

## Witchcraft, the Press and Crime in Ireland, 1822 to 1922.

Andrew Sneddon and John Fulton

*Ulster University*

*Abstract. Drawing on witchcraft cases reported in newspapers and coming before Ireland's courts, this article argues that witch belief remained part of Protestant and Catholic popular culture throughout the long Nineteenth century. It is shown that witchcraft belief followed patterns established in the late eighteenth-century and occasioned accusations that arose from interpersonal tensions rather than sectarian conflict. From this study, a complex picture emerges of the Irish witch and their 'victims', who are respectively seen to have fought accusation and bewitchment using legal, magical, physical and verbal means. In doing so, the contexts are revealed in which witchcraft was linked to other crimes such as assault, slander, theft, and fraud in an era of expansion of courts and policing. This illustrates how Irish people adapted to legal changes while maintaining traditional beliefs, and suggests that witchcraft is an overlooked context in which interpersonal violence was exerted and petty crime committed. Finally, popular and elite cultural divides are explored through the attitudes of the press and legal authorities to witchcraft allegations, and an important point of comparison for studies of witchcraft and magic in modern Europe is established.*

Historians have established that Ireland hosted only a handful of the witchcraft trials that claimed 40-50,000 lives in later medieval and early modern Europe, with the last trial in Ireland being held in Carrickfergus, Co. Antrim in 1711.<sup>1</sup> More recently, research has focused on belief and a distinct butter-witch figure is seen to have predominated in early modern, Catholic, Gaelic-Irish culture. Divest of Satanic connotation, butter-witches transferred the goodness from their neighbour's butter to their own using sympathetic magic, or stole milk directly from the cow by transmogrifying into a hare, usually on May Eve or May Day. Witches in seventeenth-century Protestant settler communities were thought to harm and kill humans and livestock, often in concert with Satan. During the long eighteenth century, Irish belief in witchcraft became less polarised across denominational lines. Cultural cross-fertilisation saw Gaelic-Irish culture absorb notions of witchcraft associated up until that point with Protestants, and vice versa: Catholics now saw witches as a threat to life and limb as well as to agricultural produce, and the idea of the butter-witch began to flavour Protestant conceptions of witchcraft.<sup>2</sup> By the mid-eighteenth century, the elite of the Irish Anglican

Ascendancy, if not ordinary Protestants, began to distance themselves from witchcraft, which they characterised as superstitious, vulgar and irrational and thus at odds with the values and outlook of rational, enlightened, civil society. This change in outlook allowed the 1586 Irish Witchcraft Act, (Eliz. I, 1586, 2 [Ire.]) to be repealed easily in early 1821 (Geo. IV, 1821, 204 [Ire.]).<sup>3</sup> This picture of Irish decline fits well into wider European trends, where witch prosecutions and executions declined in the late Seventeenth and Eighteenth century, albeit at different times and different rates, followed by widespread elite rejection of belief in witchcraft.<sup>4</sup>

In contrast to the Eighteenth century, there has been little recent work on witchcraft in later nineteenth and early twentieth-century Ireland. Existing historiography however has agreed that belief in witchcraft, along with that of fairies, declined sharply in majority, Catholic culture after the Great Famine of the 1840s. This decline has been explained variously by demographic, economic, and religious transformation, including emigration and urbanisation, and an attendant reconfiguration of Irish rural life, customs, language, folklore, rituals and beliefs. Together these developments removed the cultural and intellectual context in which belief in witchcraft thrived.<sup>5</sup> Prominent in this historiography was the idea of a female Irish witch figure, derived largely from research on folklore and antiquarian sources, who, although ubiquitous, was nevertheless nameless and impersonal and of limited, perceived threat.<sup>6</sup> Similarly, the small amount of research dedicated to witchcraft in Protestant Ireland suggests that it declined among ordinary Presbyterians in the 1830s, when wider religious, social and economic pressures eroded traditional customary activity, beliefs and practices.<sup>7</sup> Most research on the Protestant supernatural has concentrated instead on antiquarian and literary elites such as Thomas Crofton Croker and Gerald Griffins, who, from the 1820s onwards, charted the wider beliefs of the Irish peasantry as part of a wider programme to capture the folklore of a (perceived) vanishing culture. These early works were

revitalized and reshaped during the Irish Revival (between 1880s and the 1920s) by key figures such as Isabella, Lady Gregory and William Butler Yeats, as part of a reassertion of individual and national identity.<sup>8</sup>

This article challenges many of these historiographical orthodoxies by focusing on witchcraft in both Protestant and Catholic communities in the period 1822 to 1922. It demonstrates that ordinary people in Ireland continued to believe in witchcraft and popular magic up to partition and that this generated witchcraft accusations arising from socio-economic struggles rather than sectarian differences. A fuller picture of the nineteenth-century Irish witch is also established, revealing their names, gender,<sup>9</sup> and religion, with the type of witchcraft they were accused of shown to be continuation of eighteenth-century patterns. The reactions of suspected witches and their families to accusations is charted for the first time, along with the physical, verbal, magical and legal means employed by ‘victims’ to counter magical attacks. This reveals the contexts in which witchcraft was linked to other crimes such as assault, slander, theft, fraud in an era of expansion of courts and policing. This allows us to better understand how people adapted to legal changes while maintaining traditional beliefs, and reveals witchcraft to be an overlooked context in which interpersonal violence was exerted and petty crime committed. Finally, educated elite and popular cultural divides are explored through the attitudes of the press and legal authorities toward continuing belief in witchcraft.

By exploring the social-economic contexts of Irish witchcraft, and the way it was reported by journalists and handled by judiciaries, this article provides an important point of comparison of witchcraft and magic elsewhere in contemporary Europe, specifically, England. Belief in harmful witchcraft continued in England up until the early twentieth century, giving rise to accusations and physical and verbal attacks on suspected witches, culminating in court cases alleging assault and slander. Such cases provided a sharp reminder

to elites of the inconvenient truth of continuing belief in witchcraft.<sup>10</sup> English witchcraft also offers an important counterpoint to Ireland because although the countries shared, from the early Seventeenth century onwards, similar systems of legal administration, criminal prosecution, law enforcement, and common law precepts,<sup>11</sup> they nevertheless experienced modernity very differently. Nineteenth and twentieth-century Ireland remained predominantly Catholic (a denomination in resurgence after 1829), rural, (although it was urbanizing), and economically dependent on agriculture. Ireland's population levels plummeted during and after the Great Famine from death from hunger and disease and emigration, while sectarian and political divisions deepened as revolutionary nationalism took hold in the 1860s and the civil unrest of the Land War unfolded in the decades that followed. In 1922, partition created two separate jurisdictions on the island of Ireland.<sup>12</sup>

## i

This exploration of Irish witchcraft is based on an examination of criminal allegations coming before the courts that originated in a suspicion or accusation of witchcraft. These cases have been identified using digitized and hardcopy newspaper court reports.<sup>13</sup> Newspapers, (reports, editorials, and advertisements), are acknowledged as an important but underutilised source for studying modern, popular magical belief and practices, including witchcraft, at first hand, in their wider social context, at both a regional and national level.<sup>14</sup> Court reporting nevertheless is only indicative of the frequency to which witchcraft cases came before Irish judiciaries. Specific journalistic taste and editorial policy ensured that only an unknown sample of criminal cases were detailed in newspapers.<sup>15</sup> Crucially, not all criminal acts involving witchcraft were reported to authorities, nor were all accusations acted upon.<sup>16</sup> Irish court reporting has been supplemented here with extant legal, criminal and court records; a task made extremely difficult after the mass destruction of legal records in the Four

Courts fire of 1922. A small amount of prison registers and petty session order books survive for the later Nineteenth century, albeit in a temporally and geographically uneven spread, along with some records from the quarter sessions and assize courts.<sup>17</sup>

In common with their counterparts in England,<sup>18</sup> continuing popular belief in witchcraft was rarely reported in eighteenth-century Irish newspapers, which were typically light on local news and catered for English-speaking urban elites who regarded witchcraft as culturally distasteful.<sup>19</sup> The Nineteenth century in Ireland on the other hand witnessed the rise of the provincial newspaper and an increase in numbers of professional journalists. This expansion was facilitated by an increase in Catholic and plebeian readership, (encouraged by earlier, rapid diffusion of the English language, rising literacy rates and the establishment of a national school system), innovations in printing technology, the abolition of newspaper taxes after 1855, increased advertising, and an improved communication and distribution network made possible by the extension of railways and telegraphy.<sup>20</sup> Operating in a period of almost continual political upheaval and turmoil, nineteenth-century Irish 'journalists worked as professional recorders of these events, working for a politicised press and a tradition of political engagement into the twentieth century, not unlike the journalism in Europe'.<sup>21</sup>

