

Court Depositions of South West England, 1500-1700

Case 20.2: Defamation in the Butcher's Shop (II)

Case type: Defamation

Summary: George Cornish v Hannah Culliford: witness claim that Hannah called George a sheep-stealing rogue and a whoremaster rogue. This case is a counter-suit to the suit raised by Hannah against George (see Case 20.1).

Source: Somerset Heritage Centre, D/D/Cd/106

Original Spelling Transcription

Cornish contra Culliford¹

Deposic[i]ones testium

repetit coram duo Cancell[ario] 11 die Dec 1694 me p[re]sente G.L. Linton N.P.¹⁵

Deposition 1

Elizabetha Partridg⁷ p[ar]o[chi]a de Chewton Mendip in Com[ita]tu Som[er]set vid[na]² ubi mora[m] ferit p[er] spaciū[m] 4 annoru[m] ant de circiter annoru[m] etatis Sue 32 ant de circiter testis p[ro]duct admiss iurat et Examinat deponit et dicit p[ro]ut Seq[uitu]r./.

Ad primu[m] artic[ulo]s Libelli p[re]d deponit et dicit yt having been examined as a witness in a cause of diffamation promoted by Hannah Culliford wife of John Culliford the defendant in this Cause & now being examined as a witness on ye behalfe of ye said Cornish She doth first of all referr her selfe to ~~ye deposicions~~ what she hath deposed in yt cause soe far as they it concerns this, and she further sayth yt when she came to Wm. Dowlings shop with her Servant ~~as she has therein deposed~~ upon a certaine Fryday somewhat after Midsomer last³ it being within ye time menc[i]oned in this Libell after as she has herein more at larg deposed, amongst all the discourse & words which then happened between ye said Hannah Culliford & ye said Cornish & after ye said Cornish had called ye said Hannah whore

& Sluttid whore¹⁰ she heard noe other words come from ye said ~~or his wife~~ Mr. John Culliford or his s[ai]d wife only the said Mr Culliford told ye said Cornish yt he should againe heare of this before his betters and ye said Mrs.⁹ Culliford amidst all ye said Cornishes revileing & reproachfull language only asked him if he thought ye Divell would not have him for abuseing her soe; to which he replyed yt ye Divell was in ye Eyes of her already, this was ye substance of ye words w[hi]ch were spoken by ye said Mr Culliford & his wife but she did not att all heare ye said Mr Culliford or his wife call ye said Cornish Rouge or Whoremaster Rogue¹⁴ or by any of these names menc[i]oned in the second article of ye Libell upon w[hi]ch she is now Examined. Et al[ite]r deponere nescit Saveing yt Hannah Culliford & her husband John Culliford live in ye Parish of Chewton & yt what she hath before deposed is true to ye best of her knowledge:/.

Signu[m] Elizabethe Partridge ^her mark^¹²

Deposition 2

Super Libello reconventionis⁸ p[re]d

repetit coram duo Ven[era]li vico Will[iam]o Hughes LL Bacc Vicario gnti &c. 22 Dec 1694 me p[re]sente G.L. Linton N.P.¹⁵

Hanna Dowling⁷ p[ar]o[chi]e de Chewton Mendip in Comtu Some[r]set spinster² ubi mora[m] ferit plerunq[ue]r Hannah a nativitate ib[u]m ort annoru[m] etatis Sue 27 ant de circiter testis p[ro]ducte admiss iurat et Examinat deponit et dicit prout Seq[uitu]r

