

Court Depositions of South West England, 1500-1700

Case 3.1: Settling Scores in a Somerset Parish (I)

Case type: Defamation

Summary: Alice and Richard Illary v Joan Castle: Joan implies that Richard's wife, Alice, had had a premarital affair with another man. Joan subsequently raised a counter-suit against Richard (see Case 3.2).

Source: Somerset Heritage Centre, D/D/Cd/20

Original Spelling Transcription

^10 December 1584^

Examinac[i]on] test[imoni]um ex p[ar]te Alice Illury f[a]c[t]a no[m]i[ni]bus et artic[u]lus libelli al[ia]s ex sua p[ar]te con Joham Castle¹⁷ dat et oblat sequit[ur]./

Deposition 1

Johannes Fry¹⁴ p[ar]ochie de Westpennard in Com[itat]us Som[er]s[et] husband[man]¹ ubi mora[m] trapit a nativitate ib[um] oriundus et natus. etatis lxxvi Annor[es] libere Condi[i]o[n]is testis p[ro]ductus admiss &c. et primo exa[m]i[n]atus de noticia p[ar]tiu[m] dicit se novisse, Alicia Illury p[er] spaci[u]m xii Annor[es] ant eo circit[er]: et Jo[h]an Castle p[er] spaci[u]m xl. Annor[es] ut dicit bene novit.

Sup[er] p[ri]mo artic[u]lo libelli exa[m]i[n]atus dicit q[uo]d refert se ad iura./

Sup[er] secundo dicit et deponit: That aboute Midsomer² Laste paste before this his examinac[i]on ut modo recolit, et tempus et die[m] al[ite]r p[er]fecte no[n] recordat[ur], This deponent happened to be in the Churchyard of the p[ar]ishe Church of Westpennard wher and when was also p[rese]nte w[i]th this Jurate the articulated Richard Illury Johane Casttle John Gremsteede Willyam Rawlins and Thom[as] Lane w[i]th div[er]s oth[er]s whose names he reme[m]breth not wher and when emonge oth[er] Co[m]munication by and betweene the said Richard Illary and Jone Castle had he this deponent first hard the said Richard Illary utter and say unto

the said Jone Castle upon an abuse geven first by thee I have said the wordes w[hi]ch willingli I would not say; then she asked him what she had said of him or spoken of him or his wief who answered her saying thow saidest that my wief Alice Illury was a whore³ and that she had Layne w[i]th Robert Whitte x. nights before she was married to me: then quoth the said Jone Castle, so Elizabeth Champion tolde me. p[rese]nte then and ther the p[ar]ties before named ut dicit et al[ite]r nescit depon[er]e.

Sup[er] tertio nescit depon[er]e.

Sup[er] quarto deponit ead de veru[m]

Sup[er] ult deponit q[uo]d p[re]depo[s]ita p[er] eu[m] sunt vera &c et fama Laborure &c

^his mark^⁵

Deposition 2

Johannes Gremsteede¹⁴ p[ar]ochie de Westpennard in Com[itat]us Som[er]s[e]t husbandma[n]¹ ubi natus, ac mora[m] ubi trapit a nativitate: etatis lvii Annor[es] ant de circit[er] libere Condi[i]o[n]is testis p[ro]ductus admittit et juratus et exa[m]i[n]atus de noticia p[ar]tiu[m] dicit se novisse Alicia Illury p[er] spaci[u]m xviii Annor[es] et Jo[h]am Castle p[er] spaci[u]m xxx Annor[es] ut dicit bene novit./

Sup[er] p[ri]mo artic[u]lo libelli exa[m]i[n]atus dicit et deponit q[uo]d refert se ad iura /

Sup[er] secundo deponit that upon a sonday happeninge aboute midsom[er]² laste paste before this his examinac[i]on ut modo recolit et tempus et die[m] al[ite]r p[er]fecte no[n] recordat[ur], this deponent happened to be in the Churchyard of the p[ar]ishe Church of Westpennard wher and when were also p[rese]nte Richard Illury and Johane Castle togeth[er] w[i]th John Fry this deponents p[re]conteste¹⁶ Thom[as] Lane w[i]th oth[er]s whose names he reme[m]breth not. Wher and when emonge div[er]s speachis and talke had betweene the said Richard Castle Illury and Jone Castle, he this deponent hard the said Richard Illury say unto the said Jone Castle these wordes following: viz The wordes w[hi]ch thow hast spoken by me and my wief hath ronged me to speake that w[hi]ch willingly I would not speake, Why quoth she what have I spoken then he answered thow saidest that my wief was a whore³, and that she had laine x. nightes w[i]th Robert Whitte before she was married to me then the said Jone Castle said yea marry¹⁵ so Elizabeth Champion tolde me p[rese]nte then and ther the p[ar]tes above named: et al[ite]r nescit depon[er]e

Sup[er] tertio nescit depon[er]e.

