

Court Depositions of South West England, 1500-1700

Case 20.1: Defamation in the Butcher's Shop (I)

Case type: Defamation

Summary: Hannah Culliford v George Cornish: as neighbours gather in William Rowling's shop to buy meat, George calls Hannah a drunken whore and other obscenities. George subsequently raised a counter-suit against Hannah (see Case 20.2).

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

Original Spelling Transcription

Culliford contra Cornish¹

Deposic[i]ones testi[moni]um de et super quibusdam posic[i]onibus et ar[ticu]lis ensuedam Libelli ex p[ar]te et per partem Hanne Culliford

11 die dec[embris] 1694

repetit coram ven[era]li vico Will[iam]o Huglie LL Cran Vicario gen[era]li et apud elde s[ui]s me p[rese]nte G.L. Linton N.P.¹⁵

Deposition 1

Elizabetha Partridg¹⁸ p[ar]o[chi]a de Chewton Mendip in Com[ita]tu Som[er]set vid[na]² ubi mora[m] ferit p[er] spaci[u]m 4 annoru[m] antea circiter annoru[m] etatis sua 32 ant de circiter testis product admiss iurat et examinat deponit et dicit p[ro]ut seq[ui]tur./.

Ad primu[m] ar[ticu]lum Libelli p[re]d deponit et dicit quod refert se ad iura et all[ite]r deponere nescit /.

Ad 2 3 et 4 ar[ticu]los Libelli p[re]d deponit et dicit yt upon a Fryday sometime after Midsomer Last³ w[hi]ch is within ye time menc[i]oned in ye Libel but ye day of ye

month she cannot remember, she this deponent went to ye howse of W[illia]m Rowling who is a Butcher⁴ in [...]Chewtonto buy a joynt of meat⁵ and she there saw Georg: Cornishe leaning upon ye window s[ai]d Rowlings shop window⁶ looking into ye shop⁷ & ye Plaintiff and her Husband were in ye shop⁷ & one Hannah dowling who was then this deponents Servant was then with her⁸, and she sayth yt as she came to ye shop dore she heard yt ye said Cornish was very loud in his discourse & did speak very filthy scandalous words of ye said Mrs⁹ Colliford & to her face told her yt she was a drunken, shiten whore¹⁰, which words he often repeated & asked her if she could not be drunk¹¹ but ple[...] without besluting herselfe; & alsoe how many familys she had undon? & how many mens legs she had [...] between while she lyed on there Cravatts & how many bottles of wine she had for her paines or words to this purpose. all this he spoke with great feriousness & seemingly in great angar, & this deponent having done ye business about w[hi]ch she came, she went her way, and her servant Hannah dowling with her, et al[ite]r deponere nescit Saving quod refert se ad iura.

Ad 5 ar[тику]lum deponit et dicit yt George Cornish liveth at Chewton Mendip aforesaid in ye County of Some[r]set./.

Ad ultimu[m] deponit p[re]deposita per eum fuiste et se vera et al[ite]r deponere nescit.

Signu[m] Elizabethe Partridg ^her mark¹²

Deposition 2

Super Libello p[re]d

repetit cora[m] Duo Cancell[ario]22 die Decemb[ri]s 1694 me p[rese]nte G.L. Linton n.P.¹⁵

Hanna Dowling¹⁸ p[ar]o[chi]e de Chewton Mendipp in Comtu Some[r]set spinster² ubi mora[m] ferit plerunq[ue]r a nativitate ib[ui]m ort annoru[m] etatis sue 27 ant de circiter, testis producte admiss iurat et examinat deponit et dicit prout seq[uit]ur./.

Ad primu[m] ar[тику]lum Libelli p[re]d deponit et dicit quod refert se ad iura. Et al[ite]r deponere nescit./.

Ad 2 3 et 4 ar[тику]les Libelli p[re]d deponit et dicit yt upon a Certaine Fryday about St. James tide last³ to ye best of her remembrance, but she cannot remember ye day of ye month but sayth it was within ye time Libellate, this deponent then living with Elizabeth Partridg her fellow witness she ye said Partridg sent this deponent

to one William dowlings house who is by trade a Butcher⁴ to buy some meat⁵, and she was noe sooner come to ye shop⁷ dore but the said Elizabeth Partridg had overtaken her⁸, & at yt time ye defendant, George Cornish was leaning upon ye shop window⁶ looking into ye said shopp and ye Plaintiff Mrs⁹ Hannah Culliford was in ye shop between whom there was some difference in words and ye said Cornishe then speaking to ye said Mrs⁹ Culliford told her yt she was a whore, and a little nasty Slutten whore, & a pispott whore¹⁰ & thiese he repeated many times laughing at her & makeing a great noise at ye windowe all ye while, & ye said Elizabeth Partridg was then alsoe p[re]sent & there were then other people in ye said dowlings howse but who they were this deponent knows not. Et al[ite]r deponere nescit. Saving yt she refereth herself to ye Lawe./.