The nineteenth-century century also saw Irish 'policing and prosecution' become increasingly 'centralised and professionalised'.<sup>22</sup> Along with wider legal, structural and attitudinal changes, this made it easier for ordinary people to report crime to the authorities. The establishment of regional and metropolitan police forces early in the century, the extension of police courts and the formal legislative establishment of petty sessions in 1827, provided swift summary justice, (in that they officiated without a jury and not only decided on a verdict but passed sentence), and drastically reduced the cost of litigation. This occurred at a time when use of higher and lower Irish courts were increasingly seen as an effective and legitimate means of defending one's interests. In the second half of the Nineteenth century,

members of the Royal Irish Constabulary became increasingly representative of the population at large, were embedded in the communities they served, and were actively encouraged to listen to, and engage with local gossip.<sup>23</sup> Once more in line with England,<sup>24</sup> these developments provided nineteenth-century Irish newspapermen, both Catholic and Protestant, with more scope for court reporting, which they increasingly saw as prime journalistic fodder.<sup>25</sup> Witchcraft cases were particularly attractive to court reporters as examples of the 'amusing, tragic or gruesome' stories with which they entertained their readership.<sup>26</sup>

To appeal to a wider provincial middle class readership, English journalists in the mid-nineteenth century adopted a combative editorial line against popular 'superstition', including witchcraft.<sup>27</sup> In a similar fashion, Irish court reportage cases mocked continued belief in witchcraft, which had been linked in Irish elite culture and commentary to lower-class superstition since the mid-eighteenth century. There was no obvious anti-Catholic sub-text to Irish animus to witchcraft as it appeared in both Nationalist and Unionist newspapers, and in contrast to mid nineteenth-century England,<sup>28</sup> it lacked ecclesiastical impulse or direction. Both majority and minority Churches in Ireland, including Catholic, Presbyterian, Methodist, and the Church of Ireland, remained largely silent on witchcraft throughout the nineteenth century, neither condemning nor condoning it. Although the later nineteenth century was a period of Protestant and Catholic religious revival and renewal, belief in witchcraft and magic was not as a result recognisably marginalised within popular culture.<sup>29</sup> In the very late nineteenth and early twentieth-century, English elite culture began to accept once vilified, unorthodox popular supernatural beliefs such as fortune-telling, and displayed a greater tolerance towards popular ghost and witchcraft belief.<sup>30</sup> Furthermore, research is needed to ascertain the extent to which this occurred in Ireland, but what is certain is that any re-enchantment of Irish elite culture did not include witchcraft.

Continued belief in witchcraft was mocked in Irish court reportage using a number of common journalistic strategies, the first of which was the sensationalist headline.<sup>31</sup> In July 1844, the *Waterford Chronicle* amused its readers with an article entitled, 'RIDICULOUS EXHIBITION', that reported that the secretary of the Mayor's court in Kilkenny had delivered an inflammatory, sworn affidavit to a local magistrate.<sup>32</sup> The affidavit had been lodged by Bryan Sweeney in an attempt to absolve Ellen Stapleton of Muckalee, Co. Kilkenny, who had been accused of stealing butter using witchcraft by a local farmer, James McCann.<sup>33</sup> The newspaper condemned the secretary 'for even listening to the fooleries of Bryan Sweeney' and suggested that his 'extra-drawing up of the affidavit' was 'sufficient to confirm the ignoramus or idiot in his ridiculous belief'.<sup>34</sup> The *Irish Times* of July 1879, in an article headlined 'SURVIVALS OF SUPERSTITION', argued that the 'survival in a belief in witchcraft among some of the Irish peasantry' was a 'remarkable' instance of 'human delusion'.<sup>35</sup> In July 1900, the *Kildare Observer* stated that 'the obstinacy of those who do not believe in the witchcraft will be weakened, if not entirely removed, when the news relative to the monstrous transformation and disappearance of a Blessington [Wicklow] chicken is heard'. It then related how a 'respectable resident and trader' upon finding that a chicken cooking in his oven had transformed into a pig's head had reported the matter to the police, whom it mocked were now 'actively engaged in finding the witch [responsible]'.<sup>36</sup>

Irish journalists further ridiculed witchcraft by inserting the word 'laughter' in parenthesis when reporting statements made in court in support of it by "credulous" witnesses. This indicated to their readership that they should view such professions as ridiculous just as the more "rational" members of the court had done.<sup>37</sup> This was a long-established strategy used by Irish court reporters 'to signal the tone of the [court] encounter to a reading public'.<sup>38</sup> Journalists also reported verbatim the words of warning and mockery given in court by magistrates to 'credulous' complainants, defendants and witnesses.<sup>39</sup> It was

also common practice for journalists to lump together a variety of popular magical practices, from magical healing to fortune-telling, under the catchall, pejorative term of ‘witchcraft’.<sup>40</sup> This tactic conveyed the simple message that all supernatural beliefs were as dangerous and superstitious as witchcraft and thus should be rejected by the cultured and right thinking. Contemporary commentators on the Bridget Cleary case, a suspected changeling murdered by her husband and others in 1895 in Co. Tipperary, referred to it as an instance of ‘witchcraft’ rather than a ‘fairy’ attack, as the former was less ambiguous and had a clear association with malevolence and death by burning.<sup>41</sup> Along with court reportage, newspaper editorials also condemned continued ‘superstitious’ belief in witchcraft in Ireland, Britain and the wider world using much the same eighteenth-century enlightenment rhetoric.<sup>42</sup>

## ii

Caveats aside, court reporting provides invaluable insight into Irish witchcraft. A survey of Irish newspapers between 1822 and 1922 has revealed 47 cases of statutory crime involving witchcraft. These cases were initiated by complaints made by both Catholics and Protestants, men and women, far beyond the Famine, in Ireland’s four provinces, and were handled largely by lower courts of summary jurisdiction, resulting in low conviction rates and light sentences. Suspected witches are shown to have been both male and female and were accused of using magic to steal butter and harm livestock and humans. These “court” witches thus differ from the shadowy ‘folkloric’ witches described in existing historiography. However, it is only when a full and systematic comparison is made between “court” witches and those represented in Ireland’s rich national folklore collections and antiquarian writing,<sup>43</sup> which is beyond the scope of this article, will a complete picture of the Irish witch emerge. Such a comparison will also help to ascertain the extent to which folklore shaped and informed how and why people made witchcraft accusations.



Of the 47 identified cases, 33 were brought before petty sessions, 3 before Belfast and Dublin police courts, 5 before quarter sessions, 4 before county assizes, 1 before a mayor's court and 1 at the court of King's Bench. Serious crimes, including murder were heard at county assizes, where proceedings were initiated by indictments of grand juries, trials presided over by professional circuit judges, and verdicts reached by petty juries. Quarter sessions not only tried indictable serious offences by jury but appointed magistrates and barristers to exercise summary jurisdiction in lesser criminal matters. Petty sessions were held on a regular basis all over Ireland usually before an audience of members of the public, and presided over by magistrates, whether traditional, amateur justices of the peace, (JPs), plucked from the ranks of the gentry, stipendiary Regional magistrates, (after 1814), or Special resident magistrates, (after 1881). Irish magistrates involved in petty sessions dealt with local disputes, transferred cases to higher criminal courts, and exercised summary jurisdiction in relation to lesser crimes.<sup>44</sup> When sentencing they were restricted to prison terms of a year or less, (without or with hard labour), imposing fines, (the preference of most nineteenth-century magistrates), requiring sureties of good behaviour, and awarding compensation, legal or medical costs.<sup>45</sup>

The 47 cases involved a total of 64 defendants, charged with arrange of crimes, from theft to assault, (see table 1), and 49 complainants. In those cases where religion can be ascertained, most defendants were Catholic, (31 to 8 Protestants), while Catholic complainants outnumbered Protestants 26 to 9. Where the sex of defendants was recorded, 35 were male and 26 female, while of 49 complainants, 15 were female and 30 male. Defendants were overwhelmingly small farmers, or their siblings or children, representing a total of 52 out of 64 individuals.<sup>46</sup> The cases were spread throughout the four provinces of Ireland, with 19 coming from Ulster, with over half of this number from counties Antrim and Down.<sup>47</sup>

Table 1: Crime involving witchcraft, 1822-1922

Crime	Defendants
Assault	19
Assault and slander	2
Assault and theft	1
Riot and assault	7
Fraud	8
Malicious damage	4
Theft	5
Slander	2
Witchcraft	4
Wounding	1
Intent to wound	2
Drunk disorderly	1
Breach of peace	2
Threats to kill	1
Breach of contract	1
Breach of warranty	1

Trespass	1
Trespass and slander	1
Murder	1

Source: Irish Newspapers, 1822-1922

Defendants involved in witchcraft cases brought before petty sessions enjoyed a high possibility of having their case dismissed or if found guilty being fined or bound over to keep the peace. Of the 33 petty session cases, we know the verdict in 28: 14 dismissals or acquittals, 12 guilty verdicts, and 2 referrals to a higher court. Of the 12 guilty verdicts returned, 6 were fined and/or ordered to pay court costs, 5 were fined and/or bound over, and 1 imprisoned. In contrast, a guilty verdict was returned in 3 out of the 4 cases brought before assize juries. This might be explained by the fact that unlike juries in nineteenth-century political trials, or those involving agrarian unrest,<sup>48</sup> juries in witchcraft cases may not have felt the same social or political pressure to acquit defendants.<sup>49</sup> What becomes clear when we look at the cases in detail is that most magistrates and assize judges were keen where possible to avoid any association with continuing belief by legitimising witchcraft accusation with a guilty verdict or a harsh sentence, except where fraud involving magical practitioners was concerned.

