales.

It is clear that in Welsh communities during the seventeenth century, there was almost a sense of reliance on magic and those who were able to perform it. 'Cunning folk' and the services they provided were held in high regard and the importance of their role may help to explain why so few people were tried for witchcraft in Wales. It certainly would not have been beneficial to imprison or have executed a member of the community who was able to provide supernatural aid, potentially cure illnesses, and was more accessible than a doctor in a time of need. It may be fair to say that you may have become very unpopular within a community if you were the one who took the only medically knowledgeable person to court and as a result took away people's source of help for remedies and curing ailments whether they were magic related or not.

As well as considering the role of 'cunning folk' and beliefs in magic in Wales during the seventeenth century, the part religion had to play in witchcraft trials or the lack of it in Welsh trials needs to be examined. Many scholars have stressed the importance of religion and the Protestant Reformation in witchcraft trials throughout the sixteenth and seventeenth centuries. Brian Levack notes how 'some historians have claimed that the reformation served as the mainspring of the entire European witch-hunt'⁸⁰. In England most witchcraft trials mentioned religion and the idea that a witch consorted with the devil in order to cause harm or *malefice*. The case of Margaret Verch Richard as seen in chapter one of this dissertation, is one of the only Welsh witch trials to mention a witch being under the influenced of the devil and calling upon evil spirits. Historian Sally Parkin remarks how this may be largely down to the location of Margaret's trial. Margaret was tried on the Welsh island of Anglesey. After the English Civil War, the 'Parliamentary presence was quite formidable'⁸¹ in Anglesey. This may have meant that many of the gentry present in Anglesey would have supported the Parliamentarians and therefore be of Protestant or Puritan persuasion. Parkin notes that the commission for Margaret's trial was renewed to include a man named 'Colonel James Berry who joined a commission which was already full of

⁸⁰ Levack, 'The Witch-Hunt in Early Modern Europe', p. 110-111.

⁸¹ Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736)', p. 284.

Parliamentary supporters and known Puritans'⁸². This may explain the English nature of Margaret's trial and the inclusion of the devil not seen in many other Welsh trials and it may further explain why she was executed. It is likely that Protestant doctrine and English influence had taken hold more in Anglesey than in the rest of Wales.

Historian Keith Thomas notes that before the Protestant Reformation, the 'church did not deny that supernatural action was possible'⁸³ meaning it was likely believed to be possible that a member of a community could perform magical rites and have 'supernatural powers'. However, during the Protestant Reformation, ideas on religious doctrine shifted. Gwynn Williams in his account of magic in Flintshire during the seventeenth century notes that 'Protestants disallowed the possibility of any ecclesiastical magic and were hostile to all forms of folk magic'⁸⁴. This may to some extent explain why there was witchcraft persecution in England however, the same scale of trials and prosecution was not seen in Wales. Historians have a couple of theories as to why religion and Protestant doctrine had lesser importance within Welsh witchcraft trials, and this may explain the lack of witchcraft persecution in Wales compared to England.

Despite the Protestant Reformation, Wales was still a nation that believed in magic and superstition. An adviser to James I remarked that Wales was 'an ydolterus nation and worshipers of Divels'⁸⁵ even after the period of the Protestant Reformation in the sixteenth century. It is fair to say that the Protestant Reformation did not have as big an impact in Wales as it did in England during the sixteenth and seventeenth centuries. Historian Glanmor Williams writes that 'As far as Wales was concerned...there was little or no sympathy for protestant doctrine'⁸⁶. A reason as to why this might be is the Welsh Language and the large illiterate population in Wales. Religious texts and bibles were not immediately translated into Welsh, and this language barrier between Welsh and English meant that protestant ideas did not spread as quickly through Wales as they did through England. Also,

⁸² Parkin, 'Women, Witchcraft and the Law in Early Modern Wales (1536-1736)', p. 284.

⁸³ Keith Thomas, 'Religion and the Decline of Magic: Studies in Popular Beliefs in Sixteenth and Seventeenth-Century England', (London, 2003), p. 303.

⁸⁴ Gwynn Williams, 'Witchcraft in Seventeenth Century Flintshire: Part 1', p.16-33.

⁸⁵ Said by an English member of James I's Parliament. See Gwynn Williams, 'Witchcraft in Seventeenth Century Flintshire: Part 1', p.16-33.