Ad 5 deponit yt George Cornish liveth at Chewton Mendip aforesaid in ye County of Some[r]set /.

Ad ultimu[m] deponit p[re]deposita per eum fuiste et de vera Et al[ite]r deponere nescit:/.

Signu[m] Hanna Dowling ^her mark¹²

Deposition 3

Super Libello p[re]d

repetit coram duo Cancell[ario] 5 Januarii 1694¹⁹ in p[re]sentia me G.L. Linton n.P¹⁵

Anna Blinman¹⁸ uxor² Stephen Blinman p[ar]o[chi]a de Chewton Mendip in Comtu Som[er]set Miner²⁰ ubi moram ferit plerunq[ue]r a nativitate ib[us] ort annoru[m] etatis sua 48 ant de circiter testis p[ro]duct admiss iurat et Examinat deponit et dicit prout seq[ui]tur./.

Ad primu[m] ar[ticu]lum Libelli p[re]d deponit et dicit quod refert se ad iura et al[ite]r deponere nescit./.

Ad 2 3 et 4 ar[ticu]les Libelli p[re]d yt one W[illia]m dowling of Chewton aforesaid being a butcher⁴ by Trade he doth usually kill a heiver¹⁴ upon a Fryday¹³, & this deponent being willing to buy some beiefe⁵ went to ye said Dowlings howse upon a certaine Fryday towards ye later end of this past [...]. Inner but remembreth not ye day of ye month but yet it was within ye time menc[i]oned in ye second Article of ye Libel, and she sayth yt she had been in ye said Shop but a little while, before ye Plaintiff Mrs⁹ Culliford & her husband Mr John Culliford to came likewise to ye said

shopp, and ye Defendant George Cornish came thither alsoe between whom & ye said Mrs⁹ Culliford there passed some angry words, and ye said George speaking to ye said Mrs⁸ Culliford told her yt she was a whore a drunken whore, a draggle taile whore, a filthy Pocky whore, & many other sortes of whores⁵ w[hi]ch this deponent doth not now well remember, w[hi]ch this deponent heareing, & fearing what ye end of ye quarrell might come to, she left ye said Dowlings shop & went into ye Kitching, where she could easily heare ye said Cornish & Mrs⁸ Culliford at hard words¹⁶, but could not distinguish what they were, and she sayth yt there were then p[re]sent ye s[ai]d W[illia]m dowling & his wife & others et al[ite]r deponere nescit / Saveing quod refert se ad iura./.

Ad 5 deponit et dicit yt George Cornish ye defendant liveth at Chewton Mendip aforesaid./.

Ad ultimu[m] deponit predeposita p[er] eu[m] fuiste et de vera et al[ite]r deponere nescit./.

Signu[m] Anna Blinman A ^her mark¹²

Deposition 4

Super Libello p[re]d

repetit coram ven[ra]li vico Will[iam]o Huglie LL Cran vicar[i]o gen[era]li [...]12
Januarii 1694¹⁹ me p[rese]nte G.L. Linton no[tar]io Pub[li]eo.¹⁵

Martha Dowling¹⁸ uxor² William Dowling p[ar]o[chi]a de Chewton Mendipin Comtu Some[r]set Butcher²¹ ubi moram ferit p[er] spaci[u]m 20 annoru[m] ant de circiter annoru[m] etatie sua 28 ant de circiter testis p[ro]duct admiss iurat et examinat deponit et dicit p[ro]ut seq[uitur]

Ad primu[m] ar[ticu]lum Libelli p[re]d deponit et dicit quod refert se ad iura[mentum]

Ad 2 et 3 et 4 ar[ticu]les Libelli pr[e]d deponit et dicit yt on or about ye twentieth day of July last past it being upon a Fryday to ye best of her remembrance, this deponents husband being a butcher⁴ by trade & having killed some meate severall neighbours came to buy, and amongst others ye Plaintiff Mrs³ Hannah Culliford & her husband Mr John Culliford came to their shop and ye Defendant George Cornish came hither alsoe, but whither on ye same errand she knoweth not. And she sayth one ann Blinman her fellow witnes who then alsoe happen'd to be at ye said shop came to her as she was seting in ye Kitching with her children¹⁷ & told her yt there was likely to be a great difference out in ye shop between Mr Culliford &