Temporal patterns are also revealing. The years 1821 to 1850 saw 6 witchcraft court cases, rising to a height of 18 in the period 1850 to 1875, before dropping slightly to 14 between 1875 and 1900, and then to 9 between 1900 and 1922. In other words, eighty-seven per cent of the identified cases are in the post-Famine period; a pattern of accusation broadly conforming with recent studies of England.<sup>50</sup> This increase in Irish witchcraft cases in the second half of the century may arguably be explained by the fact that the Irish press were

increasingly turning in that period to the petty sessions for stories as it became an increasingly important part of the local criminal justice system.<sup>51</sup>

In the 47 cases, 49 individuals were accused of practising witchcraft, 10 of whom went unnamed, mainly because they were mentioned only briefly in prosecutions focused on cunning-folk. The sex is known of named Irish 'witches' in 39 instances, (22 women, 17 men), and the religion in 26 cases, (21 Catholics, 5 Protestants). Irish witches were variously accused of bewitching humans and livestock, and magically stealing milk or butter, (24 individuals); harming livestock using a range of magical means, (6 individuals); harming humans (11 individuals); destroying crops, (1 person); and using unspecified magic for evil intent, (7 individuals). Cunning-folk were male and female, commercial, multifarious, magical practitioners found all over Europe from the medieval to the modern period.<sup>52</sup> Late into the late Nineteenth century, Irish cunning-folk offered clients, drawn mostly but not exclusively from the rural poor, a range of magical services, including the detection of lost or stolen goods, fortune-telling, and the provision of herbal remedies and apotropaic and counter-magic to thwart witch and fairy attack. Along with fortune-tellers, cunning-folk were increasingly brought before Irish lower courts during the Nineteenth century by disgruntled clients convinced that the services rendered did not match what they had paid for. Cunning-folk and fortune-tellers were often seen by magistrates and judges as fraudsters who preyed on the vulnerable, and thus had to be dealt with using the full weight of the law.<sup>53</sup>

### iii

This quantitative analysis of witch crime can however only tell us so much and thus to place Irish witchcraft in its cultural and socio-economic context, a sample of cases have been analysed according to three main categories of defendant: witchcraft accusers, suspected witches, and cunning-folk. This examination demonstrates that judges and magistrates

regarded witchcraft suspects and their accusers as ignorant and superstitious and were wary of legitimising belief in witchcraft with guilty verdicts. Cunning-folk were regarded as agents of fraud and as a result a harder judicial line was taken against them. The sampled cases also reveal the contexts in which witchcraft accusation was turned into actionable offences, the range of legal, magical physical means used by the bewitched to counter witchcraft, and the importance of the family unit and local reputations in encouraging and fomenting witchcraft accusation. Familial involvement is particularly marked in the cases because witchcraft was regarded as a family problem, as an attack on the family unit and its livelihood. In close-knit communities, the reputations of individuals and households were taken very seriously and when otherwise inexplicable misfortune occurred, past acts of witchcraft were recalled, informing the situation at hand. Consequently, those with a reputation for witchcraft, or linked to a family of reputed witches, were more likely to be accused and/or prosecuted for witchcraft.<sup>54</sup> The cases further demonstrate that suspected witches fought witchcraft accusation using courts, words and fists to restore their name and reputation. More importantly, they confirm that in both Protestant and Catholic nineteenth-century culture witches were thought to harm livestock, produce and humans, just as they had done since the later eighteenth-century. Nevertheless, magical threats to livestock and agricultural produce were taken particularly seriously in rural Ireland in the changed economic circumstances of the later Nineteenth century. The more sparsely populated countryside of post-Famine Ireland saw women increasingly ejected from public roles and paid employment in a context of increasing, restrictive patriarchy, while numbers of male agricultural labourers declined. It also witnessed the emergence of small and larger tenant farmers, the latter of which often benefitted from consolidation of holdings and rising prices. It was these small farmers who levied witchcraft accusations, usually against neighbours of similar economic means, as it was they who found it most difficult to shoulder the economic burden of a bewitched cow or

ruined butter or stolen milk, especially in times of downturn or rising rents.<sup>55</sup> Livestock, in particular cattle, became increasingly important to rural Irish economies as farming, in the wake of disastrous harvests and the Famine that followed, moved toward mixed methods and cattle rearing.<sup>56</sup> Domestic butter making inhabited a key place in Irish economy in the Nineteenth century, at a familial, local and national level, but by the early twentieth century butter production was increasingly standardised and centralised in private and cooperative creameries.<sup>57</sup> These developments reduced the risk to butter production but domestic butter-making remained an uncertain business and its ruin continued to be attributed to witchcraft. Furthermore, as male pastoral farmers became more physically and emotionally involved with the care of livestock in post-Famine Ireland, which was once the sole preserve of women,<sup>58</sup> they became more open to accusations of using witchcraft to harm livestock. In these gendered, often economically uncertain, ever changing communities, it is easy to see how misfortune could be interpreted as witchcraft, feeding on existing interpersonal tensions, grudges, and fears.

In the first category of defendant in witchcraft cases, victims and their friends or families were brought to legal account for taking matters into their own hands against those they believed had used harmful magic against them, their relatives, their livestock or butter and milk. The resulting charges ranged from assault and breach of the peace, to trespass, using threatening language, and malicious damage. Most assaults on suspected witches, or reverse witch trials, were personal in nature and arose after family members confronted a third party whom they knew well and believed had used magic against them. Witch assaults generally followed broader patterns of violent crime in nineteenth-century Ireland. In common with most of Western Europe, Ireland witnessed a decline in interpersonal violence and although it could be a violent place to live it was no more so than other European countries. Nevertheless, domestic violence, cruelty to animals, self-harm, suicide, and assault

were also relatively commonplace in nineteenth-century Ireland. Most violent acts were not rooted in factional, sectarian, or political dispute but directed against friends, neighbours, and family. Violent conflict over inheritance was more marked in the later Nineteenth century when the practice of primogenitor became commonplace. Interpersonal violence also often involved multiple aggressors engaged in ritualised faction fights, recreational, unpremeditated violence bereft of underlying malice, spontaneous outbursts during emotionally charged confrontation, or less frequently from goal-orientated, retaliatory action or instrumental violence. Most altercations involved one man fighting another in recreational violence, drunken brawls, or challenges made and accepted to bolster status or defend honour.<sup>59</sup> This should not obscure the fact that women, even those who were pregnant or responsible for small children, also responded to provocation with violence. Such attacks carried little social stigma and courts usually treated women who committed them in much the same way as male perpetrators.<sup>60</sup>

Most Irish reverse witch trials in the Nineteenth century involved accusations of stealing produce or harming livestock. In November 1861, at Mitchelstown petty sessions, Co. Cork, complainant Thomas Quinn charged John Condon, his wife, and their son, John Condon, with assaulting him after they had accused him of bewitching their pigs and preventing them from eating for a week.<sup>61</sup> The presiding magistrate lamented the 'odious superstition' of the Condons and fined them 4s 6d plus court costs.<sup>62</sup> Similarly, at Rathdowney petty sessions, Queen's County, in April 1879, Catholic tenant farmer Michael Slattery was charged with assaulting his Catholic neighbour, farmer Bridget Carroll, with a shovel because his butter was ruined and Bridget's elderly mother had a long reputation for milking cattle by witchcraft on May Day morning. The presiding magistrate fined Slattery one pound and bound him to keep the peace for six months, noting that the case proved there was 'a good deal of superstition in the county'.<sup>63</sup> In common with most assault cases in this

period when a weapon was used it was usually improvised in nature.<sup>64</sup> Finally, in July 1893, at Bagnalstown petty sessions, Co. Carlow, Catholic farmers Bridget Foley and her son William were charged with assaulting their close relatives and fellow Catholic farmers, John Foley and his wife, after they accused Bridget of being a butter-witch.<sup>65</sup>

Assaults leading to reverse witch trials were also sparked by suspicions that cunning-folk had used magic to harm rather than heal. In August 1856, for example, Thomas Cushley and his wife Mary were brought before Belfast police court for imprisoning and assaulting elderly cunning-woman, Margaret Giffen, by 'making her drink a certain liquid against her will' believing that she had bewitched their child. The case was summarily dismissed by magistrates W.J.C. Allen and J. MacNamara and the defendants made to pay 10s costs.<sup>66</sup> Reverse witch trials also began as cases of slander and damage to property. At Listowel petty sessions, Co. Kerry, in May 1892, Johanna Cronin, a seventy-one year old, illiterate, Catholic widow accused John Lane of malicious damage and using threatening language. The presiding magistrate however lost sympathy for Lane when he claimed that Cronin had used witchcraft to steal his butter and promptly dismissed the case.<sup>67</sup> A few months later in August 1892, John Lane, his wife Ann, and daughter, Mary, (a thirty-six year old Catholic, widowed farmer from Finuge, near Listowel, Co. Kerry), appeared before the same court charged by Sergeant John Roche with the assault of John Cronin and Mary Dillon, husband and daughter of Johanna Cronin. The court heard that the Leane family had once again accused Johanna Cronin of witchcraft before assaulting both John and Mary. Magistrate French stated that although John Lane's assault on John Cronin was serious enough to warrant a custodial sentence he decided, given the interfamilial feud underlying the case and charges of witchcraft involved, it was best for all concerned that a 30s fine was issued instead.<sup>68</sup>

