

Court Depositions of South West England, 1500-1700

Case 6: The Rape of Earth Bickley

Case type: Rape

Summary: While collecting yarn from his house, Earth is violently raped by her husband's employer.

Source: Devon Heritage Centre, QSB-Easter1598

Original Spelling Transcription

Deposition 1

The examynacion of Earthe Bickley al[ia]s Thrasher the wyfe¹ of Richarde Bickley al[ia]s Thrasher of Creditonweaver² taken before George Gale Esquire² the xiiith of Marche. 1598.¹³

The saide exa[minan]t saithe that abowte Fortnight before the Feaste of the Nativitie of St John the baptiste³ laste past this exa[minan]ts husbende being then and of longe tyme tyme before an ordynarie workeman⁴ to weave dozens and kerseys⁵ for one Rob[er]t Aileston of Crediton⁶ aforesaide weaver² didde then sende this exa[minan]t unto the saide Rob[er]te Aileston his howse to sell certaine yarne⁷, at w[hi]che tyme he the saide Aileston willed this exa[minan]t to come upp unto hime into his bedd chamber, wheare his yarne didde lye, and assone as she was come upp unto hime he didde putte the chamber dore, and then toke her Faste abowte the myddle w[i]the bothe his Armes in forcible mann[er] againste her will, and didde cast her downe againste the edge of a certaine Choffer¹² and didde by the meanes of the sodyen assaulting & lyeng of vyolent hands uppon her so astonishe her, that she dothe not remember whether she didde call or crye owte for helpe or not, but saithe and affirmmeth that he didde im[m]ediatlie theireuppon forcible and againste her will ravyshe her, and hadde carnall knowledge¹⁶ of her boddie, w[i]thowte any consent yelded by her / and when he hadde com[m]ytted the saide wicked and unlawfull act of carnall copulacion¹⁶ w[i]the her this Exa[minan]t, she this Exa[minan]t havinge receaved the yarne of hime for w[hi]che she was sent, tolde hime that she would surely reveale the matter unto her husbende w[hi]ch she didde accordinglie, assone

as she came home, and tolde hime that he hadde thruste her so vyolentlie againste the saide Coffe¹², that her backe was vearie sore theirew[i]theall, w[hi]che uppon viewe theireof by hime taken he didde p[er]ceave to be blacke and blewe behinde in the lower p[ar]te of her backe, and she then further tolde her saide husbunde, that he hadde forciablie spoyled her, and didde feele her selfe to be moche greved & hurted otherwyse by that meanes wheareuppon her saide husbunde, the thirde daie following went and tolde one Gilb[er]t Aileston the Brother of the saide Rob[er]t Aileston, that he the saide Rob[er]t hadde greatlye abused and spoyled his wife this Exa[minan]t: and w[i]thein vearie shorte tyme after she this Exa[minan]t didde also well p[er]ceave that he hadde by that wicked meanes burned⁸ her besyde, so as she was not able to go, w[hi]che being made knowen unto hime, he w[i]the his said Brother, the next weke followinge repayred home unto this Exa[minan]ts husbundes howse and theire made agreement w[i]th her husbunde by thentreatie of the wyfe of the saide Rob[er]t Aileston & others./ and the saide Exa[minan]t saithe, that she then lyeng in her bedde, for that she was not able to go, burdened & chardged hime to his face in her saide husbundes howse & p[re]sence, that he hadde spoiled her, & that he hadde to do w[i]the her againste her will, w[hi]che he didde not or coulde not denye, but p[ro]ysed that he woulde p[ro]cure some helpe and remedie for her this Exa[minan]t and theireuppon he spake unto a certaine woman for the helpinge & curinge of her, beinge the wyfe of Ellys Basse, who didde see this Exa[minan]ts greefe and theireuppon tolde this Exa[minan]t that she hadde ben vearie badlie used, and because she required more then he was will[...] to geve, he woulde not agree w[i]the her, and then this Exa[minan]ts husbunde p[ro]cured and appointed one Joane Browninge widd[ow]¹⁴ to helpe her, who hadd her in cure almost halfe a yeare before that she was cured⁹, and the saide Rob[er]t Aileston didde paie paie and deliv[er] certaine monye unto this Exa[minan]ts husbunde, to recompence her for the curinge of her./ and this Exa[minan]t beinge demaunded whearefore she didde not seke any remeadie by disclosinge of the matter unto any Justice¹⁵ or Officer, all this meane tyme she saithe theireunto that because she didde p[er]ceave that her husbunde was intreated forto suppressse his faulte, she durste not complaine to any officer theirin, but tolde her Father of the matter abowte thursdaie laste was senight¹⁷, by whose advise she went w[i]the hime to Exon the laste weeke at the Assises tyme of intent & p[ur]pose to p[ro]ferr a Bill of enditement againste hime¹⁰, but stayed theire p[ur]pose therein, insomoch as the matter was not examyned before any Justice of peace¹⁵ / and this Exa[minan]t doth also saie & affirme that on the seconde daie after the com[m]yttinge of the saide fact, she mett with hime in the Grene, w[hi]che is at the Wester ende of the said Towne, and then tolde him that she this Exa[minan]t hadde tolder her husbunde of the matter, that he hadde spoyled her, wheareunto he saide that he woulde advyse her to take heede what she didde saye for he woulde surelie denye it./