Sup[er] quarto deponit ead de veru[m].

Sup[er] quinto deponit q[uo]d p[re]depo[s]ita p[er] eu[m] sunt vera &c et fama laborare &c.

J ^his mark⁵

Deposition 3

Will[ia]m[u]s Rawlins¹⁴ p[ar]ochie de Westpennard in Com[itat]us Som[er]s[et] husbandman¹ ubi natus, ac mora[m] trapit a nativitate sua: duobus Annis exceptis, etatis lxxiii Annor[es] libere Condic[i]o[n]is testis p[ro]ductus Admiss &c et p[ri]mo exa[m]i[n]atus de noticia p[ar]tiu[m] dicit q[uo]d novit Alicia Illury p[er] spaci[u]m xxte Annor[es] et Jo[h]an Castle p[er] spaiuc[m] xx Annor[es] ut dicit bene novit./

Sup[er] p[ri]mo exa[m]i[n]atus dicit et q[uo]d refert se ad iura.

Sup[er] secundo dicit et deponit That uppon a sonday happeninge aboute midsom[er]² laste paste before this his examinac[i]on ut modo recolit et tempus et diem al[ite]r p[er]fecte no[n] recordat[ur] in the Churchyard of the p[ar]ishe Church of Westpennard this deponent happened to be p[er]sonally p[re]sente to and w[i]th the articulated Richard Illury and Jone Castle, together w[i]th John Fry John Gremsted this deponentes p[re]conteste¹⁶ and also Thomas Lane w[i]th div[er]s oth[er]s whose names he reme[m]breth not wher and when uppon div[er]s and sun speacheis had and uttered by and betweene the said Richard Illury and Jone Castle, he this deponent hard the said Richard Illary saie firste unto Jone Castle these wordes followinge viz yo Charged [...] my wief very farr, why quoth she what have I said of yo[u]r wief then he answered and said yo[u] said that my wief was a whore³, and that she had Layne w[i]th Robert Whitte x, nightes before she was married unto me, (yea marry¹⁵ quoth she) so Elizabeth Champion tolde me, p[re]sente then and ther the p[ar]ties above named. ut dicit et al[ite]r nescit depon[er]e

Sup[er] tertio nescit depon[er]e.

Sup[er] quarto deponit ead et veru[m]

Sup[er] quinto deponit ead[em] p[re]depo[s]ita p[er] eu[m] de veru[m] &c et fama Laborure &c.

X ^his mark⁵

Deposition 4

Thom[a]s Lane¹⁴ p[ar]ochie de Powlton in Com[itatus] Som[er]s[e]t husband[man]¹ ubi mora[m] trapit p[er] spaci[u]m xxiiii Annor[es] et antea ap[ud] Priddy ubi natus: etatis I Annor[es] libere Condi[i]o[n]is testis p[ro]ductus &c et primo exa[m]i[n]atus de noticia p[ar]tiu[m] dicit se novisse Alicia Illary p[er] spaci[u]m xvi Annor[es] et Jo[h]am Castle p[er] consimile tempus ut dicit bene novit./

Sup[er] p[ri]mo artic[u]lo libelli exa[m]i[n]atus dicit et deponit q[uo]d refert se ad iura.