Assaults on witches accused of bewitching humans, livestock, milk and butter continued to be heard by judges and magistrates well into the early twentieth century, who



proved as reluctant to convict as before, and remained convinced of the “superstitious” nature of witchcraft. In July 1901, at Forkhill petty sessions, Co. Armagh, Catholic tenant farmer Michael Lennon was fined for assaulting co-religionist Michael Murphy whom he believed was ‘taking the butter from his cow’ using magical means. Lennon was particularly aggrieved because he had paid substantial sums in fees to cunning-folk to cure his cows.<sup>69</sup> Seven years later, at Ballyragget petty sessions, Co. Kilkenny, in February 1908, a thirty-three year old Catholic gamekeeper Michael Dwyer prosecuted thirty-five year old Catholic farm labourer Edward Hanlon for assaulting him for allegedly bewitching him. Hanlon was found guilty of assault and bound over to keep the peace for 12 months.<sup>70</sup> In October 1918, mental illness, soured personal relationships and witchcraft combined with tragic consequences, resulting in Kate Kelly, 47, of Carrickmacromin, Co. Cavan, a Catholic widow with two children, being ordered to pay £20 in compensation and sentenced to three-months imprisonment with hard labour at Cavan quarter sessions. Kelly had badly wounded Catholic brothers John and Patrick Higgins with an open razor for using harmful magic against her and for ‘rattling the tongs on the hearthstones, and going through other charms of witchcraft’.<sup>71</sup> Defending solicitor, F. McBreen, suggested that the assault had been carried out in a ‘perfect frenzy’ and that Kelly’s belief that the brothers had bewitched her was a sure sign of ‘madness’. Presiding Judge Browne argued that Kelly’s ‘cock- and bull story about witches and witchcraft ... [was] utter nonsense and no palliation of ... [her] offences’, nor was her alleged altered mental state.<sup>72</sup> Browne’s refusal to medicalise Kelly’s witchcraft fears flew in the face of wider European intellectual trends and developments within psychiatry but was nevertheless also widespread practice in later nineteenth-century England.<sup>73</sup> It is unclear whether this attitude was commonplace in Ireland at that time, but it is perhaps telling that an insanity plea was entered in only one witchcraft case, in June 1911 in Co. Mayo. After an inquest returned a verdict of unlawful killing, Mary Anne Feeney, a small, a thirty-five year old Catholic

woman from Cloonturk, Kilkelly, was charged with murdering her elderly lodger, Honor Cunniff, whom she claimed was an 'old witch' whom the 'Blessed Virgin' had told her to kill.<sup>74</sup> Unable to plead at Mayo summer assizes at Castlebar before Justice Gibson, as a 'result of mental affliction', Feeney was committed to Dundrum Criminal Lunatic Asylum in Dublin.<sup>75</sup> The insanity plea and witchcraft accusation aside, the Cunniff case was unusual in that most homicide victims and perpetrators in that period were men, but when women did kill it was usually members of their own household.<sup>76</sup>

The bewitched or their families also found themselves in legal hot water for slandering, using threatening language against, and damaging the property of, suspected witches. In May 1861, when Catholic farmer's wife Mary Shanahan was accused loudly and publicly by her Catholic neighbour Mary Drishane of stealing her butter using witchcraft, Shanahan responded by charging Drishane with causing a breach of the peace at Newcastle West petty sessions, Co. Limerick. The presiding magistrate being reluctant to find in favour of either party, fined them both £5 and bound them over to keep the peace.<sup>77</sup> In July 1866, Catholic tenant farmer, James Keane, was summoned before Bansha petty sessions, Co. Tipperary, by fellow farmer William O'Brien for threatening to kill O'Brien's wife for 'taking away the milk and buttermilk' from his six cows by using witchcraft, whereby severely restricting his income. Presiding magistrate, Captain Dawson, stated that although threatening to kill was a serious offence, he found it hard to take it seriously in the context of an absurd witchcraft accusation. He consequently bid 'all parties [to] forgive each other' before ensuring that 'no appearance was marked on the books' about the case, wiping it from the legal record.<sup>78</sup> In July 1896, Catholic Sarah McCormack, from Farnham, Co. Cavan, appeared before Cavan petty sessions for allegedly slandering Protestant neighbour, Maryanne Saddler. McCormack had accused Saddler's mother of being an 'old witch ... [who] went through the country milking peoples cows' in the shape of a hare. Having heard

the evidence, presiding magistrate, John Fay, glibly dismissed the case.<sup>79</sup> Although this case pitted Catholic against Protestant, there was no obvious sectarian motive, the accusation arising from everyday interpersonal conflict between two women living and working together. A similar case was brought before Belturbet petty sessions, Co. Cavan, in July 1908, when Catholic farmer's wife, Mary McCaffrey, seventy, was charged by fellow Catholic, neighbour, farmer, and septuagenarian James McCaffrey with breach of the peace and using 'abusive and threatening language'. Mary had earlier accused James of 'practising witchcraft' and his wife Alice, forty-two, 'of being a witch and turning herself into a hare and taking butter'.<sup>80</sup> Possibly under legal advice, McCaffrey withdrew his complaint and the case was dismissed.<sup>81</sup>

In the second main scenario, suspected witches themselves were brought before the courts on allegations made by legally informed complainants for crimes where culpability could be effectively established such as theft and assault. It was thus not only with words or violent action that accusers sought revenge or retribution against magical attackers but through legal action. These cases demonstrate that suspected witches fought back against their accusers with words and fists to restore honour or protect status. Once more the leniency of the magistracy was palpable in all these cases, as was their disdain for belief in witchcraft.

When suspected witches were accused of theft they were believed to have done so using magical means. In December 1850, at Cavan quarter sessions, well-respected Catholic farmer, John Mulligan was acquitted by a jury of stealing milk from the cows of his neighbour, Rose Fitzpatrick on Halloween morning. Mulligan's defence lawyer, Mr Armstrong, convincingly argued that the charge had been 'falsely made through malice or resentment' and stemmed from a 'quarrel about a house and land' which had reached a head between the two parties. It emerged that 'Rose Fitzpatrick had been for the last thirty years accusing the country of bewitching her cows', and had lately blamed Mulligan for a recent

run of bad milk and the inability to churn butter. Fitzpatrick denied this charge, and dismissed the allegation that she had employed counter-magical practices to return her butter and milk, declaring that as a good Catholic she had relied on the power of the Church and got her priest to say 'mass and offices on account of it'.<sup>82</sup> In July 1860, at Letterbreen petty sessions, Co. Fermanagh, Protestant farmers John Robinson and John Breen from Skea accused each other of theft by 'abstracting butter by witchcraft'. No verdict was reported but journalists did not miss an opportunity to use the case to mock continuing belief in witchcraft.<sup>83</sup>

It was when suspected witches assaulted their accusers that they were most likely to find themselves in front of magistrates or judges. At Co. Antrim assizes in March 1837, Catherine McKenna was found guilty, along with six men, for rioting and assaulting brothers John and Oliver McConnell at Ballynahatty fair, Omagh, Co. Tyrone, after they called her son, Pat, a 'witch'.<sup>84</sup> Rather than a faction fight this altercation was rooted in the fact it occurred in a shared space that offered heavy social drinking and thus invited spontaneous acts of interpersonal violence.<sup>85</sup> In September 1864, Catholic farmer Michael Feeney was brought before Grange petty sessions, Co. Sligo charged with punching and hitting the head of neighbour and co-religionist, Biddy Scanlon, with a stone for 'taking away his butter'. Presiding magistrate, C.G. Jones, found Feeney guilty, fined him £1 in lieu of one-month imprisonment and bound him to keep the peace for a year. Magistrate Jones warned Feeney when sentencing him, 'that the idea was absurd that such a thing as witchcraft existed, or that any person possessed the power of abstracting butter from his churn'.<sup>86</sup> Similarly, in October 1895, at Cahir petty sessions, Co. Tipperary, Catholic farmer Thomas Meehan, charged fellow Catholic William Burke with hitting him with a reaping hook after Meehan accused his wife of stealing butter from his cows. Burke was found guilty of assault and bound over to keep the peace for twelve months and fined £20.<sup>87</sup> However, a year later, in a case that went against the grain of most witchcraft cases heard at the assizes, a brother and sister escaped

lengthy prison sentences due to a favourable jury, much to the ire of the bench. In March 1896, David Boyd stood trial at Carrickfergus assizes for assault and assault with a deadly weapon on his neighbour, Hugh Brown. During his trial, Boyd's sister, Letitia Boyd, explained that assault was an act of retribution because Brown had bewitched her, an affliction only removed by the costly intervention of a local cunning man. Justice Gibson mocked Letitia's belief in witchcraft, dismissed her accusation and had her removed from the court. David was later found guilty of the lesser crime of assault by the petty Jury who asked for him to be shown mercy when sentencing was carried out. The judge did not agree with this lesser sentence for a crime as serious as shooting a neighbour but nevertheless imposed a non-custodial sentence. When Letitia Boyd gave evidence at her brother's trial she was awaiting trial herself for shooting a bailiff who had tried to evict her from their farm after her brother was arrested. She was eventually tried for attempted murder but acquitted by the jury, causing the judge in the case to state that the verdict was a gross fraud.<sup>88</sup>