George Cornish & yt she was much frightened fearing what might be ye end thereof, & it seemed to this deponent as if she was under some consternac[i]on, upon w[hi]ch this deponent went out & called to ye said Mr Culliford & desir'd him to come [...] away from their, w[hi]ch he did, but ye said Mrs⁹ Culliford & ye said Cornish & some others were still with out and as this deponent went out towards ye said shop she heard ye said George Cornish & Hannah Culliford at hard words¹⁶, & among others she heard ye said George call ye said Hannah Culliford drunken whore &¹⁰ told her yt she did spew & slute & had her goe & wipe her sluten arse for shame, & she sayth yt ther were severall then pr[e]sent ann Blinman, Elizabeth Partridge & Hannah Dowling ther p[re]sent and others but who they were she knoweth not as she was not out with them at all; Et al[ite]r deponere nescit Saving yt she refereth herself to ye Law./

Ad quintu[m] ar[ticu]lum Libelli p[re]d deponit et dicit yt ye defendant George Cornish liveth in ye Parish of Chewton Mendip aforesaid Et al[ite]r deponere nescit /.

Ad ultimu[m] deponit pr[e]deposita per eum fuiste et de vera et al[ite]r deponere nescit./.

Signu[m] Martha Dowlin¹²

Modernized Spelling Transcription

Culliford against Cornish¹

Depositions of witnesses to the articles of the libel on the part of and for Hannah Culliford.

11 December 1694

Repeated before the venerable Vicar General William Huglie and in the presence of the N.P.¹⁵ G.L.Linton.

Deposition 1

Elizabeth Partridge¹⁸ 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 article of the libel she deposes and says that she refers to the law and otherwise knows nothing.

To Articles 2, 3 and 4 of the libel she deposes and says that upon a Friday sometime after Midsummer last³ which is within the time mentioned in the libel (but the day of the month she cannot remember), she this deponent went to the house of William Rowling who is a butcher⁴ in [...]Chewtonto buy a joint of meat.⁵ And she there saw George Cornish leaning upon the window said Rowling's shop window⁶ looking into the shop⁷ and the plaintiff and her husband were in the shop⁷ and one Hannah Dowling, who was then this deponent's servant was then with her.⁸ And she says that as she came to the shop door, she heard that the said Cornish was very loud in his discourse and did speak very filthy scandalous words of the said Mrs⁹ Culliford. And to her face told her that she was a drunken, shiten whore¹⁰, which words he often repeated and asked her if she could not be drunk¹¹ but ple[...] without besluting herself; and also 'how many families she had undone? and how many men's legs she had [...] between while she layon their cravatts and how many bottles of wine she had for her pains', or words to this purpose. All this he spoke with great furiousness and seemingly in great anger. And this deponent having done the business about which she came, she went her way, and her servant Hannah Dowling with her. And otherwise she knows nothing, saving that she refers herself to the law.

To Article 5 she deposes and says that George Cornish lives at Chewton Mendip aforesaid in the county of Somerset.

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

Signed Elizabeth Partridge ^her mark¹²

Deposition 2

On the above libel

Repeated before the Chancellor on 22 December 1694 in the presence of G.L. Linton N.P.¹⁵

Hannah Dowling¹⁸ 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. 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. And otherwise she knows nothing.

To Articles 2, 3 and 4 of the above libel she deposes and says that upon a certain Friday about St James tide last³ to the best of her remembrance (but she cannot remember the day of the month but says it was within the time libelled), this deponent then living with Elizabeth Partridge her fellow witness, she, the said Partridge, sent this deponent to one William Dowling's house, who is by trade a butcher⁴, to buy some meat.⁵ And she was no sooner come to the shop⁷ door but the said Elizabeth Partridge had overtaken her⁸, and at that time the defendant, George Cornish was leaning upon the shop window⁶ looking into the said shop and the plaintiff Mrs⁹ Hannah Culliford was in the shop, between whom there was some difference in words. And the said Cornish then speaking to the said Mrs⁹ Culliford, told her that she was a whore, and a little nasty sluttish whore, and a pisspot whore¹⁰ and these he repeated many times, laughing at her and making a great noise at the window all the while. And the said Elizabeth Partridge was then also present and there were then other people in the said Dowling's house but who they were, this deponent knows not. And otherwise she knows nothing. Saving that she refers herself to the law.

To 5 she deposes that George Cornish lives at Chewton Mendip aforesaid in the county of Somerset.

To the final she deposes that what she has deposed is true. And otherwise she knows nothing.

Signed Hannah Dowling ^her mark¹²

Deposition 3

On the above libel.

Repeated before the Chancellor on 5 January 1694¹⁹ in the presence of G.L. Linton N.P.¹⁵

Anna Blinman¹⁸, the wife² of Stephen Blinman of the parish of Chewton Mendip in the county of Somerset, miner⁴, 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 first article of the libel she deposes and says that she refers herself to the law and otherwise knows nothing.