Ad ar[ti]culos Libelli p[re]d deponit et dicit that she being examined in a Cause wherein George G~~u~~ Cornish ye now Plaintiff, was in yt defendant & Mrs.⁹ Hannah Culliford Plaintiff, she referreth her selfe to her deposic[i]ons taken in yt Cause & prays they may be admitted as profe in this cause as to what it doth concern it and she alsoe further sayth yt upon a certaine Fryday about St James tyde last³ as near as she can remember she this deponent and Mrs Hannah Culliford Elizabeth Partidg being at ye shop of Wm. Dowling a Butcher⁴ in Chewton aforesaid Hannah Culliford ye Defendant & George Cornish ye Plaintiff were there alsoe as she has in her deposic[i]ons taken to ye other Libell more fully deposed and notwithstanding ye said Cornish often times called ye said Mrs.⁹ Culliford whore & little nasty sluten pispott whore¹⁰, yet she ye said Mrs.⁹ Culliford, made noe other reply as this deponent heard, Saving yt she asked ye said Cornish if he thought ye Divell would not have him for abu abuseing her soe, this was ye substance of what Mrs.⁹ Culliford return'd in answeare to ye said George Cornish when he soe often calld her whore¹⁰ as

aforesaid, and she dont remember yt she eald ye said Mrs.⁹ Culliford called ye said Cornish any misbecoming name especially such as are menc[i]oned in ye second article of the Libel upon w[hi]ch she is now Examined: Et al[ite]r deponere nescit Saving yt Mrs.⁹ Hannah Culliford liveth in ye Parish of Chewton aforesaid & what she hath said before is true to ye best of her remembrance ./ more than w[hi]ch she cannot depose.

Signu[m]O ^her mark^ Hanna dowling¹²

Deposition 3

Super Libello reconven[ci]onis⁸ p[re]d

repetit cora[m] duo Cancell[ario]5 Januarii 1694¹⁶ in p[re]sente mei G.L. Linton N.P.¹⁵

Anna Blinman⁷ uxor² Stepham Blinman p[ar]o[chi]a de Chewton Mendip in Comtu Som[er]set Miner⁵ ubi moram ferit plerunq[ue]r a nativitate ib[u]m ort annoru[m] etatis sua 48 ant de circiter testis p[ro]duct admiss lurat et Examinat deponit et dicit prout seq[uitu]r /.

Ad ar[tic]los Libelli p[re]d deponit et dicit that she don't remember yt she ever heard Mrs.⁹ Culliford ye defendant in this cause call either George Cornish or his wife by any unhandsom misbeseeming name in her life, or more particularly any such name as is menc[i]oned in ye Second article of this Libell. She sayth yt she being a witness Sworn & Examined on ye part & behalfe of ye said Mrs.⁹ Culliford (ye said Cornish being ye defendant in yt Cause), she hath there deposed yt ye said Cornish did call ye said Mrs.⁹ Culliford, Divers sorts of whores¹⁰ to w[hi]ch deposic[i]ons she refers her selfe yet neither at yt time nor at any other time did she ever heare ye said Mrs.⁹ Culliford call ye said Cornish Rogue, or whoremaster Rogue, or sheep stealing rogue or Murderous rogue¹⁴, or any other ill name to ye best of her remembrance et al[ite]r deponere nescit Saving yt Mrs.⁹ Culliford is wife to Mr John Culliford of Chewton aforesaid, and yt what she hath before deposed is true to ye best of her remembrance

Anna Blinman A ^her mark^¹²

Deposition 4

Super Libello reconven[ci]onis⁸ p[re]d

repetit coram duo Cancell[ario] 12 Januarii 1694¹⁶ me p[re]sente G.L. Linton N.P.¹⁵

Martha Dowling⁷ uxor² William Dowling p[ar]o[chi]a de Chewton Mendip in Comtu Some[r]set victualer⁶ ubi moram ferit 20 circiter annos annoru[m] etatis sue 28 ant de circiter testis p[ro]duct admiss iurat et Examinat deponit et dicit prout Seq[uitur]