It took time for some members of the Irish public to become fully aware that witchcraft was no longer a crime in Ireland after 1821, and that to gain legal redress they must accuse their bewitchers of other statutory crimes. Consequently, attempts were made to bring prosecutions for witchcraft up until the 1850s.<sup>89</sup> At Wexford petty sessions in 1830, forty year old tailor and freemason, Mr Knox, accused local schoolmaster Mr Donnelly, his wife, and daughter of keeping a witch and of bewitching him. In response to Knox's allegations presiding JP, Charles Arthur Walker, Liberal MP for Wexford, advised him that if he wished to take the case farther he would have to employ an attorney, and pointed out that a major difficulty he would face was that there was no longer any statutory provision for prosecuting witches. Knox replied, much to the amusement of the court, that if witchcraft was abolished, 'then why not abolish the witches also?'<sup>90</sup> In May 1856, at Kilrush petty sessions, Co. Clare, Protestant Margaret Carey accused Catholic Honor McInerheny of performing

‘witchcraft on May [Day] morning’. The case was eventually dismissed on grounds that the main witness was unable to identify the defendant.<sup>91</sup>

The third and last way that witchcraft came to the attention of legal authorities was when cunning-folk were accused of theft, fraud, or breach of contract by clients unsatisfied with the level of (un-witching) service they had provided. There was little pity shown to these magical practitioners by the judiciary who heard their cases or by the press who reported on them. At Galway petty sessions in November 1853, Catholic cunning-woman, Mary Corcoran and her daughter, were charged by fellow Catholic Mary Conry of fraud for taking money and food to cure Conry’s bewitched husband. Despite using a mixture of herbs and magical rituals to do so Mr Conry failed to recover. *Westmeath Independent* referred to the Corcoran women as ‘pseudo-witches’ and ‘dupers’ and congratulated the magistrates concerned for referring their ‘impostures’ to the quarter sessions for trial.<sup>92</sup> Similarly, in February 1867, at Omagh petty sessions, Co. Tyrone, local Catholic cunning man James McDevitt appeared in court charged with obtaining money under false pretences. The complainant, William O’Donnell, testified that when his butter had failed to churn McDevitt was brought in to counteract the witchcraft and ‘cure the milk’, which he failed to do despite numerous attempts. Dismissing the case ‘in very strong language’, presiding magistrate, Gerard McKee criticised McDevitt’s conduct and stated that he ‘very much regretted he had no power to inflict a heavy punishment’.<sup>93</sup> Three years later, in July 1870, at Downpatrick assizes, Co. Down, Catholic cunning-woman Sarah McCann, was found guilty by the petty Jury of fraud for taking money to, (unsuccessfully), cure the bewitched child of neighbour, Robert Beck.<sup>94</sup> In May 1902, William Murphy, a cattle drover and part-time cunning-man from Cahir, Co. Tipperary was found guilty of theft and trespass by Clogheen petty sessions in a case brought by a neighbouring farmer, John Russel, who believed Murphy had strayed onto his land in an attempt to bewitch his cattle.<sup>95</sup> The *Waterford Standard*, when reporting

that Murphy had been sentenced to three months imprisonment with hard labour, noted that he was ‘a victim of a subtlety of the law’ because ‘his object, on May morning, was to milk a farmer’s cow in order to bewitch them’ but because ‘the law, nowadays, taking no notice of witchery convicts him of the more commonplace offence of trespass and theft of milk’.<sup>96</sup>

## iv

In eighteenth and nineteenth-century England, “witch-mobbing” or communal action taken against suspected witches represented both a form of public shaming and a way to counter harmful magic: suspected witches were often subjected to the water ordeal, (‘swimming’), weighed against a bible, or scratched to draw blood.<sup>97</sup> In Somerset, however collective action against witches was rarer and most witch assaults took the form of a ‘scratching’ organised by the victim, their family or neighbours.<sup>98</sup> Whether in the form of mobbing or scratching, from the 1850s onwards, a socially and culturally distanced police force and magistracy began to clamp down on these, once indulged, activities leading to reverse witch trials being held in English local petty sessions and occasionally quarter sessions and assizes.<sup>99</sup> Owen Davies found around 200 of these cases,<sup>100</sup> while subsequent studies of London, Oxfordshire, Warwickshire, Somerset and Hertfordshire uncovered a further 38.<sup>101</sup> Focusing on a sample of 70 of these trials from all over England, Davies found that ninety-one per cent of the suspected witches were women and had often been assaulted by other women. Most suspects in English reverse witch trials were accused of harming humans rather than animals or agricultural produce as they were offences not deemed serious enough to warrant an assault and instead often prompted the consultation of cunning-folk. English witchcraft accusation overwhelmingly arose of conflict and jealousies between women sharing working and living spaces, which was especially true in Somerset where women worked in the dairy and glove-making industries. Although absent from court cases, butter-witches appear in English

folklore, especially in rural, agricultural areas where the dairy industry was strong, such as Somerset and parts of northern England.<sup>102</sup>

As has been suggested, Ireland's specific economic, social, and demographic situation ensured that its witchcraft, as viewed through the prism of the courts, differed from that of England in some key respects. For example, a large proportion of Irish 'court' witches were male and most were accused of harming livestock and stealing produce rather than harming humans. Unsurprisingly, then, suspected Irish witches tended to come from farming stock, although some were drawn from other occupations. If considered proportionally in terms of relative nineteenth-century population sizes, there were more witchcraft incidents in Ireland, (47 cases), than in England.<sup>103</sup> This picture of Ireland's proportionally high level of witchcraft incident is less convincing when the methodologies in both calculations are examined. In this study of Ireland, a wide array of individuals, (suspected witches, their accusers, and magical practitioners offering un-witching services), charged with a larger range of criminal offences, ranging from slander, breach of the peace, assault, trespass and malicious damage, were examined. English studies on the other hand have excluded cases involving magical practitioners and concentrated on reverse witch trials instead, the numbers of the latter possibly being under-estimated as they were identified before digitisation allowed for systematic searching of newspaper collections. Differing attitudes to court reporting may also have inflated Irish figures. English newspapers tended to report only the most sensationalist, riotous, and violent criminal cases involving witchcraft,<sup>104</sup> while their Irish counterparts were more willing to report even petty crime if it involved witches. The preponderance of reverse witch trials in England was also a result of proactive policing of witch mobbing and assaults. In contrast, Irish authorities responded reactively to allegations involving witchcraft brought by victims and their families. Moreover, the violent acts at the heart of Irish reverse witch trials were seen to be ends in themselves, individual acts of retribution rather than a by-



product of the performance of counter magic. Although alternative means of inflicting retribution or settling disputes were common in nineteenth-century Ireland,<sup>105</sup> scratching witches was unheard of and witch-mobbing was extremely rare. Only two cases of witch mobbing have been identified and neither involve scratching or swimming or led to legal action. In July 1827, in Marlborough Street, Dublin, a group of 500 were dispersed by soldiers and policemen as they tried to apprehend a 'decently dressed dwarfish, deformed female' amid cries of 'Burn the Witch' and 'Drown the Witch'.<sup>106</sup> While in October 1904, local police turned away a 200-strong mob that attacked the home of elderly Rebecca Bodley in Cootehill, Co. Cavan, who had been targeted for bringing 'bad luck', illness and death to her neighbours using witchcraft.<sup>107</sup>

## v

This article has placed Irish witchcraft in its legal, social and cultural context and explored the crimes it was transformed into after it was no longer a crime, and how elites reacted to continued belief. Belief in witchcraft remained a part of Protestant and Catholic popular culture, in all four provinces of Ireland, throughout the long Nineteenth century, and although changing little in essence since the late Eighteenth century, livestock, milk and butter was felt to be perhaps at more threat from Irish witches than humans. Witchcraft accusations were levied in small, rural farming communities, where the loss of such important commodities was keenly felt, especially after the Famine, in the context of disputes between neighbours arising out of daily squabbles, interactions and tensions, and episodes of mental illness, rather than political in-fighting or sectarian tensions. Interpersonal tensions were no doubt intensified in Ireland as economic, social and gender relationships were challenged and realigned. Consequently, magical harm inflicted on livestock and agricultural produce impacted more heavily on family and farm finances of small holders than ever before and

thus were taken very seriously. In the Nineteenth and Twentieth century, Irish witches were both male and female, had names, often possessed a reputation for malefic magic, and formed part of the social and economic life of their communities.