To Articles 2, 3 and 4 of the libel she deposes and says that one William Dowling of Chewton aforesaid, being a butcher⁴ by trade, he does usually kill a heifer¹⁴ upon a Friday.¹³ And this deponent, being willing to buy some beef⁵, went to the said Dowling's house upon a certain Friday towards the later end of this past [...]. Inner (but remembers not the day of the month yet it was within the time mentioned in the second article of the libel). And she says that she had been in the said shop but a little while, before the plaintiff, Mrs⁹ Culliford, and her husband Mr John Culliford to came likewise to the said shop, and the defendant, George Cornish, came there also between whom and the said Mrs⁹ Culliford there passed some angry words. And the said George, speaking to the said Mrs⁸ Culliford, told her that she was a whore, a drunken whore, a draggle tail whore, a filthy Pocky whore, and many other sort of whores⁵, which this deponent does not now well remember. Which this deponent hearing and fearing what the end of the quarrel might come to, she left the said Dowling's shop and went into the kitchen, where she could easily hear the said Cornish and Mrs⁸ Culliford at hard words¹⁶, but could not distinguish what they were. And she says that there were then present the said William Dowling and his wife and others. And otherwise she knows nothing saving that she refers herself to the law.

To 5 she deposes and says that George Cornish, the defendant, lives at Chewton Mendip aforesaid.

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

Signed Anna Blinman A ^her mark¹²

Deposition 4

On the above libel.

Repeated before the venerable Vicar General William Huglie on 12 January 1694¹⁹ and in the presence of G.L. Linton, N.P.¹⁵

Martha Dowling¹⁸, the wife² of William Dowling of the parish of Chewton Mendip in the county of Som[er]set, butcher⁴, 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 first article of the libel she deposes and says that she refers herself to the law.

To Articles 2 and 3 and 4 of the libel she deposes and says that on or about the twentieth day of July last past it being upon a Friday to the best of her remembrance, this deponent's husband being a butcher⁴ by trade and having killed some meat, several neighbours came to buy. And amongst others the plaintiff, Mrs³ Hannah Culliford, and her husband Mr John Culliford came to their shop and the defendant, George Cornish, came there also, but whether on the same errand she knows not. And she says one Ann Blinman, her fellow witness, who then also happened to be at the said shop, came to her as she was sitting in the kitchen with her children¹⁷ and told her that there was likely to be a great difference out in the shop between Mr Culliford and George Cornish and that she was much frightened, fearing what might be the end thereof. And it seemed to this deponent as if she was under some consternation, upon which this deponent went out and called to the said Mr Culliford and desired him to come [...] away from there, which he did, but the said Mrs⁹ Culliford and the said Cornish and some others were still without. And as this deponent went out towards the said shop, she heard the said George Cornish and Hannah Culliford at hard words¹⁶. And among others, she heard the said George call the said Hannah Culliford drunken whore and¹⁰ told her that she did spew and slut and had her go and wipe her sluttten arse for shame. And she says that there were several then present ~~Ann Blinman, Elizabeth Partridge and Hannah Dowling~~ ther present and others but who they were she knows not as she was not out with them at all. And otherwise she knows nothing, saving that she refers herself to the law.

To Article 5 of the libel she deposes and says that the defendant, George Cornish, lives in the parish of Chewton Mendip aforesaid. And otherwise she knows nothing.

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

Signed Martha Dowlin¹²

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 recorded for men.

⁵ (interpretation) Both men and women were engaged in commerce (buying and selling).

⁶ (interpretation) Windows are often mentioned in church court depositions. They act as a reminder that the early modern house or shop was a relatively open and porous space.

⁷ (interpretation) This shop, where men and women were engaged in buying and selling, was clearly part of the Dowling's house. This was common in early modern England.

⁸ (interpretation) Contradiction in testimonies: Elizabeth Partridge says she went to buy a joint of meat but Hannah, her servant, says that Elizabeth sent her to buy a joint of meat. It is therefore unclear why both of them are in the shop.

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 (gloss) 'Whore' was an actionable word in the church courts.

¹¹ (interpretation) Sexual morality is linked here with drunkenness.

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 (interpretation) Patterns of work: the regular activities of butchery commanded a regular market each Friday.

¹⁴ (gloss) A heifer is a cow.

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

¹⁶ (gloss) To be at 'hard words' meant to argue.

¹⁷ (interpretation) As church court witnesses were supposed to be over the age of 16, references to children are quite rare. They are only mentioned incidentally.

¹⁸ (interpretation) The same witness is produced by both parties (see Case 20.2).

¹⁹ (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.

²⁰ (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.

²¹ (interpretation) It is interesting that here, William Dowling is described as a butcher but in Case 20.2, he is described as a victualler (a seller of food/drink). 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.

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