The Rothenburg elites have left us few personal testimonies of their beliefs about witchcraft and magic during the sixteenth and seventeenth centuries. No record of council meetings was kept in Rothenburg until 1664, when popular pressure for greater openness forced the councillors to lift the shroud of secrecy from their gatherings. However, even after 1664 the meeting minutes recorded only the decisions made by the council and not the deliberations by which they were reached. The often detailed testimonies elicited from the women, children and men of the lower orders who became involved in witchcraft cases, which frequently give us a real sense of their personalities, emotions and discursive strategies, thus stand in ironic contrast to the silence of the councillors who judged their cases, whose personal opinions about witchcraft and influence on individual witchcraft cases were never recorded and whose reasons for resolving cases in particular ways were never stated explicitly.

We can, however, draw conclusions about elite belief with reasonable confidence from other sources. The opinions written by jurists and, occasionally, clerics for the councillors on particularly problematic witchcraft cases are most important in this regard, as they set case-specific advice in the context of wider demonological and jurisprudential thinking about the crime of witchcraft and usually cited the legal or theological texts on which their conclusions were based. Jurist Georg Christoph Walther also wrote a twenty-nine-page treatise to better inform the councillors about witches and their activities in September 1652. These jurists and clerics were council appointees whose religious affiliation and educational and social background had to be acceptable to the councillors for them to acquire their positions in the first place, and their advice was frequently followed by the councillors in specific witchcraft cases. It thus seems reasonable to assume that the beliefs about witchcraft they expressed in their opinions reflected a similar spectrum of beliefs held by the councillors themselves. We can also establish the broader framework of elite beliefs about beneficient witchcraft and popular use of magic from council
ordinances issued against these practices and from the records of the Consistorium, the post-reformation church council staffed by three councillors and three clerics which was largely responsible for trying to implement these ordinances. Fortunately the minutes of Consistorium meetings, detailing personal statements by its members, survive from 1605.2

Harmful magic

Elite beliefs about maleficient or demonic witchcraft were expressed around three themes in early modern Rothenburg: maleficium, or the causing of harm by magical means; the making of pacts with the devil; and the flight to and attendance at witches’ dances, or sabbats. Broadly speaking, Rothenburg’s councillors and their advisers thought that witches really could cause harm by magical means and make pacts with the devil, although they were far less sure about whether sabbats existed in reality or were imaginary delusions. Of most importance to their handling and resolution of witchcraft cases, however, were their doubts about how effectively specific individuals could be proven guilty of any of these activities at law: it was chiefly this doubt which explained their relatively mild treatment and punishment of alleged witches during the early modern period.

Like their subjects, the Rothenburg elites believed that witches could interfere in all manner of damaging ways with the lives and bodies of people and animals. In 1587, for example, the questions put to alleged witch Magdalena Gackstatt of Hilgartshausen asked her whether she had caused bad weather, created discord between married couples, attacked pregnant women, or otherwise caused harm to people and livestock – the standard acts of maleficia according to traditional demonology.3 The range of destructive activities that maleficient witches were thought able to engage in remained much the same in Rothenburg throughout the seventeenth century. In his treatise of 1652, for example, jurist Walther condemned witches for killing, blinding and crippling other people, harming and killing animals, and destroying crops with bad weather in order to cause dearth, inflation and hunger,4 while alleged witches continued to be tried for harmful magic – on the admittedly rare occasions when their activities were brought to the attention of the council by its subjects – in cases which occurred in 1663, 1671 and 1689.5

Unlike their subjects, however, who imagined that the ability of the witch to work magic depended on the supernatural powers and skills that she had acquired for herself, the Rothenburg elites believed that her maleficient powers depended in important ways on her relationship with the devil. Although doubtless current among the elites from an earlier date, the first written record of this
idea dates from the interrogation of itinerant cunning woman Anna Gebhart in 1581. Gebhart arrived in Rothenburg in September of that year, claiming that — for a price — she could heal disease, make bad marriages good, restore potency to men and fertility to women and, most importantly, find buried treasure for people with the help of a spirit she could conjure for this purpose. She and her husband were arrested after getting into a fight with an innkeeper and she was closely questioned about her activities, by means of which she had defrauded several inhabitants of Rothenburg out of significant sums of money. During interrogation she was asked whether her treasure-seeking ability was the result of a pact with the devil rather than of the skill she boasted of as her own — an allegation she denied vigorously. In subsequent cases the ability to work harmful magic was assumed by Rothenburg’s elites to follow from a pact with the devil: in 1587, for example, Magdalena Gackstatt was asked whether she had given herself to the devil before being asked about her acts of maleficium, as if the latter were a logical consequence of the former. Rothenburg’s foremost cleric, Georg Zyrlein, and jurist Walther likewise considered maleficium in the context of the witch’s pre-existing pact with the devil. In 1627 Zyrlein categorised maleficient witches as those who had willingly given themselves to the devil and who caused harm to people and livestock, while in 1652 Walther observed that the pact was the basis for all subsequent acts of maleficium on the part of witches.