Sup[er] secundo dicit et deponit That uppon a sonday happeninge aboute midsom[er]² laste paste before this his examinac[i]on ut modo recolit et tempus al[ite]r p[er]fecte no[n] recordat[ur]: This deponent happened to be in the Churchyard of the p[ar]ishe Church of Westpennard w[i]th Richard Illury and Jone Castle, together w[i]th John Fry John Gremsteede and Willyam Rawlins this deponentes p[re]conteste¹⁶, w[i]th oth[er] whose names he reme[m]breth not: wher and when this depon[en]t amonge many other wordes uttered betweene the said Richard Castle Illury and Jone Castle hurd the said Richard Illury say unto the said Jone Castle, thow haste Caused me to recite and utter more wordes then willingly I woulde: why quoth she what have I donne or said: then he answered thow saydeste that my wief was a whore³ and that she had layne x nightes w[i]th Rob[er]te Whitte before she was married noe Marry for [...] quoth she, I said not that she was a whore but I said that she had layne w[i]th Rob[er]te Whitte x nightes before she was married⁶, as Elizabeth Champion tolde and said unto me: p[re]sente then and ther the p[ar]ties above named, ut dicit et al[ite]r nescit depon[er]e./

Sup[er] tertio nescit depon[er]e.

Sup[er] quarto deponit ead de veru[m].

Sup[er] quinto deponit q[uo]d p[re]depo[s]ita p[er] eu[m] sunt vera &c et fama &c

By Thomas Lane⁵

Deposition 5

Examinac[i]o[n] testi[moniu]m ex p[ar]te Richi Illury sup[er] excep[tion]ibus eins p[ro]duct facte sequit[ur].⁷

Will[ia]m[u]s Champion p[ar]ochie de West pennard in Com[itatus] Som[er]s[e]t husband[man]¹ ubi mora[m] trapit a nativitate ib[um] natus et oriundus etatis xlviij ant de circiter libere Condi[ion]is testis p[ro]ductus admiss &c et primo exa[m]i[n]atus

de notari p[ar]tiu[m] dicit q[uo]d novit Rich[ardu]m Illury p[er] spaci[u]m duor[es] Annor[es] et ante et Joham Castle p[er] spaci[u]m xxx Annor[es] ut dicit bene novit./

Sup[er] primo et secundo nescit depon[er]e sed refert se ad d[i]c[t]u[m] et depo[sicio]nes testi[moniu]m ex p[ar]te Castle p[ro]duct et exa[m]i[n]ator./

Sup[er] tertio nescit depon[er]e./

Sup[er] quarto deponit That the articluted John Priddy was household servant⁸ unto the articluted Jone Castle by the space of one whole yere that is to say from the feast of St michaell laste paste was xii monethes, untill michaelmas laste², and then he departed from her, et reddend cum scie[n] sue dicit et deponit that he this jurate was by all that tyme and at this p[rese]nte is the next neughbour unto the said Jone Castle (excepte one) viz Richard Illury articluted and by all the said space, or oughten tymes w[i]thin the said space did and hath seene the said John Priddy doinge of the necessary busynes and worke of the said Jone, that is to say drivinge of her Cattell to and froe, and mowinge of her grasse in the Somer tyme.⁹ / And furth[er] saith that the articluted Mary Bower from Easter Wednesday laste untill Michaelmas laste² was dwellinge w[i]th the said Jone Castle and did by all the said space suche necessary busynes as was ther to be donne¹⁰, et reddend cum scie[n] sue dicit et deponit ut sup[er]. And that he hath oughten tymes w[i]thin the said space seene her goe aboute her dames¹¹ busynes and sawe her Comi[n]ge and goinge to the said Jone Castle her house as her servante et al[ite]r nescit depon[er]e but not in Covennente w[i]th her¹² as the said Mary hath confessed unto hym, this depone[n] et al[ite]r nescit

Sup[er] quinto deponit That w[i]thin the p[ar]ishe of West Pennard the articluted Mary Bower is accompted reputed and taken for a woman of little or noe welth at all, and of noe Creditt or estimac[i]on but this depon[er]t taketh her to be an honest woman¹³ et al[ite]r nescit depon[er]e./

Sup[er] sexto deponit q[uo]d p[re]depo[s]ita p[er] eu[m] sunt vera &c et fama[m] Laborare &c /

^his mark⁵

Deposition 6

Will[ia]mus Maple p[ar]ochie de West pennard in Com[itat]us Som[er]s[e]t husband[man]¹ ubi mora[m] trapit a nativitate ib[us] oriundus etatis xl Annor[es] ant de circit[er] libere Condi[ct]io[n]is testis p[ro]duct admiss jurat &c et p[ri]mo exa[m]i[n]atus de noticia p[ar]tiu[m] dicit q[uo]d novit Rich[ardu]m Illary p[er]

spaciu[m] unus Ann et dimid[ius], et Jo[h]am Castle p[er] spaciu[m] xx Annor[es] et ultra ut dicit bene novit./

