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KATHRYN GARNER WITCH TRIAL: FACT OR LEGEND?

By [Patrick Garner](#) January 01, 2010 at 07:15:13

A story which has become part of the lore of the Garner family history is that of the death of a Kathryn Garner in Shropshire, England in 1636 during her trial by water for witchcraft. Trial by water involved binding the accused, weighing them with stones and throwing them into a body of water. If the accused person (in the case of witchcraft, usually a woman) escaped her bonds, this was taken to "prove" that she was guilty, since it was believed that only Satanic assistance could have enabled her to escape, and she would then be burned at the stake. However, if she drowned, this "proved" her innocence and she would be buried in Christian ground at the Crown's expense. In Kathryn's case, she drowned. Furthermore, this Kathryn Garner is then identified with the Katharn Garner who gave birth to John Garner in 1634. She and her husband Richard christened John on September 2 of that year at St. Chad's parish church in Shrewsbury, in the county of Shropshire. This makes for a convenient timeline, as a Richard and John Garner arrived alone in Henrico County, Virginia by 1637 as immigrants sponsored by William Farrar. If those two were the husband and son of the Shrewsbury Katharn and she was killed "proving" her innocence in 1636, her death would have provided a plausible reason for Richard's emigration. It would also explain why they arrived without an accompanying wife and mother. But is the story of the trial and death of Kathryn Garner true? What is the evidence for it? To find out, we must first trace the story to its source. The story is based on a citation found in a list of women tried for witchcraft on this website: www.featherlessbiped.com/burning/burnwit5.htm. The citation reads: "403. Garner, Kathryn'...Welshwoman, found innocent of Witch Craft in Trial by Water. 2 pounds for burial in Christian ground;' Shropshire, England, 1636". (There are other websites which list those tried and/or executed as witches, but most seem to be based on this list, especially those that list Kathryn Garner.) The list was compiled by W.J. Bethancourt III and last updated in 2008. The database was begun 20 years

the Middle Ages. There is an extensive reference page of sources, but some entries were submitted online by individuals with accompanying reference citations. Some of the links in the references no longer work, but I was able to find most of the books listed on Google Books in searchable form. Searching those books for "Kathryn Garner", I found no reference to her in any of them. Therefore, it is probable that the Kathryn Garner entry was submitted by an individual sometime after 1990, the oldest copyright date for the site.

Kathryn Garner appears on an earlier version of Mr. Bethancourt's online list as early as 2002, as it is cited by a Mr. James Garner on the Garner Family Genealogical Forum on August 19, 2002: <http://genforum.genealogy.com/garner/messages/4363.html>. In a September 23 post on the same forum later that year, he cites Gwen and William Garner as sources for a source citation for the story: "Shrop. C.O. 1636". Finally, in a November 20, 2002 post, James cites a reporter for a Shropshire newspaper who wrote an article about this.

The reporter James Garner refers to is probably Toby Neal, who wrote an article entitled "She was tried as a witch in 1636, but then what?", which was published in the December 4, 1999 issue of the Shropshire Star. The text of the article is as follows:

During the 17th century, Shropshire woman Katharn Garner was accused of being a witch.

Her accusers realized they had it wrong when they threw her in water - perhaps even the River Severn - and she drowned.

Now if she really had been a witch, she would have escaped her bonds and survived, after which her accusers would have burned her at the stake.

In the event, to make amends for the wrongful prosecution, her husband Richard was given 2 pounds by the Crown to bury his wife in Christian ground.

After losing his wife in such a horrible way, he left England in late 1636 or early in 1637 with his young son, John, for the Colony of Virginia.

The story of Katharn, which may be a variant spelling of Kathryn or Katherine, has been researched by Gwendoline Garner from America, who is the wife of one of Richard's direct descendants.

Details are sketchy. Richard was baptized in 1604 at Stanton Lacy near Ludlow, and their son John was baptized in 1634. Katharn seems to have been tried in 1636.

“Court records for this year state 'Kathryn Garner, Welshwoman, found innoc. of Witch Craft in Trial by Water. 2 pounds for burial in Christian ground' “, said Mrs. Garner, who lives in Maryland.

She does not know where in Shropshire the trial was conducted or where Katharn was buried.

“In a trial by water the person was bound, weighed down with stones, and thrown in a river or lake for a period longer than they could hold their breath.”

“ For a person charged with witchcraft, if she had escaped her bonds, it would have been deemed to be with the help of the Devil and she would have been burned at the stake.If she had somehow survived the ordeal, it would have been deemed due to divine intervention and she would have gone free.”

“If she drowned, as here, she would have been deemed innocent of the charge, and to make amends for wrongful prosecution her burial expenses would be paid for by the Crown.”

“We do not know why she was charged with witchcraft.Normally only old or single women, or the mentally impaired who talked to themselves, faced this kind of charge.”

“However, the English still hated and distrusted the Welsh, even though the two countries had been united since the 1400s, thus her nationality may have been at least part of her problem.”