The exact roles of the devil and witch in working maleficium were not, however, explored in detail by Zyrlein and Walther. Both noted that the devil might give the witch poisons and poisonous salves by means of which she could work harm, and the fact that the councillors had Magdalena Gackstatt’s house searched for suspicious tins of ointment and boxes of herbs in 1587 suggests that they shared this belief. Neither Zyrlein nor Walther went into much detail about the power dynamics of the witch–devil relationship, although what they did write hints at the image of a witch who was not the powerless plaything of a demonic puppet-master. In 1627, for example, Zyrlein wrote that maleficient witches caused harm ‘in accordance with the devil’s will’, but the manner in which he described them working their magic — ‘with harmful spoken charms, with poison prepared by the devil, or other improper arts, with the devil’s help’ — suggested more of a partnership, albeit an unequal one. Similarly in 1652 Walther allowed for some agency on the part of the witch in causing maleficium when he wrote that, while the devil was capable of plaguing humankind without assistance, he also used the witches who had bound themselves willingly to him in order to cause harm ‘when they desired and called upon him’ to do so.

These, then, were not the entirely powerless witches written of by sceptical German demonologists such as Johannes Brenz and Johann Weyer, who
were capable of effecting nothing by supernatural means themselves but were deluded by Satan into thinking that they could cause harm, but rather individuals imagined as contributing in some way and of their own volition towards the doing of maleficium. The councillors and their advisers may have reinforced the idea of the agency of the witch unintentionally in certain seventeenth-century cases when they investigated with great thoroughness allegations of maleficium made against alleged witches who refused to confess to dealings of any description with the devil: technically, the absence of a pact should have led the councillors to conclude that the witches in question were incapable of executing the acts of maleficium of which they stood accused. That the councillors did not press suspects for confessions about their pacts as the essential starting point in every case of alleged maleficium suggests that the traditional popular idea of the powerful maleficient witch who could harm others without diabolic assistance still exerted an influence on elite imaginings of witchcraft, occasionally proving difficult to reconcile with accepted demonological logic.

As for the fate of maleficient witches, and following the biblical dictum ‘thou shalt not suffer a witch to live’, Georg Zyrlein thought that witches who willingly made pacts with the devil and caused harm deserved death. This was in accordance with clause 109 of the Carolina, which decreed that the practice of harmful magic was to be punished with death by fire, while non-harmful magic was to be subject to discretionary, non-capital punishments. In practice, however, Rothenburg’s councillors adopted a more cautious approach towards the punishment of maleficium. In the second half of the sixteenth century, for example, only two women were punished for the crime, and with banishment rather than death, after they had been arrested and interrogated under torture about their activities. Unfortunately the records of their interrogations have not survived, so we cannot assess how their testimony was shaped by the interrogation process. However, the case-summaries contained in their sureties suggest that the first, Dorothea Klenckh, really had used a magical ritual to try to inflict the pox on someone in 1549, without specifying what – if any – effect her attempt had had on her intended victim. The second, Magdalena Weinmaÿr, was a lying-in maid and children’s nurse with a long-standing reputation as a witch who, in 1571, was accused of having tried to kill one of the infants in her charge by putting mercury into its broth. Again it appears that she really had done this, although she insisted that she had administered the mercury in order to cure the child of the dysentery from which it had been suffering. Luckily for her the child fell ill but did not die as a result of her actions. Weinmaÿr was lucky to escape with her life, as even attempted poisoning carried the death penalty according to the Carolina, because it implied a pre-
meditated intention to murder. Although there is no evidence to this effect, Weinmaÿr may have been banished rather than executed in 1571 because her case was tried during the dearth of 1570–75 when the council may have been particularly keen to foster popular enthusiasm for witch-hunts. Dorothea Klenckh may have escaped harsher punishment in 1549 because she had influential relatives who begged the council for mercy on her behalf. In other late sixteenth-century cases Rothenburg’s councillors showed little enthusiasm for pursuing allegations of maleficium at law once the accused women involved had denied them, and usually simply dismissed the suspected witch – and sometimes her accuser as well – with a warning to keep the peace. For many years succeeding generations of Rothenburg’s councillors appear to have believed that only a witch who had killed another person deserved the death penalty. Before 1673 the only person executed for witchcraft in Rothenburg was Magdalena Dürr of Standorf, who had killed her own baby and then claimed that she was a witch who had done the deed at the devil’s bidding. As infanticide carried the death penalty according to the Carolina anyway, Dürr’s admission of witchcraft made little difference to her ultimate fate, other than to ensure that her body was burned after she had been beheaded in 1629.