This privileged view of witchcraft accusation has been revealed because they ended in criminal action brought to the attention of an expanding policing and summary court system. Bewitched parties, or their relatives, had a variety of means at their disposal for dealing with accused witches, in which familial involvement was marked as witchcraft was considered an attack not just on an individual but the family unit. Witchcraft accusers not only took matters into their own hands by verbally abusing or physically assaulting suspected witches, they also tried to have them prosecuted for statutory crimes such as theft. Assaults by bewitched parties on suspected witches were not undertaken, as they often were in England, as counter-magical measures but as acts of retaliatory violence, which in common with most violent acts in nineteenth-century Ireland were personal in nature directed against neighbours and friends during disputes. These cases also reveal that some tried to counter their bewitchment directly using cunning-folk, the existence of which further warns against taking at face value the decline of magical practitioners in the post-Famine period.<sup>108</sup> If these un-witching services did not meet client expectations, then the cunning person involved could find themselves in court. More importantly, any notion that suspected witches accepted accusations passively is challenged by the fact that they sought to protect or restore their honour or status through court action, by prosecuting accusers for slander or assault, or by confronting accusers directly with acts of verbal or physical, retaliatory violence.

Witchcraft cases were increasingly reported upon in the second half of the Nineteenth century by a growing newspaper industry hungry for copy. Witchcraft cases also provided journalists and editors with a welcome blend of scandal and laughable but nevertheless potentially dangerous superstition. The ridicule of continuing belief in witchcraft by the Irish

press did not form part of an overt religio-political agenda, nor did it represent a concerted reform of popular culture, but was rather based on enlightenment era rhetoric of rationalism, sociability and stability that self-appointed men of learning and taste such as they had been committing to print from the Eighteenth century. The Irish judiciary who sat in judgement of witchcraft cases were also not reticent in airing their views that witchcraft was borne of superstition and ignorance, repeating the same cant enlightenment criticisms as the press. In order to avoid being seen to legitimise belief in witchcraft, most Irish judges and magistrates tried to find accommodation between defendant and complainant, avoided conviction when they could, and handed out fairly lenient sentences where they could not. Cunning-folk caught up in witch accusation in the view of the judiciary, as well as the press, were a different matter, rather than seen as misguided members of the lower classes beholden to superstitious belief in witchcraft they were regarded as fraudsters preying on the weak.

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Dr Andrew Sneddon, Ulster University, Cromore Road, Coleraine, BT52 1SA: email:

[a.sneddon@ulster.ac.uk](mailto:a.sneddon@ulster.ac.uk)

Dr John Fulton, Ulster University, Cromore Road, Coleraine, BT52 1SA: email: [fulton-](mailto:fulton-j1@ulster.ac.uk)

[j1@ulster.ac.uk](mailto:j1@ulster.ac.uk)

The authors thank *Historical Journal's* anonymous reviewers, Dr Elaine Farrell, Dr Kyle Hughes, Dr Leanne McCormick, and Dr John Privilege for their valuable comments on earlier drafts of this article.

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E.C. Lapoint, 'Irish immunity to witch-hunting, 1534-1711', *Éire-Ireland*, 27 (1992), pp. 76-

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<sup>2</sup> See, Sneddon, *Witchcraft in Ireland*, ch. 1, 4-6; J. Fulton, 'Clerics, conjurors and courtrooms: witchcraft, magic and religion in eighteenth and nineteenth-century Ireland' (PhD thesis, Ulster University, 2016), ch. 1. For a discussion of butter witches in medieval and early modern Ireland: Hutton, 'Witch-hunting', pp. 63-6, and A. Sneddon, 'Witchcraft belief and trials in early modern Ireland', *Irish Economic and Social History*, 39 (2012), pp. 1-25, at pp. 6-9.

<sup>3</sup> Sneddon, *Witchcraft in Ireland*, ch. 2, 6-7.

<sup>4</sup> Discussions of decline in witchcraft trials and elite belief include: Brian P. Levack, *Witch-hunting in Scotland: law, politics, and religion* (Edinburgh, 2007), ch. 8; James Sharpe, *Instruments of darkness: witchcraft in early modern England* (Philadelphia, 1996), ch. 10-11; R. Porter, 'Witchcraft and magic in enlightenment, romantic and liberal thought', in *The Athlone history of witchcraft and magic in Europe* (6 vols., London, 1994-2002), V, pp. 193-226; E. Bever, 'Witchcraft prosecutions and the decline of magic', *Journal of Interdisciplinary History*, 40 (2009), pp. 263-93, at pp. 264-72, 291-2; P. Elmer, *Witchcraft, witch-hunting, and politics in early modern England* (Oxford, 2016), ch. 6-7; M. Hunter, 'The decline of magic: challenges and response in the early English Enlightenment', *Historical Journal*, 55 (2012), pp. 399-425. English dissenters and Scottish Godly elites however were reluctant to reject traditional demonological beliefs, see: F. Young, *English Catholics and the supernatural, 1553-1829* (Farnham, 2013), ch. 5; O. Davies, 'Methodism, the clergy, and popular belief in witchcraft and magic', *History*, 82 (1997), pp. 252-65, at pp. 255-60, 263-5; L. Henderson, *Witchcraft and folk belief in the Age of Enlightenment: Scotland, 1670-1740* (Houndmills, 2016), pp. 188-9, 327.

<sup>5</sup> D. Ó Giolláin, 'The fairy belief and official religion in Ireland', in P. Narváez, ed., *The good people: new fairylore essays* (Kentucky, 1997), pp. 199-212; R. Jenkins, 'Witches and fairies: supernatural aggression and deviance among the Irish peasantry', in Idem, p. 306; S. J.

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<sup>6</sup> M. G. Hofstra, 'Witchcraft after the witch-trials', in *Athlone history of witchcraft*, pp. 143-44; Connolly, *Priests and people*, pp. 115-16; Kevin Danaher, *The year in Ireland*, (Dublin, 1972), pp. 109-18.

<sup>7</sup> A. R. Holmes, *The shaping of Ulster Presbyterian belief and practice, 1770-1840* (Oxford, 2006), pp. 101-3, 309-13.

<sup>8</sup> R. F. Foster, *Words alone: Yeats and his inheritances* (Oxford, 2011), ch. 3; Idem, *Paddy and Mr Punch: connections in Irish and English history* (London, 2011), pp. 212-32; T. Brown, *The literature of Ireland: culture and criticism* (Cambridge, 2010), pp. 19-21; B. Taylor Fitzsimon and J. H. Murphy, eds., *The Irish Revival reappraised* (Dublin, 2004); J. Leerssen, *Remembrance and imagination: patterns in the historical and literary representation of Ireland in the Nineteenth century* (Cork, 1996), pp. 197-216.

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<sup>10</sup> T. Waters, 'Belief in witchcraft in Oxfordshire and Warwickshire, c. 1860-1900: the evidence of the newspaper archive', *Midland History*, 34 (2009), pp. 103-5; Idem, 'Maleficent witchcraft in Britain since 1900', *History Workshop Journal*, 80 (2015), pp. 99-

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<sup>11</sup> N. Garnham, 'Crime, policing, and the law, 1600-1900', in Kennedy and Ollerenshaw, *Ulster since 1600*, pp. 90-1. It must be noted however that 'the 'Irish system of criminal justice was certainly distinguishable from that of England', particularly with regard to the social and economic contexts in which it operated: N. Howlin, 'Nineteenth-century criminal justice: uniquely Irish or simply: not English'?, *Irish Journal of Legal Studies*, 33/1 (2013), pp. 67-89, qu. at p. 88.

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<sup>13</sup> Three online newspaper databases have been consulted: British Library/Gale *British Newspapers, 1600-1950* series, the British Library/Brightsolid platform *The British Newspaper Archive*, and the *Irish Newspaper Archive*. The *Freeman's Journal* and *Belfast Newsletter* have been sampled in five-year batches from the mid-eighteenth up to the early Twentieth century, using relevant terms including: 'witch', 'witchcraft', 'magic',

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<sup>14</sup> O. Davies and F. Matteoni, ‘A virtue beyond all medicine’: the hanged man’s hand, gallows tradition and healing in eighteenth- and nineteenth-century England’, *Social History of Medicine*, (2015), pp. 686-705; O. Davies, ‘Newspapers and the popular belief in witchcraft and magic in the modern period’, *Journal of British Studies*, 37 (1998), pp. 139-65, at pp. 139-40.

<sup>15</sup> B. Griffin, *Sources for the study of crime in Ireland, 1801-1921* (Dublin, 2005), pp. 86-8.

<sup>16</sup> C. A. Conley, *Melancholy accidents: the meaning of violence in post-Famine Ireland* (Oxford, 1999), p. 8.

<sup>17</sup> For the catastrophic extent of this loss and details of surviving sources: Griffin, *Sources for crime in Ireland*.

<sup>18</sup> Davies, ‘Newspapers and popular belief’, pp. 141-52; Idem, *Witchcraft, magic and culture*, pp. 193-212.

<sup>19</sup> M. O’Brien, ‘Journalism in Ireland: the evolution of a discipline’, in K. Rafter, ed., *Irish journalism before independence: more a disease than a profession* (Manchester, 2011), pp. 10-12; A. Andrews, *Newspapers and newsmakers: the Dublin nationalist press in the mid-nineteenth century* (Liverpool, 2014), pp. 7-9; R. Munter, *The history of the Irish newspaper, 1685-1760* (Cambridge, 1967).