Deposition 2

The examination of the foresaide Richarde Bickley al[jia]s Thrasher taken the daie and yeare aforesaide./

The saide Exa[minan]t saithe and affirmeth somoche of the saide p[re]misses, as is before avowched and alleaged by his saide wyfe to be done or spoken by or in the p[re]sence of this Exa[minan]t to be vearie Juste and true/ and further saithe that his wyfe came home weping after that the fact was done, and yet confesseth that by thentreaty of dyvers of the Frinds of the saide Rob[er]t Aileston, as also by the speciall meanes of Elizabeth Ayleston his wyfe, he condiscended to make hime a gen[er]all release of all matters and became bounden unto hime by obligacion, that he shoulde not trouble or sue hime for hit beinge by theime boren in hande, that he might do hit vearie well w[i]the owte offence in lawe./ Saying that it was no matter for the Quene/. And the same daie that he hadde arrested this Exa[minan]t to the peace in the Cittie of Exon w[hi]che was on Ashewensdaie laste³, he as enforced by dyvers that the foresaide matters didde concerne the Quenes Ma[jes]tie and in that respect he coulde not ende the same.¹¹

Modernized Spelling Transcription

Deposition 1

The examination of Earth Bickley (alias Thrasher), the wife¹ of Richard Bickley (alias Thrasher) of Crediton, weaver², taken before George Gale, esquire² the 13th of March 1598.¹³

The said examinant says that about [a] fortnight before the Feast of the Nativity of St John the Baptist last past³, this examinant's husband being then and of long tyme time before an ordinary workman⁴ to weave dozens and kerseys⁵ for one Robert Aileston of Crediton⁶ aforesaid, weaver², did then send this examinant unto the said Robert Aileston his house to sell certain yarn.⁷ At which time, he the said Aileston willed this examinant to come up unto him his bed chamber where his yarn did lie. And as soon as she came up unto him, he did put to the chamber door, and then took her fast about the middle with both his arms in forcible manner against her will. And did cast her down against the edge of a certain coffer¹² and did by the means of the sudden assaulting and laying of violent hands upon her so astonish her that she does not remember whether she did call or cry out for help or not. But says and affirms that he did immediately thereupon forcibly and against her will ravish her and had carnal knowledge¹⁶ of her body without any consent yielded by her and when