**Demonic pacts**

The Rothenburg jurists and clerics spent more time discussing the making of pacts with the devil by witches than their perpetration of maleficium, partly because so few explicit allegations of maleficium were brought to their attention by their subjects, but also because they regarded the making of such pacts as the most serious of witches’ sins. In 1652 jurist Walther criticised those people who thought that witches ought to be punished for their acts of maleficium, arguing that these were of secondary importance to her apostasy, which was the most heinous sin against God because it contravened the first commandment: maleficium was a matter of external circumstances, Walther noted, whereas making a pact with the devil reflected the internal evil of the witch’s heart. The elites believed that witches confirmed their pacts with the devil in various ways: by shaking hands or having sex with him or, as Zyrlein noted in 1627, by means of swearing oaths to him or signing pledges to him in their own blood. That their subjects shared – and could parody – these beliefs was seen in 1614, when a group of men which included the city’s executioner were banished from Rothenburg for having tried to defraud Hans Unger of Gebsattel out of 400 gulden. One of the group had disguised himself as Satan using soot and horsehair, while the others had persuaded Unger to sign his soul over to ‘Satan’ using his own blood for ink. The idea was that, in return for 400
gulden, ‘Satan’ would grant Unger’s wishes for ten years. Unger fell for the trick even though ‘Satan’ rejoiced in the unlikely name of Wischauf (‘Wipe-Up’). The fraud was discovered only because a city gatekeeper found Unger in possession of this large sum of money – which he had stolen from his father Jobst – on his return to Rothenburg.28

In 1627 Georg Zyrlein drew a distinction between two types of witches who made pacts in different ways and consequently deserved different treatment in the opinion he wrote on the case of self-confessed child-witch, Margaretha Hörber. His ideas and their derivation are worth explaining in detail, as they not only proved influential in the handling of Hörber’s case but probably also shaped the way in which the councillors treated self-confessed child-witches for the rest of the seventeenth century. As we have already seen, in the first category Zyrlein classed witches who gave themselves willingly and intentionally to the devil and worked harm with his assistance: they made explicit spoken or written promises to the devil and deserved the death penalty.29 In the second, however, were witches who had neither caused harm nor promised themselves explicitly or willingly to the devil but who had been deceived or forced through violence or fear by the devil to believe as true events and sights which were not and could not be true in reality, such as flights to witches’ dances. These passive witches with their implicit pacts did not deserve the death penalty, Zyrlein noted, because their only crime was that of apostasy – a spiritual failing which only God, not the courts of this world, could judge. Such individuals deserved pity and better religious instruction rather than punishment.30

Zyrlein relied heavily on Theodor Thumm’s 1621 work, *Tractatus Theologicus de Sagarum Impietate*, for this moderate stance on non-maleficient witchcraft specifically and for much of what he wrote generally about the devil’s power to delude people in his opinion of 1627.31 Thumm was a theologian at Tübingen University in the neighbouring Duchy of Württemberg who, following the view of Johann Weyer that death was too extreme a punishment for a spiritual crime, divided witches into three categories in his treatise: those who suffered from melancholy fantasies and were entirely deluded by the devil; those who made pacts with the devil but caused no harm; and those who had express pacts with the devil and caused harm with his help. According to Thumm, the first needed medical help and the second, admonition and better religious instruction: only truly harmful witchcraft deserved death.32 Zyrlein clearly followed Thumm’s schema in his opinion of 1627, although he also more briefly cited Rostock jurist Johann Georg Gödelmann, whose 1591 work *Tractatus de Magis, Veneficis et Lamiis* had categorised witches and the treatment they deserved along very similar lines, again following Weyer.33 The third text on which Zyrlein based his advice was an extract from Luther’s *Table Talk*, which dealt with an event which had occurred in 1538 when a Wittenberg student called Valerius
Glockner had told Luther that he had given himself to the devil. Instead of handing Glockner over to the secular courts for trial and punishment, Luther and his colleagues had convinced him of the error of his ways and persuaded him to take an oath admitting his sin, expressing his contrition, and forswearing the devil. The idea that the penitent apostate should be forgiven rather than punished also figured significantly in the Rothenburg Church Ordinance of 1559, which gave people who had fallen into various types of heterodoxy (including witchcraft) at least four chances to repent of their sins before excommunication or a worse fate awaited them.

