

## Group "E" readings

5.3 Examination of Anne Carter and Others Regarding the Maldon Riot (1629) Mike Ravn-Hansen

**5.x** Justice Harvey's opinion on a Star Chamber case (1631) Dan Berg

5.4 Sir Roger Wilbraham on Enclosure Riots in the East Midlands (ca. mid-June–December 6, 1607) Frederick Bryant

**5.y** "The Examinations of Philippa Flower" (1619) Katelyn Andres

5.7 Reginald Scot, *The Discoverie of Witchcraft* (1584) Brad Daugherty

5.9 Edward Hext, Somerset JP, to Lord Burghley on the Increase of Rogues and Vagabonds (September 25, 1596) Steve Tsangos

5.10 Poor Relief Act (39 Eliz. I, c. 3) (1598) Eric Freudenberg

**5.x** Justice Harvey's opinion on a Star Chamber case (1631) **¶**

<hn>In 1631, Attorney General William Noy (1577–1634) charged one Mr. Archer of Essex "for keeping in his corn [generic for grain] and consequently for enhancing the price of corn the last year," and, at least one justice, Sir Francis Harvey (ca. 1568–1632), justice of Common Pleas, presiding over the Star Chamber case, decided to make an example of the forestaller. What was the idea behind these punishments? To what extent does the metropolitan judge agree with the local poor on the need to police the grain trade? How might the badgers' and Mr. Archer's actions be defended today? Would these modern arguments have carried weight in the sixteenth century?

<ex>Justice Harvy delivered his opinion, that whereas it hath pleased God to send a plentiful year, and yet the price of corn continued very high, himself and the rest of the justices of the peace that were in the last Quarter Sessions in Hertfordshire assembled did advise among themselves how they might deal with the country to bring down the price.... He was of opinion that this man's [Archer's] punishment and example will do a great deal more good than all their orders which they might have made at the Sessions; and therefore he declared his offence to be very great, and fit to be punished in this Court; and adjudged him to pay 100 marks [£66] fine to the king, and £10 to the poor, and to stand upon the pillory in Newgate Market an hour with a paper, wherein the cause of his standing there was to be written, put upon his hat -- For enhancing the price of Corn -- and then to be led through Cheapside to Leadenhall Market, and there likewise to stand upon the pillory one hour more with the same paper upon his hat, and after this to be sent to Chelmsford, and there likewise in the market to stand upon the pillory.

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1 S. R. Gardiner, ed., *Reports of Cases in the Courts of Start Chamber and High Commission* (London, Camden Society, new ser. 39, 1886), 43–5, from TNA, STAC 2.

## 5.y “The Examinations of Philippa Flower” (1619)<sup>2</sup>

<hn>It is not much of a leap from the poor woman to the witch, for historians have found that those executed for witchcraft in the early modern period were overwhelmingly female (about 80 per cent) and poor. Successive statutes against witchcraft in 1542, 1563, and 1604 established ever harsher punishments for a wider range of offenses, but also demanded stricter standards of proof until the last witch trial in 1717 and final repeal of the statutes in 1736. Given that the base of a legal charge against a witch was that she or he had made a pact with the Devil, it is surprising to discover that the spells supposedly inflicted -- making a person lame, causing milk to spoil -- were of such a mundane nature. Moreover those found guilty often confessed to what are to us bizarre scenarios. Note what Philippa Flower confesses to below. What appear to be the charges against her? How does she claim to make her spells effective? Can you place Philippa, her mother, and sister socio-economically? How do you think the social status of the “victims” affected the case?

<ex>The examination of Philippa Flower, sister of Margaret Flower and daughter of Joan Flower, before Sir William Pelham and Mr. Butler, justices of the peace, Febr. 4, 1618[19] which was brought in at the Assizes as evidence against her sister Margaret.

She saith that her mother and her sister maliced [Francis Manners] the earl of Rutland (1578–1632), his countess, and their children, because her sister Margaret was put out of the Lady’s service of laundry and exempted from other services about the house; whereupon her said sister, by the commandment of her mother, brought from [Belvoir] Castle the right-hand glove of the Lord Henry Ros [presumably a son who died young, as the earl was granted title of Lord Ros, 1617], which she delivered to her Mother, who presently rubbed it on the back of her spirit Rutterkin and then put it into hot boiling water. Afterward she pricked it often and buried it in the yard, wishing the Lord Ros might never thrive; and so her sister Margaret continued with her mother, where she often saw the cat Rutterkin leap on her shoulder and suck her neck.

She further confessed that she heard her mother often curse the earl and his lady, and thereupon would boil feathers and blood together, using many Devilish speches and strange gestures....

The examination of Philippa Flower, the 25th of February, 1618[19], before Francis, earl of Rutland; Francis, Lord Willoughby of Eresby; Sir George Manners; and Sir William Pelham

She confesseth and saith that she hath a spirit sucking on her in the form of a white rat, which keepeth her left breast and hath so done for three or four years; and concerning the agreement betwixt her spirit and herself, she confesseth and with that when it came first unto her she gave her soul to it and it promised to do her good and cause Thomas Simpson to love her if she would suffer it to suck her, which she agreed unto; and so the last time it sucked was on Tuesday at night, the 23rd of February.

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*2 The Wonderful Discoverie of the Witchcrafts of Margaret and Phillip[a] Flower, daughters of Ioan Flower neere Beuer Castle: Executed at Lincolne, March 11. 1618 (n.p., n.d., 1619?), sig. [F3, F4v].*