As for Richard, he had one third interest in the Lion, which she presumes was the Lion Hotel in Wyle Cop, Shrewsbury, which he gave to his brother when he left England.

CAN YOU HELP?

For any Shropshire Garners who feel they can help shed any further light on Mrs. Garner's family history researches, her address is...

The quotes above attributed to the late Gwendoline Garner are actually lifted verbatim from an unpublished article entitled “The Garner Family of County Shropshire, England”.(I believe the newspaper article was the result of a letter from Gwendoline Garner soliciting information.)The author is a John Garner descendant who traveled to England in 1991 to research the Garner family.Gwendoline Garner acknowledges this person as the source of the information about John and Richard Garner's Shropshire origins in her Garner-Briggs Bulletin #1 Update, dated 15 March 1991.This bulletin can be viewed here:<http://www.unf.edu/~igarner/GBIUP.pdf>

The author of "The Garner Family of County Shropshire, England" seems to be the earliest source for the story of Kathryn Garner's witchcraft trial and death. The relevant passage reads: "John Garner's mother, listed as Katharn Garner, in the parish register of St. Chad's, may have died in 1636, for the court records for that year contain the following entry: 'Kathryn Garner, Welshwoman, found innoc. of Witch Craft in trial by Water. 2 pounds for burial in Christian ground.' (Shrop. C.O. 1636) "The author does not identify from which court the record is drawn or where the record was found. The "Shrop. C.O. 1636" implies that the trial and/or burial took place in Shropshire in 1636.

To locate the primary record cited for this trial, we must first determine in which courts witchcraft trials would have been held in 17th century Shropshire. Shropshire is divided into two dioceses: Lichfield and Hereford. The Lichfield and Hereford Record Offices as well as the Shropshire Archives hold parish and court records for Shropshire. An inquiry to the Hereford Record Office yielded the following information about witchcraft trials:

I have extracted the following text from The National Archives website: "Witchcraft trials in England were most prevalent from the mid-sixteenth century to the early eighteenth century, when a number of laws about witchcraft were passed. The first was an Act of 1542. This made "any invocations or conjuration of spirits, witchcrafts, enchantments or sorceries" a felony without benefit of the clergy, therefore punishable by hanging. The last act was the Witchcraft Act of 1735."

As far as I'm aware the majority of witchcraft cases were tried at Assize Courts, the records of which are held at The National Archives. Historically Shropshire was part of the Oxford Assize Circuit. Surviving record series' include minute books, indictments, depositions and case papers, estreats, bill of costs and other miscellaneous items.

Witchcraft cases may also have been heard in the Diocesan Courts, and captured in the Diocesan Court Books (Acts of Office or Acts of Instance). The Acts of Office Court Books date from 1407-1639, 1662-1882 and contain cases brought by the church authorities against an individual (lay or clergy). The Acts of Instance Court Books were cases brought by one lay person against another, and mainly cover disputes over wills, tithes and ownership of pews in the church, and cases of slander or defamation of character. These courts had no authority to imprison or hang those found guilty, these cases were heard before the aforesaid Assize Courts. You will need to know what parish your ancestor was residing in to determine

where the records are now held. As you are probably well aware, the County of Shropshire is divided into the Diocese of Hereford and Lichfield. References to witchcraft may also be found in the records of the Quarter Sessions Court. These collections are typically located in the local record office, so I would therefore suggest contacting Shropshire Archives.

Since the majority of witchcraft cases were tried in the Assize Courts, I examined the references to these court records on the website of the British National Archives and found that there are no records pertaining to Shropshire that survive prior to 1654. An email inquiry to the National Archives confirmed this.

Next, having already heard from the Hereford Record Office, I inquired with the remaining two local record offices on the chance that the case was tried in the Diocesan or Quarter Session Courts. The replies I received were as follows:

Lichfield Record Office: "I have checked our indexes to Church Court cause papers for any witchcraft cases, but there is nothing before the 1660s. I've had a look at our online catalogue, but there is no reference to Kathryn Garner there either."

Shropshire Archives: "Quarter sessions records survive only from 1638 and are very patchy until 1657. I checked the listing for the January session 1638-39, but there is no mention of Katherine Garner nor yet in the session of March 1640, we hold nothing more until 1657. I can find no reference to Katherine Garner on our general catalogue."

In conclusion, there appears to be no surviving court documents pertaining to Shropshire to substantiate this story. This makes the question moot as to whether the Kathryn Garner who allegedly died in 1636 is the same woman who gave birth to John Garner. But if she did not die at trial in 1636, what happened to John's mother? If he and his father were the John and Richard Garner who emigrated to Henrico County by 1637, why is Katharn not mentioned among the headrights transported by William Farrar?

Did she perhaps die between 1634 and 1637 in Shropshire? If so, there would be a burial record in the St. Chad's parish register, but there is not. Did she perhaps die on the voyage to Virginia? Since we have yet to find the passenger list for John and Richard's voyage, we have no way of knowing if she was with them. The story of Kathryn Garner's 1636 trial and

death would certainly explain a lot, if true, but at present it must be considered an unsubstantiated family legend.

Quiz

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