Ad ar[tic]los Libelli p[re]d deponit et dicit That she being a witnes sworne & examined on ye part and behalfe of Hannah Culliford in a former Cause in w[hi]ch she ye s[ai]d Hannah is Plaintiff, & having therein deposed yt on or about ye 20th day of July last past she did heare ye ~~def plain~~ George Cornish ye now plaintiff in this Cause call ye said Hannah Culliford drunken whore¹⁰, to w[hi]ch deposic[i]ons she refereth herselfe & prays they may be admitted in part of proof of ye Libell on w[hi]ch she is now Examined in as much as they concern this cause. She farther sayth yt she did not heare ye said Hannah Culliford make any reply to ye said Cornish only she said when the said Cornish calld her whore¹⁰ she replied yt none but a rogue¹⁴ would call her whore¹⁰ would say soe or words to yt purpose and she further sayth that neither at ye time aforesaid nor at any other time did she ever heare ye said Mrs⁹ Culliford call ye said Cornish any name or names or say he was a rogue, or whoremaster Rogue, a sheepstealing rogue or a murderous rogue¹⁴ as mention'd in ye Libell on w[hi]ch she is now Examined or any other sort of rogue¹⁴ whatsoever to ye best of her remembrance. et al[ite]r r[esp]ondere deponere nescit Saving yt Mrs⁹ Hannah Culliford lieth in ye Parish of Chewton Mendip afores[ai]d & what she hath sayd before is true to ye best of her remembrance

Martha dowlin¹²

Deposition 5

Super Libello reconven[ti]onis⁸ p[re]d

repetit coram duo Cancell[ario] 15 Januarii 1694¹⁶ me p[re]sente G.L. Linton N.P.¹⁵

Elianer Merifeild uxor² Johannis Merifeild de Chewton Mendip in Comtu Some[r]set gen[erosus]⁵ ubi mora[m] ferit p[er] Spaci[u]m unus ann et devid ant de circiter annora[m] etatis sua 49 ant de circiter testis product admiss iurat deponit et dicit prout Seq[uitu]r ./.

Ad primu[m] ar[ticu]lum Libelli p[re]d deponit et dicit q[uo]d refert se ad iura ./.

Ad 2 et 3 ar[ticu]los Libelli p[re]d deponit et dicit That about a week before St James tide³ last to ye best of her remembrance, but she ~~remembers not ye very ye very~~ day of ye Month she cannot exactly remember, she this deponent having Some occation to goe to Mr. Cullifords house, when her business was over & about to returne ye defendant Mrs.⁹ Culliford went with her into ye Court without ye dore, and there they began a discourse about George Cornish ye Plaintiff and ye said Mrs⁹ Culliford Speaking to this deponent in-seeming told her in much passion yt the said Cornish was a Rogue¹⁴ a Theife and a Murderer upon w[hi]ch this deponent told her that those were very dangerous words & bad her have a care what she said, but she againe replyed yt he was a sheep stealing Rogue¹⁴ theife & a murderer & she could prove him soe to be for he did stole Sage's Cow, and further sayd yt ~~ye said Corn~~ that his wife was a whore¹⁰ & had a bastard by a Carryer¹³ and yt ye bigest of ye two Lester boys who had a white[...] of white haire in his pole was ye Carriers bastard & yt ~~what~~ when she she sawe yt God had brought her Rogury to light, she fram'd a Lye and said yt she long'd for a lyne of veale, but yt she lyed like a lying whore¹⁰ as she was, upon w[hi]ch this deponent went her way [...] ye Substance of ye discourse yt then happend between ye said Mrs⁹ Culliford & this deponent at w[hi]ch time there was none other p[re]sent to heare what she said besides themselves ~~as she remembers~~ et al[ite]r r[esp]ondere nescit.

Ad 4 refert se ad iura:

Ad 5 deponit yt ye said Hannah Culliford is wife of Mr John Culliford of Chewton aforesaid /.

Ad ultim[u]m deponit p[re]deposita p[er] eum fuisse et esse vera et al[ite]r deponere nescit ./.

Signu[m] Elianora Merifeild M ^her mark¹²

Deposition 6

Super Libello reconven[ti]onis⁸ p[re]d

repetit coram duo Cansel[ario] 20 Januarii 1694¹⁶ me p[re]sente G.L. Linton N.P.¹⁵

Richardus deerham p[ar]o[chi]e de Chewton Mendip in Comtu Some[r]set yeoman⁵ ubi moram ferit plernunq a nativitate ib[us] ort annoru[m] etatis sua 60 ant de circiter testis product admiss iurat et examinat deponit et dicit prout seq[uitu]r ./.