<sup>20</sup> M. Foley, ‘How journalism became a profession in Ireland’, in *Irish journalism*, pp. 22-35; O’Brien, ‘Journalism’, pp. 16-20.

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<sup>22</sup> I. O'Donnell, 'Killing in Ireland at the turn of the centuries: contexts, consequences, and civilising processes', *Irish Economic and Social History*, 37 (2010), p. 72.

<sup>23</sup> B. Griffin, *The Bulkies: police and crime in Belfast, 1800-1865* (Dublin, 1997), ch. 1, 2, 9; W. Lowe and E. Malcolm, 'The domestication of the Royal Irish Constabulary, 1836-1922', *Irish Economic and Social History*, 19 (1992), pp. 27-48; Idem, *The Irish policeman, 1822-1922: a life* (Dublin, 2006), ch. 1; E. Farrell, *'A most diabolical deed': infanticide and Irish society, 1850-1900* (Manchester, 2013), pp. 166-67; D. McCabe, 'Open court: law and the expansion of magisterial jurisdiction at petty sessions in nineteenth-century Ireland', in N. M. Dawson, ed., *Reflections on law and history: Irish Legal History Society discourses and other papers, 2000-2005* (Dublin, 2006), pp. 126-150; Idem, 'Magistrates, peasants and the petty session courts, Mayo, 1823-50', *Cathair na Mart*, 5 (1985), pp. 45-53; R. McMahon, 'For fear of the vengeance': the prosecution of homicide in pre-famine and Famine Ireland', in R. McMahon, ed., *Crime, law and popular culture in Europe, 1500-1900* (Devon, 2008), pp. 138-89.

<sup>24</sup> Davies, 'Newspapers and popular belief', pp. 144-5; T. Waters, 'Magic and the British middle classes, 1750-1900', *Journal of British Studies*, 54 (2015), pp. 632-53, at p. 646.

<sup>25</sup> K. Barclay, 'Stereotypes as political resistance: the Irish police court columns, c.182-1845', *Social History*, 42 (2017), pp. 257-80, at pp. 261-4, qu. p. 262.

<sup>26</sup> Barclay, 'Irish police court columns', p. 262.

<sup>27</sup> Waters, 'Magic and middle classes', pp. 633, 639-44.

<sup>28</sup> Ibid, pp. 644, n.31.

<sup>29</sup> Fulton, 'Conjurors and courtrooms', ch. 3 and 4.

<sup>30</sup> Davies, 'Newspapers and popular belief', pp. 155-6, 164; Waters, 'Magic and middle classes', pp. 632-53.



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<sup>31</sup> For further examples: *Belfast Newsletter*, 11 Apr. 1834, 16 Aug. 1856; and *Irish Times*, 16 Aug. 1886.

<sup>32</sup> *Waterford Chronicle*, 6 July 1844.

<sup>33</sup> *Cork Examiner*, 5 July 1844; *Tipperary Vindicator*, 10 July 1844.

<sup>34</sup> *Waterford Chronicle*, 6 July 1844.

<sup>35</sup> *Irish Times*, 18 July 1879.

<sup>36</sup> *Kildare Observer*, 7 July 1900.

<sup>37</sup> For examples of this, see: *Nenagh Guardian*, 20 Aug. 1870; *Belfast Newsletter*, 9 June 1870, 25 July 1870; *Irish Times*, 18 July 1879.

<sup>38</sup> Barclay, 'Irish police court columns', p. 262.

<sup>39</sup> See cases in section iii below for examples of this.

<sup>40</sup> See, *Belfast Newsletter*, 11 Apr. 1834, 28 July 1869; *Roscommon Journal and Impartial Reporter*, 22 Oct. 1864; *Ballymena Observer*, 28 Apr. 1911.

<sup>41</sup> A. Bourke, *The burning of Bridget Cleary: a true story* (London, 1999), pp. 128-9. See also, *Irish Times*, 5, 13 July 1895, *Times*, 22 July 1895, and *Southern Star*, 6 July 1895.

<sup>42</sup> See: *Anglo-Celt*, 16 Apr. 1857; *Dublin Weekly Journal*, 26 Apr. 1864; *Irish Times*, 27 Apr. 1895; *Irish Independent*, 30 Apr. 1921; A. Sneddon, 'Witchcraft, representation and memory in modern Ireland', *forthcoming*.

<sup>43</sup> For a discussion of these sources: Bo Almwvist, 'Irish migratory legends on the supernatural', *Béaloideas*, 59 (1991), pp. 1-43; Idem, 'The Irish Folklore Commission: achievement and legacy', *Béaloideas*, 45-47 (1977-79), pp. 6-26; C. MacCárthaigh, S. Ó Catháin, R. uí Ógáin and S. Watson, eds., *Treasures of the National Folklore Collection* (Dublin, 2010).

<sup>44</sup> Conley, *Melancholy accidents*, pp. 8-9; W.E. Vaughan, *Murder trials in Ireland, 1836-1914* (Dublin, 2009), pp. 3-5.

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<sup>45</sup> McCabe, 'Open court', pp. 128, 137-8.

<sup>46</sup> Other occupations given include: 4 servants, 3 cunning-folk, a tailor, a publican, a schoolteacher, and a retired police constable..

<sup>47</sup> The province/ county breakdown is as follows: *Ulster* = 19 cases: Down 6, Antrim 5, Cavan 5, Tyrone 2, Fermanagh 1; *Munster* = 13 cases: Tipperary 4, Cork 1, Kerry 2; Limerick 2, Clare 2, Waterford 2; *Connaught* = 7 cases: Leitrim 2, Galway 1, Sligo 3, and Mayo 1; *Leinster* = 8 cases: Dublin 2, Wexford 1, Kilkenny 1, Carlow 1, Louth 1, Queens, 2. Source: Irish Newspapers, 1822-1922.

<sup>48</sup> Howlin, 'Criminal justice', pp. 82-3.

<sup>49</sup> For an exceptional case, see Boyd, 1896, p. 32 below.

<sup>50</sup> Waters, 'Maleficent magic', pp. 99-122. See also, O. Davies, 'Urbanisation and the decline of witchcraft: an examination of London', *Journal of Social History*, 30 (1997), pp. 597-617.

<sup>51</sup> For an overview of Irish petty sessions: McCabe, 'Open court', pp. 126-62. Owen Davies has made the same argument in relation to witchcraft in late nineteenth-century Somerset: O. Davies, *A people bewitched: witchcraft and magic in nineteenth-century Somerset* (Trowbridge, 1999), p. 112.

<sup>52</sup> O. Davies, *Popular magic: cunning-folk in English history* (London, 2007); De Blécourt and Davies, eds., *Witchcraft continued*, ch. 2, 7, 8, 9.

<sup>53</sup> See Sneddon, *Witchcraft in Ireland*, ch. 3, 7; Fulton, 'Conjurors and courtrooms', ch. 1, 5-6.

<sup>54</sup> M. Gaskill, *Crime and mentalities in early modern England* (Cambridge, 2000), pp. 57-8; Davies, *People bewitched*, pp. 141-6, 150; Sneddon, *Witchcraft in Ireland*, p. 60.

<sup>55</sup> D. Fitzpatrick, 'Class, family and rural unrest in nineteenth-century Ireland', in P. J. Drudy, ed., *Ireland, land, politics and people* (London, 1982), pp 39-41, 53-5; C. S. Brophy, "What nobody does now": imaginative resistance of rural labouring women', in C. S. Brophy and C.

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Delay, eds., *Women, reform and resistance in Ireland, 1850-1950* (Basingstoke, 2015), p. 185; Conley, *Melancholy accidents*, p. 5.

<sup>56</sup> L. Proudfoot, 'Markets, fairs and towns in Ireland, c. 1600-1853', in P. Borsay and L. Proudfoot, eds., *Provincial towns in England and Ireland: change, convergence and divergence* (Oxford, 2002), p. 95; L. Kennedy and P. M. Solar, 'The rural economy, 1600-1914', in *Ulster Since 1600*, pp. 170-73.

<sup>57</sup> I. Miller, *Reforming food in post famine Ireland: medicine, science and improvement, 1845-1922* (Manchester, 2014), pp. 121-4; Bourke, *Bridget Cleary*, pp. 100-1, 146-7. See also, L. Downey, 'The Cork butter exchange, 1770-1924', *Ulster Folklife*, 57 (2014), pp. 33-47.

<sup>58</sup> Jenkins, 'Witches and fairies', p. 305.