Sup[er] p[ri]mo et secundo deponit et Concordat cu[m]preconteste¹⁶ s[ui]s./

Sup[er] tertio nescit depon[er]e./

Sup[er] quarto deponit that the articluted John Priddy by the space of xii monethes viz from michelmas laste paste was xii monethes unto Michaelmas laste² and then departed from her was household s[er]vante⁸ unto the articluted Jone Castle, and at michaelmas last he dep[ar]ted from her: et reddend cam scie[n] sue dicit et deponit that by all the moste p[ar]te of the said space he beinge a p[ar]ishoner of West pennard and dwellinge w[i]thin half a quarter of a mile unto the said Jone Castle hath seene the said John Priddy do suche necessary busynes as she had to doe, viz in goinge w[i]th her plowe and in the som[er] tyme makinge of her hay and all oth[er] necessary busynes to be donne⁹ by suche a s[er]vannte or hyne⁴. And furth[er] saith that the articluted Mary Bower was from easter Wednesday untill after michaelmas laste² in the house of the said Jone Castle and did by all the said space doe suche Covenient worke and busynes as was by her to be donne as a s[er]vannte¹⁰, but not beinge in Covenante w[i]th her¹² as she her self hath Confessed unto this deponent: et reddend cum scie[n] sue dicit et deponit ut sup[er]./

Sup[er] quinto deponit That w[i]thin the p[ar]ishe of West pennard she the articluted Mary Bowre is accompted and taken for a very poore wenche and not reckoned to be of Creditt sufficient to take an othe. yet reputed and [sic] honest maiden¹³ et al[ite]r nescit depon[er]e /

Sup[er] ult deponit q[uo]d p[re]depo[s]ita p[er] eu[m] sunt vera &c et famam laborare &c./

^his mark^⁵

Modernized Spelling Transcription

^10 December 1584^

Examinations on the part of Alice Illary named in the articles of the libel against Joan Castle¹⁷, given and offered as follows:

Deposition 1

John Fry¹⁴ of the parish of West Pennard in the county of Somerset, husbandman¹, where he has lived since birth and where he was born, 76 years old. Produced as a free witness and at first examination has known Alice Illary for twelve years and Joan Castle for the space of 40 years and knows them well.

To the first article of the libel he says he refers himself to the law.

To the second he says and deposes that about Midsummer last past² before this his examination, the day and time he does not recall perfectly, this deponent happened to be in the churchyard of the parish church of West Pennard, where and when was also present with this witness the articulated Richard Illary, Joan Castle, John Gremsted, William Rawlins and Thomas Lane with diverse others whose names he remembers not. Where and when among other communication by and between the said Richard Illary and Joan Castle had, he this deponent first heard the said Richard Illary utter and say unto the said Joan Castle upon an abuse given first by her: 'I have said the words which willingly I would not say'. Then she asked him what she had said of him or spoken of him or his wife. Who answered her saying: 'you say that my wife Alice Illary was a whore³ and that she had lay with Robert Whitte ten nights before she was married to me'. Then said the said Joan Castle: 'so Elizabeth Champion told me'. Present then and there, the parties before named as he says and otherwise he knows nothing.

To the third he knows nothing.

The fourth he deposes that it is true.

To the final he deposes that what he has deposed is true and as reported.

^his mark^⁵

Deposition 2

John Gremsted¹⁴ of the parish of West Pennard in the county of Somerset, husbandman¹, where he was born and where he has lived since birth, 57 years old. Produced as a free witness and at first examination has known Alice Illary and Joan Castle for the space of 30 years and knows them well.

To the first article of the libel he says he refers to his oath.

To the second he deposes that upon a Sunday happening about Midsummer last past² before this his examination, the day and time he does not recall perfectly, this

deponent happened to be in the churchyard of the parish church of West Pennard, where and when were also present Richard Illary and Joan Castle together with John Fry, this deponent's precontest¹⁶, Thomas Lane with others whose names he remembers not. Where and when, among diverse speeches and talk had between the said Richard Castle Illary and Joan Castle, he this deponent heard the said Richard Illary say unto the said Joan Castle these words following, viz: 'The words which you have spoken by me and my wife has wronged me to speak that which willingly I would not speak'. 'Why,' said she, 'what have I spoken then?' He answered: 'you said that my wife was a whore³, and that she had lay ten nights with Robert Whitte before she was married to me.' Then the said Joan Castle said 'yes, marry¹⁵, so Elizabeth Champion told me'. Present then and there the parties above named and otherwise he knows nothing.