Ad ar[ti]c]los Libelli p[re]d deponit et dicit That he was not p[re]sent when ye difference happen'd between Mrs.⁹ Culliford and George Cornish neither did he ever heare them quarrell or Speake evill of each other, but he Sayth that he was told of a greate quarrell yt happen'd between ye said Mrs.⁹ Culliford & George Cornish at one Dowlings Shop who is was a Butcher⁴, and upon yt Same day to the best of his remembrance after yt quarrell was over this deponent and ye said Mr. Culliford (husband to ye said Hannah Culliford) were standing at ye said Dowlings Shop and in ye mean time ye said George Cornish came up ye Streat toward ye said Shop & Mr Culliford seing him, went & met him & took him by ye Collar & held up his Stick threatning to strik him & calld him knave¹¹ & rogue¹⁴ & said yt he would rid ye Country of him before he had don with him to w[hi]ch ye said Cornish made noe other reply than yt he was noe more a knave¹¹ or rogue¹⁴ than himselfe & asked him if he had a mind to take his purse or his life in Stoping him upon ye highway & Spake to ye said Mr Culliford yt he might quietly goe on about his business, soe away he went Et al[ite]r deponere nescit Saving yt Mr Culliford & his wife live at Chewton & yt what he hath him here deposed is true to ye best of his remembrance & yt when this thing happen'd, ye said Hannah Culliford, Mr John Hippesly, ye said Dowling & his wife & others were p[re]sent in ye said dowlings shop.

Rich: deeham¹²

Deposition 7

Super Libello reconven[ti]onis⁸ p[re]d

repetit coram Duo Cancell[ario] 20 Januarii 1694¹⁶ me p[re]sente G.L. Linton
Not.Pubeo.¹⁵

Susannah Cornish p[ar]o[chi]a de Chewton Mendip in Comtu Som[er]set Spinster²
ubi moram ferit a nativitate ib[um] ort annoru[m] etatis Sua 18 ant de circiter testis
p[ro]duct admiss iurat et Examinat deponit et dicit prout Seq[uitu]r ./.

Ad primu[m], 2, 3 et 4 ar[ti]c]los Libelli p[re]d deponit et dicit yt George Cornish me the producent¹⁷ in this Cause is her Father against whom Hannah Culliford wife of Mr John Culliford has brought an action of defamac[i]on in this Court, as to w[hi]ch this deponent was can Say but little of either Side being not p[re]sent to heare any Such difference, but if there were any Such it was only an old quarrell continued, for ye said Mrs.⁹ Culliford had before yt time been very abeuesive not only to this deponents mother but to her selfe alsoe, for she sayth yt a little before St James tide³ last & alsoe a little before ye quarrell yt happend between the said Hannah and this deponents s[ai]d Father, this deponent was going to a neighbours howse in

Some business & passing by ye said Mrs⁹ Culliford as she stood at her owne dore, the said Mrs⁹ Culliford came towards her & told her yt she should tell her Father & mother yt they should not trouble themselves about her business, & then further said yt her Father & mother were a runagate rogue¹⁴ & whore¹⁰ & yt her Father should goe home & spread his sheep skins or words to ye purpose; soe this deponent made hast & went her way & at her return told her mother how what the said Hannah Culliford had said unto her, and it soe happen'd that sometime afterward in ye Same day to ye best of her remembrance this deponents mother stood at ye dore and ye said Hannah Culliford came by and this deponents said mother asked her why she had soe abus'd her & her husband in calling them runagate Rogue¹⁴ & whore¹⁰, to which ye said Mrs.⁹ Culliford replied yt she could not call them worse than they weare, & speaking to this deponents said mother, told her yt she was a whore¹⁰ & a Carryers¹³ whore¹⁰, & yt a Carryer¹³ had laine with her on a bulk & broken her back & yt one of her Sonns (nameing ye youngest Save one) was a Carryers¹³ bastard, this was ye language she gave this deponents said mother at ye time in ye open Streat where in ye mean time many people passed to & fro, and in some few days afterward there happen'd some words between ye said Hannah & this deponents said Father as she has heard w[hi]ch she beleives was occation'd by this & other former quarrells et al[ite]r deponere nescit ./.