In practice, however, the Rothenburg councillors and their advisers regarded self-confessed child-witches as most worthy of pity and as most redeemable from the sin into which they had fallen. It was for this reason that thirteen-year-old Margaretha Hörber, eight-year-old Brigitta Hörner and eight-year-old Barbara Schürz were all sent to the city hospital for religious instruction at the end of their respective trials in 1627, 1639 and 1652. Case-specific circumstances played their part in explaining the moderate stance of the council in all three cases. However, generally speaking the council was willing to show these girls mercy for two reasons. First, because they had freely admitted that they were witches: this was important because confession of one’s sins was regarded as the first essential step on the road to contrition and forgiveness. And second, because they had allegedly been beguiled or forced into giving themselves to the devil when very young. Roman law held that a child could not be held culpable for crimes of intentional malice because, as its reason and will were not yet fully formed, it could not be deemed responsible for its actions; this point of view influenced the trials of all three girls.

The views of jurist Walther on pacts and the punishments they deserved, expressed in his witchcraft treatise of 1652, were – theoretically at least – much harsher than those of Zyrlein. In a return to what had been the commonly held view at the University of Tübingen before Theodor Thumm’s espousal of a more liberal position, Walther asserted that witches deserved the death penalty even if they had only made a pact with the devil and not committed any acts of maleficium, because their apostasy was so heinous a sin. However, Walther allowed himself a rhetorical loophole in his treatise by writing only of witches who had willingly and voluntarily made such pacts. This implied that there might be another type of pact in which the witch’s will and consent was lacking, and in practice Walther regarded self-confessed child-witches in this context. In his opinion on the Brigitta Hörner case of 1639, for example, he categorised Brigitta as a poor little girl who had been seduced into witchcraft when she was too young to have known better, and it was on his advice that she was sent to the city hospital for religious instruction. Indeed, youth was so important a mitigating factor for Walther that he raised doubts...
about whether Brigitta, who claimed to have killed a foal belonging to her cousin, could be held responsible and punished even for an act of maleficium because of her age and lack of reason.38

Elite thinking on pacts, then, was relatively moderate as far as self-confessed child-witches were concerned. However, as subsequent chapters will show, the stories of witchcraft told by these youngsters invariably included an older female witch who had allegedly first seduced them into witchcraft by acting as an intermediary between themselves and the devil. The Rothenburg elites regarded and treated these women in a far less merciful manner and they usually escaped legal punishment as witches only because of their own courage during interrogation and the unwillingness of the council to abandon all legal restraint in the handling of their cases. However, the fact that the elites tried these women at all seems illogical. Why should the devil have needed these women to act as go-betweens for him, when he was capable of corrupting children of his own volition? And why, given that the jurists and councillors doubted other aspects of these children’s stories – such as their claims to have attended sabbats – because of their youthful unreliability as witnesses, did they tend to believe the children’s narratives of seduction by these women? The answers to these questions are partly to be sought in the influence on the minds of the Rothenburg elites of traditional demonological accounts of seduction into witchcraft: part two of the famous late fifteenth-century demonological treatise, the *Malleus Maleficarum*, for example, talks of older women initiating others – including their own children – into witchcraft and was cited by Rothenburg jurist Johann Schäfer in his comments on the trial of Margaretha Hörber in 1627.39 However, I will argue later that this image endured and was strengthened for the post-reformation elites in Rothenburg because it fitted in important ways with their ideas about, and fears of, the power of mothers for good and evil over their children.40 It was so central to elite concerns that questions about such alleged seductions into witchcraft of children by older women, rather than questions about the latter’s pacts with Satan, usually constituted the focal point of their interrogations.