To the third he knows nothing.

The fourth he deposes that it is true.

To the last he deposes that what he has deposed is true and as reported.

J ^his mark⁵

Deposition 3

William Rawlins¹⁴ of the parish of West Pennard in the county of Somerset, husbandman¹, where he was born and has lived since birth (except for two years), 64 years old. Produced as a free witness and at first examination has known Alice Illary for the space of 20 years and Joan Castle for the space of 40 years and knows them well.

To the first article of the libel he says he refers himself to the law.

To the second he says and deposes that upon a Sunday happening about Midsummer last past² before this his examination, the day and time he does not recall perfectly, in the churchyard of the parish church of West Pennard this deponent happened to be personally present to and with the articulated Richard Illary and Joan Castle together with John Fry, John Gremsted, this deponent's precontest¹⁶, and also Thomas Lane with diverse others whose names he remembers not. Where and when upon diverse and sun speeches had and uttered by and between the said Richard Illary and Joan Castle, he this deponent heard the said Richard Illary say first unto Joan Castle these words following, viz: 'you charge [...] my wife very far'. 'Why,' said she, 'what have I said of your wife?' Then he answered and said: 'you said that my wife was a whore³, and that she had lay with

Robert Whitte ten nights before she was married unto me'. 'Yea marry,'¹⁵ said she, 'so Elizabeth Champion told me.' Present then and there the parties above named and otherwise he knows nothing.

To the third he knows nothing.

The fourth he deposes that it is true.

To the fifth he deposes that what he has deposed is true and as reported.

X ^his mark⁵

Deposition 4

Thomas Lane¹⁴ of the parish of Pilton in the county of Somerset, husbandman¹, where he has lived for the space of 24 years. And before he lived in Priddy where he was born, age 50. Produced as a free witness and at first examination has known Alice Illary for the space of 16 years and Joan Castle for a similar time and knows them well.

To the first article of the libel he says he refers himself to the law.

To the second he says and deposes that upon a Sunday happening about Midsummer last past² before this his examination, the day and time he does not recall perfectly: this deponent happened to be in the churchyard of the parish church of West Pennard with Richard Illary and Joan Castle, together with John Fry, John Gremsted and William Rawlins, this deponent's precontest¹⁶, with others whose names he remembers not. Where and when this deponent, among many other words uttered between the said Richard Castle Illary and Joan Castle, heard the said Richard Illary say unto the said Joan Castle: 'you have caused me to recite and utter more words than willingly I would'. 'Why,' said she, 'what have I done or said?' Then he answered: 'you said that my wife was a whore³ and that she had lay ten nights with Robert Whitte before she was married'. 'No Marry for[...],' said she, 'I said not that she was a whore³ but I said that she had lay with Robert Whitte ten nights before she was married⁶, as Elizabeth Champion told and said unto me'. Present then and there the parties above named and otherwise he knows nothing.

To the third he knows nothing.

The fourth he deposes is true.

To the fifth he deposes that what he has deposed is true and as reported.

By Thomas Lane⁵

Deposition 5

Examinations on the part of Richard Illary, exceptions in the trial given and offered as follows:⁷

William Champion of the parish of West Pennard in the county of Somerset, husbandman¹, where he has lived since birth and where he was born, age 48. Produced as a free witness and at first examination he has known Richard Illary for the space of two years and Joan Castle for the space of 30 years and knows them well.

To the first and second he knows nothing and refers himself to the depositions of the witnesses on the part of Castle produced and examined.

To the third he knows nothing.

To the fourth he deposes that the articulated John Priddy was household servant⁸ unto the articulated Joan Castle by the space of one whole year, that is to say from the feast of St Michael last past was twelve months [ago], until Michaelmas last² and then he departed from her. And he knows this because he says and deposes that he, this witness, was by all that time and at this present is the next neighbour unto the said Joan Castle (except one) viz. Richard Illary articulated. And by all the said space, or often times within the said space, did and has seen the said John Priddy doing of the necessary business and work of the said Joan, that is to say driving of her cattle to and fro, and mowing of her grass in the Summer time⁹. And further says that the articulated Mary Bower from Easter Wednesday last until Michaelmas last² was dwelling with the said Joan Castle and did by all the said space such necessary business as was there to be done¹⁰. And he knows this as he says and deposes. And that he has often times within the said space seen her go about her dame's¹¹ business and saw her coming and going to the said Joan Castle her house as her servant and otherwise he knows nothing but not in covenant with her¹² as the said Mary has confessed unto him and otherwise he knows nothing.