Ad 5 et ultimu[m] ar[ticu]los deponit et dicit yt Hanna Culliford liveth at Chewton & yt what she hath said before is true to ye best of her remembrance. Et al[ite]r deponere nescit ./.

Signu[m] Susanna Cornish ^her mark¹²

Modernized Spelling Transcription

Cornish against Culliford¹

Depositions of the witnesses.

Repeated before the Chancellor on 11 Dec 1694 in the presence of G.L. Linton N.P.¹⁵

Deposition 1

Elizabeth Partridge⁷ of the parish of Chewton Mendip in the county of Somerset, widow², where she has lived for the space of four years, age 32. This witness, produced, admitted, sworn and examined, deposes and says as follows:

To the first the articles of the libel she deposes and says that having been examined as a witness in a cause of defamation promoted by Hannah Culliford, wife of John Culliford, the defendant in this cause, and now being examined as a witness on the behalf of the said Cornish, she does first of all refer herself to ~~the depositions~~ what she has deposed in that cause, so far as ~~they~~ it concerns this. And she further says that when she came to Wm. Dowling's shop with her servant ~~as she has therein~~ deposed upon a certain Friday somewhat after Midsummer last³ (it being within the time mentioned in this libel after as she has herein more at large deposed), amongst all the discourse and words which then happened between the said Hannah Culliford and the said Cornish, and after the said Cornish had called the said Hannah whore and slutted whore¹⁰, she heard no other words come from the said ~~or his wife~~ Mr John Culliford or his said wife. Only the said Mr Culliford told the said Cornish that he should again hear of this before his betters. And the said Mrs⁹ Culliford amidst all the said Cornish's reviling and reproachful language, only asked him if he thought the devil would not have him for abusing her so. To which he replied that the devil was in the eyes of her already. This was the substance of the words which were spoken by the said Mr Culliford and his wife, but she did not at all hear the said Mr Culliford or his wife call the said Cornish rogue or whoremaster rogue¹⁴ or by any of these names mentioned in the second article of the libel upon which she is now examined. And otherwise she knows nothing saving that Hannah Culliford and her husband John Culliford live in the parish of Chewton and that what she has before deposed is true to the best of her knowledge.

Signed Elizabeth Partridge ^{her mark}¹²

Deposition 2

On the reconvention⁸ of the libel.

Repeated before the venerable Vicar General Williamo Hughes LL Bacc Vicar on 22 Dec 1694 in the presence of G.L. Linton N.P.¹⁵

Hanna Dowling⁷ of the parish of Chewton Mendip in the county of Somerset, spinster², where she has lived for the most part since she was born and where she was born, age 27. Hannah This witness, produced, admitted, sworn and examined, deposes and says as follows:

To the articles of the libel she deposes and says that she, being examined in a cause wherein George Cu Cornish (the now plaintiff) was in that defendant and Mrs⁹ Hannah Culliford plaintiff, she refers herself to her depositions taken in that cause and prays they may be admitted as proof in this cause as to what it does concern

it. And she also further says that upon a certain Friday about St James tide last³ as near as she can remember, she this deponent and Mrs Hannah Culliford Elizabeth Partidge being at the shop of Wm. Dowling, a butcher⁴ in Chewton aforesaid, Hannah Culliford the defendant and George Cornish the plaintiff were there also as she has in her depositions taken to the other libel more fully deposed. And notwithstanding, the said Cornish often times called the said Mrs⁹ Culliford whore and little nasty sluttish pisspott whore¹⁰, yet she the said Mrs⁹ Culliford, made no other reply as this deponent heard, saving that she asked the said Cornish if he thought the devil would not have him for abusing her so. This was the substance of what Mrs⁹ Culliford returned in answer to the said George Cornish when he so often called her whore¹⁰ as aforesaid, and she does not remember that she, called the said Mrs⁹ Culliford, called the said Cornish any misbecoming name, especially such as are mentioned in the second article of the libel upon which she is now examined. And otherwise she knows nothing saving that Mrs⁹ Hannah Culliford lives in the parish of Chewton aforesaid and what she has said before is true to the best of her remembrance, more than which she cannot depose.