he had committed the said wicked and unlawful act of carnal copulation¹⁶ with her this examinant, she this examinant having received the yarn of him for which she was sent, told him that she would surely reveal the matter unto her husband. Which she did accordingly as soon as she came home, and told him that he had thrust her so violently against the said coffer¹², that her back was very sore therewithal. Which upon view thereof by him taken he did perceive to be black and blue behind in the lower part of her back, and she then further told her said husband that he had forcibly spoiled her, and did feel herself to be much grieved and hurt otherwise by that means. Whereupon her said husband, the third day following, went and told one Gilbert Aileston, the brother of the said Robert Aileston, that he the said Robert had greatly abused and spoiled his wife, this examinant. And within very short time after, she this examinant did also well perceive that he had by that wicked means burned⁸ her beside so as she was not able to go, which being made known unto him, he with his said brother, the next week following repaired home unto this examinant's husband. And there made agreement with her husband by the entreaty of the wife of the said Robert Aileston and others. And the said examinant says that she, then lying in her bed for that she was not able to go, burdened and charged him to his face in her said husband's house and presence, that he had spoiled her, and that he had to do with her against her will. Which he did not or could not deny, but promised that he would procure some help and remedy for her, this examinant. And thereupon he spoke unto a certain woman for the helping and curing of her, being the wife of Ellis Basse who did see this examinant's grief and thereupon told this examinant that she had been very badly used, and because she required more than he was willing to give, he would not agree with her. And then this examinant's husband procured and appointed one Joane Browning, widow¹⁴, to help her, who had her in cure almost half a year before that she was cured.⁹ And the said Robert Aileston did pay pay and deliver certain money unto this examinant's husband to recompense her for the curing of her, and this examinant being demanded wherefore she did not seek any remedy by disclosing of the matter unto any Justice¹⁵ or Officer all this meantime, she says thereunto that because she did perceive that her husband was entreated for to suppress his fault, she dared not complain to any officer therein. But told her father of the matter about Thursday last was sennight¹⁷, by whose advice she went with him to Exeter the last week at the Assizes time, of intent and purpose to proffer a bill of indictment against him¹⁰, but stayed their purpose therein, in so much as the matter was not examined before any Justice of the Peace.¹⁵ And this examinant does also say and affirm that on the second day after the committing of the said fact, she met with him in the Green, which is at the west end of the said town, and then told him that she this examinant had told her husband of the matter, that he had spoiled her. Whereunto he said that he would advise her to take heed what she did say for he would surely deny it.

Deposition 2

The examination of the foresaid Richard Bickley (alias Thrasher) taken the day and year aforesaid.

The said examinant says and affirms so much of the said premises, as is before avouched and alleged by his said wife to be done or spoken by or in the presence of this examinant to be very just and true. And further says that his wife came home weeping after that the fact was done, and yet confesses that by the entreaty of diverse of the friends of the said Robert Aileston, as also by the special means of Elizabeth Aileston his wife, he condescended to make him by obligation, that he should not trouble or sue him for it being by them born in hand, that he might do it very well without offence in law, saying that it was no matter for the Queen. And the same day that he had arrested this examinant to the peace in the City of Exeter, which was on Ash Wednesday last³, he was enformed by diverse that the foresaid matters did concern the Queen's Majesty and in that respect he could not end the same.¹¹

Notes

¹ (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.

² (technicalities of the court) Occupational or social status descriptors (e.g. baker, joiner, yeoman) were typically recorded for men.

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 (interpretation) This is an interesting description of Earth Bickley's husband's occupation: in the brief biography at the beginning of her deposition, he is described as a weaver.

⁵ (interpretation) Weaving: evidence of men's work tasks. Dozens and kerseys were pieces of carded, woven wool cloth.

⁶ (interpretation) Richard Bickley did not weave for himself, but instead worked for someone else.

⁷ (interpretation) Selling yarn: evidence of women's work. Earth Bickley is involved in her husband's trade.

⁸ (gloss) 'Burn' is used here as an imputation of venereal disease.

⁹ (interpretation) Medical care: evidence of women's work tasks. This type of work was usually undertaken by married or widowed women.

¹⁰ (interpretation) Incidental evidence of ordinary people involved in legal procedure.

¹¹ (technicalities of the court) Rape, which was a capital offence, was usually heard at the Assizes, the higher criminal court.

¹² (gloss) A coffer is a box or chest used to store valuables.

¹³ (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 1599.

¹⁴ (technicalities of the court) Marital status descriptors (e.g. wife, singlewoman, widow) were typically recorded for women.

¹⁵ (gloss) A Justice of the Peace was a high-status man appointed to preside over the county courts.

¹⁶ (gloss) Carnal knowledge is an archaic term for sexual intercourse, often used in legal documents.

¹⁷ (gloss) Sennight is a period of seven nights (one week).

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