To the fifth he deposes that within the parish of West Pennard, the articulated Mary Bower is accounted, reputed and taken for a woman of little or no worth at all and of no credit or estimation but this deponent takes her to be an honest woman¹³ and otherwise he knows nothing.

To the sixth he deposes that what he has deposed is true and as reported.

^his mark^5

Deposition 6

William Maple of the parish of West Pennard in the county of Somerset, husbandman¹, where he was born and has lived since birth, age 40. Produced as a free witness and at first examination he has known Richard Illary for the space of one and a half years and Joan Castle for the space of 20 years and knows them well.

To the first and second he agrees with his precontest.¹⁶

To the third he knows nothing.

To the fourth he deposes that the articulated John Priddy by the space of 12 months viz. from Michaelmas last past was twelve months unto Michaelmas last² and then departed from her was household servant⁸ unto the articulated Joan Castle, and at Michaelmas last² he departed from her. And he knows this because he says and deposes that by all the most part of the said space, he being a parishioner of West Pennard and dwelling within half a quarter of a mile unto the said Joan Castle, has seen the said John Priddy do such necessary business as she had to do, viz. in going with her plough and in the Summertime making of her hay and all other necessary business to be done⁹ by such a servant or hind.⁴ And further says that the articulated Mary Bower was from Easter Wednesday until after Michaelmas last² in the house of the said Joan Castle and did by all the said space do such convenient work and business as was by her to be done as a servant¹⁰, but not being in covenant with her¹² as she herself has confessed unto this deponent. And he knows this as he says and deposes.

To the fifth he deposes that within the parish of West Pennard she, the articulated Mary Bower, is accounted and taken for a very poor wench and not reckoned to be of credit sufficient to take an oath yet reputed an honest maiden¹³ and otherwise he knows nothing.

To the final he deposes that what he has deposed is true and as reported.

^his mark^5

Notes

¹ (gloss) A husbandman is an agricultural worker. 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.

² (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).

³ (technicalities of the court) 'Whore' was an actionable word in the church courts.

⁴ (gloss) 'Hind' is another word for a (farm) servant.

⁵ (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).

⁶ (interpretation) Thomas Lane's testimony differs from those given by other witnesses. His account raises the question of whether Joan Castle specifically called Richard Illary's wife a whore. This evidence highlights the importance of studying depositions as carefully constructed narratives rather than as unmediated accounts of events.

⁷ (technicalities of the court) Exceptions to witnesses: witnesses were produced by Richard Illary to raise 'exceptions' or issues with the witnesses produced by Joan Castle (see Case 3.2.)

⁸ (interpretation) As Joan Castle's servant, John Priddy's testimony might be discredited, as he was dependent on Joan for food, drink, lodging and wages.

⁹ (interpretation) The tasks that a male servant might be expected to perform here relate predominantly to husbandry.

¹⁰ (interpretation) The tasks that a female servant might be expected to perform here are non-specific.

¹¹ (gloss) 'Dame' is used to denote a female employer.

¹² (interpretation) Mary's employment in service was casual as she was not a covenant servant (i.e. a servant with a contract).

¹³ (technicalities of the court) Statement of worth: in interrogatory questioning, witnesses were often asked to state how much they (or another witness) were worth (all debts paid). The question was designed to discredit witnesses based on their economic value. Reputation and credibility was linked to economic wealth; those of higher social status and wealth were presumed to be more trustworthy. Some described their worth as a cash value, some in terms of the goods they owned and others talked about their worth in much broader terms (e.g. 'not much worth').

¹⁴ (interpretation) The same witness is produced by both parties (see Case 3.2).

¹⁵ (gloss) 'Marry' acts as a discourse marker here, often used to express surprise.

¹⁶ (technicalities of the court) The words 'contest' or 'precontest' were used to refer to someone who was also a witness and had given a testimony in the same case.

¹⁷ (technicalities of the court) This is a dispute between private parties, known in the church courts as an instance suit.

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