Signed O ^her mark^ Hannah Dowling¹²

Deposition 3

On the reconvention⁸ of the libel.

Repeated before the Chancellor on 5 January 1694¹⁶ in the presence of me,
G.L.Linton N.P.¹⁵

Anna Blinman⁷, the wife² of Stephen Blinman of the parish of Chewton Mendip in the county of Somerset, miner⁵, where she has lived for the most part since birth and where she was born, age 48. This witness, produced, admitted, sworn and examined, deposes and says as follows:

To the article of the libel she deposes and says that she does not remember that she ever heard Mrs⁹ Culliford, the defendant in this cause, call either George Cornish or his wife by any unhandsome, misbeseeing name in her life, or more particularly any such name as is mentioned in the second article of this libel. She says that she being a witness sworn and examined on the part and behalf of the said Mrs⁹ Culliford (the said Cornish being the defendant in that cause), she has there deposed that the said Cornish did call the said Mrs⁹ Culliford, diverse sorts of whores¹⁰, to which depositions she refers herself. Yet neither at that time nor at any

other time did she ever hear the said Mrs⁹ Culliford call the said Cornish rogue, or whoremaster rogue, or sheep stealing rogue or murderous rogue¹⁴, or any other ill name to the best of her remembrance and otherwise she knows nothing, saving that Mrs⁹ Culliford is wife to Mr John Culliford of Chewton aforesaid, and that what she has before deposed is true to the best of her remembrance.

Anna Blinman A ^her mark¹²

Deposition 4

On the reconvention⁸ of the libel.

Repeated before the Chancellor on 12 January 1694¹⁶ in the presence of me, G.L. Linton N.P.¹⁵

Martha Dowling⁷, the wife² of William Dowling of the parish of Chewton Mendip in the county of Som[er]set, victualler⁶, where she has lived for the space of 20 years, age 28. This witness, produced, admitted, sworn and examined, deposes and says as follows:

To the articles of the libel she deposes and says that she being a witness sworn and examined on the part and behalf of Hannah Culliford in a former cause in which she the said Hannah is plaintiff, (and having therein deposed that on or about the 20th day of July last past) she did hear ~~the def plain~~ George Cornish the now plaintiff in this cause call the said Hannah Culliford drunken whore¹⁰, to which depositions she refers herself and prays they may be admitted in part of proof of the libel on which she is now examined in as much as they concern this cause. She farther says that she did not hear the said Hannah Culliford make any reply to the said Cornish only she said when the said Cornish called her whore¹⁰ she replied that none but a rogue¹⁴ ~~would call her whore¹⁰~~ would say so or words to that purpose and she further says that neither at the time aforesaid nor at any other time did she ever hear the said Mrs⁹ Culliford call the said Cornish any name or names or say he was a rogue, or whoremaster rogue, a sheep stealing rogue or a murderous rogue¹⁴ as mentioned in the libel on which she is now examined or any other sort of rogue¹⁴ whatsoever to the best of her remembrance. And otherwise she ~~responds~~ knows nothing saving that Mrs⁹ Hannah Culliford lives in the parish of Chewton Mendip aforesaid and what she has said before is true to the best of her remembrance.

Martha Dowling¹²

Deposition 5

On the reconvention⁸ of the libel.

Repeated before the Chancellor on 15 January 1694¹⁶ in the presence of me, G.L. Linton N.P.¹⁵

Eleanor Merifield, the wife² of John Merifield of Chewton Mendip in the county of Somerset, gentleman⁵, where she has lived for the space of one and a half years, age 49. This witness, produced, admitted, sworn and examined, deposes and says as follows:

To the first article of the libel she deposes and says that she refers herself to the law.