⁸⁶ Glanmor Williams, 'Religion and Belief', in Herbert, T. and Jones, G. E. (eds) *Tudor Wales*, (Cardiff, 1988), p. 1.

when the bible was finally translated into Welsh, many of those in the lower classes of society were still illiterate and could not read it for themselves. The Protestant Reformation was a top-down affair with the gentry and nobility adopting new ideas and practices first and only later did those ideas start to effect and influence those lower down in society. Protestant ideas and beliefs had taken longer to get to and influence rural Welsh communities, where there was already superstitions and beliefs in magic and a social structure that included witches and 'cunning folk' as a vital part of the community. By the end of the sixteenth century going into the seventeenth century, 'only a minority among Welsh clerics and laymen...understood and accepted while heartedly Reformation doctrine'⁸⁷. Therefore, the spread of Protestant views on magic and those who practiced it would have taken a long time to effect Welsh communities and change existing Welsh beliefs in magic, and it is this lack of Protestant influences that may explain the lack of witchcraft trials in Wales compared to England during the seventeenth century.

⁸⁷ Glanmor Williams, 'Religion and Belief', p. 6.

Conclusion

This dissertation has explored and examined Witchcraft trials in seventeenth century Wales in an effort to find out why there was a distinct lack of witchcraft prosecutions in Wales compared to England. It has also examined the extent to which existing customary laws and practices shaped witchcraft trials in Wales. By examining records of witchcraft trials from the Courts of Great Sessions like those of Margaret Verch Richard, Olly Powell and Anne Ellis, it is clear that the Welsh judicial system favoured pre-existing Welsh laws like those seen in the Laws of Hywel Dda and that there was a deviation from English laws, especially those set out in the Witchcraft Act of 1604. Early modern Welsh courts adopted laws that provided more protection for women and that highlighted the importance of kinship and neighbourhood⁸⁸. The trial records demonstrate a legal system that was lenient towards the accused in order to resolve social conflicts, an attitude that was not present in English witchcraft trials. Welsh witchcraft trial records show that there was room to provide reconciliation where possible and an attitude towards forgiveness. It was not always the aim of seventeenth century Welsh communities to cause harm to a person being accused as a witch but rather to restore communal harmony and it is true that existing Welsh laws helped to facilitate this. This confirms and consolidates the argument of historian Sally Parkin and her research into the significance of customary laws and practices in Welsh witchcraft trials. To a certain extent pre-existing Welsh laws did indeed play a significant role in there being a lack of witchcraft prosecutions in Wales. However, the conclusion that this dissertation has come to is that witchcraft accusations and the lack of trials in Wales is a much more complex issue than it simply being a result of existing customary laws.

While pre-existing Welsh laws did have an important part to play, the root cause for the lack of witchcraft persecutions may in fact be due to Welsh attitudes towards magic and the place it held in early modern Welsh society. By looking at the existence of magic and ‘cunning folk’ in Welsh communities, it is clear that one of the main reasons why there was an absence of witchcraft trials is existing Welsh attitudes towards magic. ‘Cunning folk’ and their abilities to provide cures, blessing and valuable aid at low costs where medical

⁸⁸ Jenkins, A Concise History of Wales, p. 46.

professionals and the church possibly could not, consolidated their position and in early modern Welsh communities. Welsh attitudes towards magic, 'cunning folk' and witches had been cemented in Welsh society and it was therefore unlikely that someone would convict a respected and useful member of the community simply for performing acts of magic. Even Robert Holland's demonology alludes to the importance placed on those who could perform magic as they could provide explanations and solutions⁸⁹ for those who were experiencing misfortune. In fact, cases like those of Olly Powell and Anne Ellis demonstrate that it was neighbourly tensions and social conflicts within a community and not the practice of magic itself that may have resulted in these women being taken to court for crimes of witchcraft.

Moreover, the fact that the Reformation and Protestant ideas did not spread throughout Wales as it did in England may explain the differences between witchcraft trials and the number of prosecutions within the two nations. Witchcraft trials in England show that religion was a key factor in convicting a witch, however evidence shows that Welsh communities were not necessarily following the same religious ideals as English communities. Therefore, it may not be so surprising that there were so few witchcraft cases in Wales as there was less acceptance of Protestant doctrine which was extremely against the practice of witchcraft.

Exploring witchcraft and the existence of magic in Wales has not only revealed why there was a scarcity of witchcraft trials in Wales during the seventeenth century European witch-hunt, but it has also helped to reveal aspects of early modern Welsh society, like the relationships between neighbours and Welsh attitudes towards magic and superstitions and the important place it held in people's lives.

⁸⁹ Davies, 'Popular Magic: Cunning-Folk in English History', p. 93.

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