<sup>59</sup> I. O'Donnell, 'Lethal violence in Ireland, 1841 to 2003: famine, celibacy and parental pacification', *British Journal of Criminology*, 5 (2005), pp. 671-95, at 673-77, 683; Idem, 'Killing in Ireland', p. 61, 71; D. Urquhart, 'Irish divorce and domestic violence, 1857-1922', *Women's History Review*, 22 (2013), pp. 820-37, at 825-27; M. Finnane 'A decline in violence in Ireland? Crime, policing and social relations, 1860-1914', *Crime, History and Societies*, 1 (1997), pp. 51-70; C. A. Conley, 'The agreeable recreation of fighting', *Journal of Social History*, 33 (1999), pp. 57-72; Idem, *Melancholy accidents*, pp. 7, 17, 20-37, 51-9, 215; R. McMahon, *Homicide in pre-famine and Famine Ireland* (Liverpool, 2013); Idem, 'A violent society'? Homicide rates in Ireland, 1831-1850', *Irish Economic and Social History*, 36 (2009), pp. 1-20; C. McCullagh, 'A tie that binds: family and ideology in Ireland', *Economic and Social Review*, 22 (1991), pp. 199-211.

<sup>60</sup> Conley, *Melancholy accidents*, pp. 90-7.

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<sup>61</sup> *Cork Examiner*, 12 Nov. 1861; *Evening Freeman*, 16 Nov. 1861; *Waterford Chronicle*, 22 Nov. 1861; Mitchelstown petty sessions Order Book, 8 Nov. 1861, National Archives Ireland (NAI), court order books: petty session books, CS/PS1/7278.

<sup>62</sup> *Irish Examiner*, 12 Nov. 1861.

<sup>63</sup> *Irish Times*, 21 Apr. 1879; *Roscommon and Leitrim Gazette*, 26 Apr. 1879. For similar cases in Co. Limerick in 1880, and in Co. Waterford in 1888, see: *Dublin Daily Express*, 28 May 1880; *Munster Express*, 26 May 1888.

<sup>64</sup> Conley, *Melancholy accidents*, pp. 32-3.

<sup>65</sup> *Nationalist and Leinster Times*, 15 July 1893.

<sup>66</sup> *Nenagh Guardian*, 20 Aug. 1856. See also, *Belfast Newsletter*, 16 Aug. 1856.

<sup>67</sup> *Kerry Sentinel*, 14 May 1892; *Census Ireland*, 1901

<<http://www.census.nationalarchives.ie>> ; *Kerry Evening Post*, 11 May 1892; *Irish Examiner*, 11 May 1892.

<sup>68</sup> *Kerry Evening Post*, 10 Aug. 1892; *Census Ireland*, 1901. See also, *Kerry Weekly Reporter*, 13 Aug. 1892.

<sup>69</sup> *Dundalk Democrat*, 13 July 1901; Forkhill petty sessions Order Book, July 1901, Public Record Office of Northern Ireland (PRONI), HA/1/52/A/26.

<sup>70</sup> *Kilkenny People*, 22 Feb. 1908; *Census Ireland*, 1911

<<http://www.census.nationalarchives.ie>>

<sup>71</sup> *Anglo-Celt*, 2 Nov. 1918; *Census Ireland*, 1911.

<sup>72</sup> *Anglo-Celt*, 2 Nov. 1918.

<sup>73</sup> Waters, 'Witchcraft in Oxfordshire', p. 107; Porter, 'Witchcraft and magic', pp. 266-72.

<sup>74</sup> *Irish Times*, 14 June 1911; *Census Ireland*, 1911.

<sup>75</sup> *Dublin Daily Express*, 15 July 1911; Castlebar, Co. Mayo, prison register, 10 June 1911, NAI, Castlebar prison registers, 1878-1919, Book Number 1/4/4, item 2. For asylums and

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criminal lunacy in nineteenth-century Ireland: C. Cox, *Negotiating insanity in the Southeast of Ireland, 1820–1900* (Manchester, 2012); M. Finnane, *Insanity and the insane in post-famine Ireland* (London, 1981), ch. 3; P. M. Prior, *Madness and murder: gender, crime and mental disorder in nineteenth-century Ireland* (Dublin, 2008), ch. 1-3.

<sup>76</sup> O'Donnell, 'Killing', pp. 59-62.

<sup>77</sup> *Tipperary Vindicator*, 21 May 1861.

<sup>78</sup> *Tipperary Free Press*, 3 July 1866. See also, William O'Brien [complainant], James Keane [defendant], Bansha petty sessions, Co. Tipperary, 2 July 1866, NAI, court order books: petty session books, CS/PS 1/9267.

<sup>79</sup> *Anglo-Celt*, 18 July 1896.

<sup>80</sup> *Anglo-Celt*, 11 July 1908; *Census Ireland*, 1911.

<sup>81</sup> James McCaffrey [complainant], Mary McCaffrey [defendant], Belturbet petty sessions, Co. Cavan, 4 July 1908, NAI, court order books: Co. Cavan petty session books, CS/PS 1/2574.

<sup>82</sup> *Anglo-Celt*, 9 Jan. 1851.

<sup>83</sup> *Dublin Evening Mail*, 6 July 1860. See also, *King's County Chronicle*, 11 July 1860; *Kerry Evening Post*, 11 July 1860.

<sup>84</sup> *Belfast Newsletter*, 31 Mar. 1837.

<sup>85</sup> O'Donnell, 'Lethal violence', p. 672.

<sup>86</sup> *Cork Constitution*, 21 Sept. 1864; *Carlow Post*, 24 Sept. 1864; *Southern Reporter and Cork Commercial Courier*, 20 Sept. 1864.

<sup>87</sup> *Nenagh Guardian*, 9 Oct. 1895; Thomas Meehan [complainant], William Burke [defendant], 19 Sept. 1895, NAI, court order books: Cahir petty sessions, Co. Tipperary, CS/PS 1/2789. Thomas Meehan [complainant], William Burke [defendant], 3 Oct. 1895, NAI, CS/PS 1/2789.

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<sup>88</sup> *Belfast Newsletter*, 18 March 1896, 19 March 1896, 20 March 1896, 2 July 1897, 9 July 1897, 16 July 1897; *Pall Mall Gazette*, 20 March 1896; *Freeman's Journal*, 20 March 1896; Crown book of Carrickfergus, 1894-1899, PRONI, ANT/1/2/B/2; True bill, Carrickfergus spring assizes, 17 Mar. 1896, PRONI, ANT/1/2/L/6/8; petty sessions district of Whiteabbey, 14 Mar. 1896, PRONI, ANT/1/2/L/6/8/29.

<sup>89</sup> In nineteenth-century England magistrates were similarly approached to bring criminal charges of witchcraft despite a lack of statutory provision: Davies, *Witchcraft, magic and culture*, pp. 100-3.

<sup>90</sup> *Freeman's Journal*, 8 Sept. 1830. See also, *Southern Reporter and Cork Commercial Courier*, 9 Sept. 1830; *Morning Post*, 16 Sept. 1830.

<sup>91</sup> *Clare Journal, and Ennis Advertiser*, 26 May 1856.

<sup>92</sup> *Westmeath Independent*, 12 Nov. 1853.

<sup>93</sup> *Tyrone Constitution*, 15 Feb. 1867. See also, *Enniskillen Chronicle and Erne Packet*, 28 Feb. 1867.

<sup>94</sup> *Belfast Newsletter*, 25 July 1870.

<sup>95</sup> *Kerry News*, 6 May 1902; *Waterford Standard*, 7 May 1902; *Kildare Observer*, 10 May 1902.

<sup>96</sup> *Waterford Standard*, 21 May 1902.

<sup>97</sup> P. Kléber Monod, *Solomon's secret arts: the occult in the Age of Enlightenment* (London, 2013), p. 202; Davies, *Witchcraft, magic and culture*, pp. 96-119.

<sup>98</sup> Davies, *People bewitched*, pp. 114-16.

<sup>99</sup> Davies, *Witchcraft, magic and culture*, pp. 97, 118-19, 196-7; Waters, 'Magic and middle classes', p. 645. For European "reverse witch trials": W. De Blécourt, 'The continuation of witchcraft', in J. Barry, M. Hester and G. Roberts, eds., *Witchcraft in early modern Europe*:

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*studies in culture and belief* (Cambridge, 1996), pp. 343-50; L. Oja, 'The superstitious other', in Davies and De Blécourt, eds., *Beyond the witch trials*, pp. 69-80.

<sup>100</sup> Davies, *Witchcraft, magic and culture*, p. 193.

<sup>101</sup> Waters, 'Witchcraft in Oxfordshire', pp. 102-3.

<sup>102</sup> Davies, *Witchcraft, magic and culture*, pp. 177, 189, 196-99, 210; Idem, *People bewitched*, pp. 2, 109-4.

<sup>103</sup> England and Wales had a population of 8.9 million in 1801, rising to 32.5 million in 1901.

Ireland had 6.8 million people in 1801, and 4.5 million in 1901: J. Black and D. M.

MacRaild, *Nineteenth century Britain* (Basingstoke, 2003), p. 170.

<sup>104</sup> Waters, 'Witchcraft in Oxfordshire', p. 106.

<sup>105</sup> Howlin, 'Criminal justice', p. 84.

<sup>106</sup> *Belfast Commercial Chronicle*, 9 July 1827.

<sup>107</sup> *Anglo-Celt*, 1 Oct. 1904.

<sup>108</sup> See, T.G. McMahon, 'Religion and culture in nineteenth-century Ireland', *History Compass*, 5 (2007), pp. 845-64, at p.855.