To Article 2 and 3 of the libel she deposes and says that about a week before St James tide³ last to the best of her remembrance, but she ~~remembers not the very~~ the very day of the month she cannot exactly remember, she this deponent having some occasion to go to Mr Culliford's house, when her business was over and about to return, the defendant, Mrs⁹ Culliford, went with her into the court without the door. And there they began a discourse about George Cornish, the plaintiff, and the said Mrs⁹ Culliford, speaking to this deponent ~~in seeming~~ told her in much passion that the said Cornish was a rogue¹⁴, a thief and a murderer, upon which this deponent told her that those were very dangerous words and bade her have a care what she said. But she again replied that he was a sheep-stealing ~~rogue~~¹⁴ thief and a murderer and she could prove him so to be, for he ~~did~~ stole Sage's cow. And further said ~~that the said Corn~~ that his wife was a whore¹⁰ and had a bastard by a carrier¹³ and that the biggest of the two Leicester boys who had a white[...] of white hair in his pole was the carrier's bastard and that ~~what~~ when she saw that God had brought her roguery to light, she framed a lie and said that she longed for a line of veal, but that she lied like a lying whore¹⁰ as she was. Upon which this deponent went her way. [...] The substance of the discourse that then happened between the said Mrs⁹ Culliford and this deponent, at which time there was none other present to hear what she said besides themselves ~~as she remembers~~ and otherwise she cannot respond.

To 4 she refers herself to the law.

To 5 she deposes that the said Hannah Culliford is wife of Mr John Culliford of Chewton aforesaid.

To the final she deposes that what she has already deposes is true and otherwise she knows nothing.

Signed Eleanor Merifield M ^her mark^¹²

Deposition 6

On the reconvention⁸ of the libel.

Repeated before the Chancellor on 20 January 1694¹⁶ in the presence of me, G.L. Linton N.P.¹⁵

Richard Deerham of the parish of Chewton Mendip in the county of Somerset, yeoman⁵, where he has lived for the most part since birth and where he was born, age 60. This witness, produced, admitted, sworn and examined, deposes and says as follows:

To the articles of the libel he deposes and says that he was not present when the difference happened between Mrs⁹ Culliford and George Cornish, neither did he ever hear them quarrel or speak evil of each other. But he says that he was told of a great quarrel that happened between the said Mrs⁹ Culliford and George Cornish at one Dowling's shop who is was a butcher⁴, and upon that same day, to the best of his remembrance after that quarrel was over, this deponent and the said Mr Culliford (husband to the said Hannah Culliford) were standing at the said Dowling's shop and in the meantime the said George Cornish came up the street toward the said shop and Mr Culliford seeing him, went and met him and took him by the collar and held up his stick, threatening to strike him. And called him knave¹¹ and rogue¹⁴ and said that he would rid the country of him before he had done with him, to which the said Cornish made no other reply than that he was no more a knave¹¹ or rogue¹⁴ than himself and asked him if he had a mind to take his purse or his life in stopping him upon the highway and spoke to the said Mr Culliford that he might quietly go on about his business. So away he went and otherwise he knows nothing saving that Mr Culliford and his wife live at Chewton and that what he has him here deposed is true to the best of his remembrance and that when this thing happened, the said Hannah Culliford, Mr John Hippesly, the said Dowling and his wife and others were present in the said Dowling's shop.

Rich: Deeham¹²

Deposition 7

On the reconvention⁸ of the libel.

Repeated before the Chancellor on 20 January 1694¹⁶ in the presence of me, G.L. Linton Not. Pub.¹⁵

Susannah Cornish of the parish of Chewton Mendip in the county of Somerset, spinster², where she has lived since birth, age 18. This witness, produced, admitted, sworn and examined, deposes and says as follows:

To the first, 2, 3, and 4 articles of the libel she deposes and says that George Cornish me the producent¹⁷ in this cause, is her father against whom Hannah Culliford, wife of Mr John Culliford, has brought an action of defamation in this court, as to which this deponent was can say but little of either side, being not present to hear any such difference. But if there were any such, it was only an old quarrel continued, for the said Mrs⁹ Culliford had before that time been very abusive not only to this deponent's mother but to herself also. For she says that a little before St James tide³ last and also a little before the quarrel that happened between the said Hannah and this deponent's said father, this deponent was going to a neighbour's house in some business. And passing by the said Mrs⁹ Culliford as she stood at her own door, the said Mrs⁹ Culliford came towards her and told her that she should tell her father and mother that they should not trouble themselves about her business, and then further said that her father and mother were a runagate rogue¹⁴ and whore¹⁰ and that her father should go home and spread his sheep skins or words to the purpose. So this deponent made haste and went her way and at her return told her mother how what the said Hannah Culliford had said unto her, and it so happened that sometime afterward in the same day to the best of her remembrance, this deponent's mother stood at the door and the said Hannah Culliford came by and this deponent's said mother asked her why she had so abused her and her husband in calling them runagate rogue¹⁴ and whore¹⁰, to which the said Mrs⁹ Culliford replied that she could not call them worse than they were. And speaking to this deponent's said mother, told her that she was a whore¹⁰ and a carrier's¹³ whore¹⁰, and that a carrier¹³ had lain with her on a bulk and broken her back and that one of her sons (naming the youngest save one) was a carrier's¹³ bastard. This was the language she gave this deponent's said mother at the time in the open street, wherein the meantime many people passed to and fro, and in some few days afterward, there happened some words between the said Hannah and this deponent's said father as she has heard, which she believes was occasioned by this and other former quarrels and otherwise she knows nothing.

To 5 and the final articles she deposes and says that Hannah Culliford lives at Chewton and that what she has said before is true to the best of her remembrance. And otherwise she knows nothing.

Signed Susanna Cornish ^her mark¹²

Notes

¹ (technicalities of the court) This is a dispute between private parties, known in the church courts as an instance suit.

² (technicalities of the court) Female depositions: marital status descriptors (e.g. singlewoman, widow, wife) were typically recorded in the brief biographical statement at the beginning of the deposition

³ (interpretation) In describing when a particular event had taken place, witnesses often reported the time in relation to the liturgical calendar (e.g. referring to church seasons and feast days).

⁴ (technicalities of the court) Occupational or social status descriptors (e.g. baker, joiner, yeoman) were typically recorded for men.

⁵ (technicalities of the court) Male depositions: occupational or social status descriptors (e.g. baker, joiner, yeoman) were typically recorded in the brief biographical statement at the beginning of the deposition.

⁶ (interpretation) It is interesting that here, William Dowling is described as a victualler (a seller of food/drink) but in Case 20.1, he is described as a butcher. Male depositions: occupational or social status descriptors (e.g. baker, joiner, yeoman) were typically recorded in the brief biographical statement at the beginning of the deposition.

⁷ (interpretation) The same witness is produced by both parties (see Case 20.1).

⁸ (technicalities of the court) A reconvention is a counteraction brought against a plaintiff by the defendant in a suit.

⁹ (gloss) Use of the word 'Mrs' does not denote a married woman but a woman of social standing. This usage persisted until at least 1800. See A. Erickson, 'Mistresses and Marriage: or, a Short History of the Mrs', *History Workshop Journal*, 78, 2014, 39-57.

¹⁰ (technicalities of the court) 'Whore' was an actionable word in the church courts.

¹¹ (technicalities of the court) 'Knave' was an actionable word in the church courts.

¹² (technicalities of the court) Witnesses were asked to sign their depositions: signatures range from full names to simply initials or marks (sometimes images linked with trades).

¹³ (gloss) A carrier was employed for the transportation of items or goods. Occupational or social status descriptors (e.g. yeoman, baker, joiner) were typically recorded for men.

¹⁴ (technicalities of the court) 'Rogue' was an actionable word in the church courts.

¹⁵ (gloss) N.P. stands for 'Notarius Publicus' or public notary.

¹⁶ (technicalities of the court) Until the Gregorian Calendar was adopted in 1752, the English New Year began on 25th March. According to our modern dating system, this deposition was actually taken in 1695.

¹⁷ (gloss) The 'producent' is the party in the case who has produced the witness.

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