Sabbats, demonic delusion, and legal caution

Most elite scepticism was expressed in the records of witchcraft cases from Rothenburg about witches’ sabbats and the flights to them. The jurists and clerics who commented on these issues tended to believe that sabbats did not take place in reality, but that self-confessed witches and other people who claimed to have seen witches’ gatherings had been deluded by the devil into imagining that they had done so. This view was first recorded by jurist Cunradt
Thalhaimer in 1582, when he suggested that Margaretha Seitz might have been deluded by the devil into imagining her transportation to the nocturnal gathering of her three Oberstetten neighbours.\textsuperscript{41} Gugel and Hardessheim, the two Nuremberg jurists who also wrote an opinion on the Oberstetten case, agreed with Thalhaimer’s interpretation of events, citing the \textit{Canon Episcopi} in support of their views.\textsuperscript{42} This was the famous ninth-century canon which, as part of the attempt by the Church to eradicate pagan and superstitious beliefs among the lower orders, had been issued in order to condemn the widely held popular belief ‘that certain women rode out at night on the backs of animals in the company of the goddess Diana’ by explaining that these women were merely deluded by the devil into thinking that they did such things.\textsuperscript{43} The \textit{Canon Episcopi} strongly influenced a strain of sceptical thought about the powers of witches to fly to sabbats which emerged at the University of Tübingen in the sixteenth century and which was also important in Rothenburg.\textsuperscript{44} Jurist Friedrich Prenninger, for example, cited the \textit{Canon Episcopi} explicitly in support of his belief that witches’ sabbats did not really take place in the advice he gave the council on the Hilgartshausen witchcraft case of 1587, while in 1602 he suggested that Leonhardt Brandt had been deluded by the devil into seeing five of his neighbours at the witches’ gathering Brandt claimed to have observed in Steinach.\textsuperscript{45} The same ideas were still current later in the seventeenth century. In his opinion on the Brigitta Hörner case of 1639, jurist Walther noted his belief that flights to sabbats did not take place in reality,\textsuperscript{46} while both Zyrlein and jurist Johann Schäfer believed that Margaretha Hörber had been deluded by the devil into imagining her attendance at sabbats in 1627.\textsuperscript{47} Schäfer, however, allowed for the possibility that the devil might really transport people physically to different places in other cases.

As might have been expected, given this emphasis on sabbats as diabolic delusions, the Rothenburg elites showed little zeal for starting or pursuing legal proceedings against alleged sabbat-attenders during the early modern period. This is an important point, as it was usually only in areas where the judicial authorities were willing to take action against alleged witches purely on the grounds that they had been ‘seen’ by other witches at sabbats, and where torture was used without restraint to obtain confessions and denunciations of further sabbat-attenders from alleged witches, that a chain-reaction effect occurred to escalate witch-hunts in terms of size and speed. This could, potentially, have happened in Rothenburg: in 1627, for example, Margaretha Hörber named twenty-two people she claimed to have seen at witches’ dances.\textsuperscript{48} However, in practice in Rothenburg no legal action was taken against any of the alleged witches ‘seen’ at their gatherings by Margaretha Seitz in 1582, Leonhardt Brandt in 1602 or Brigitta Hörner in 1639.\textsuperscript{49} In the cases involving Margaretha Hörber and Barbara Schürz from 1627 and 1652, respectively, a total
of only three people were questioned after the girls had allegedly seen them at sabbats. However, in both cases other evidence, primarily their close association with the women who had allegedly seduced the girls into witchcraft in the first place, also counted against them. The only individual to be arrested and interrogated purely on the grounds of having been ‘seen’ at a sabbat in late sixteenth and early seventeenth-century Rothenburg was Babelein Kuch, during the Hilgartshausen witchcraft case discussed in Chapter 3. None of these four people were found guilty of or punished officially for witchcraft as a result of their involvement in these cases, however.

I do not want to suggest that there was a simple causal connection between elite scepticism about the reality of sabbats and elite unwillingness to pursue alleged sabbat-attenders at law in Rothenburg. Compelling legal reasons almost always also existed in specific cases to discourage the councillors and their advisers from taking action against alleged sabbat-attenders. In 1582, 1602 and 1628, for example, the fact that the allegations about witches’ gatherings made by Margaretha Seitz, Leonhardt Brandt and Barbara Rost were handled according to the precepts governing slander helped ensure that the legal scales were tipped in favour of the alleged sabbat-attenders rather than their accusers. In cases in which self-confessed child-witches claimed to have attended sabbats, jurists were more likely to cast doubt on the child’s testimony by questioning the child’s status as a witness than they were to spend pages debating the reality or otherwise of witches’ sabbats. As far as they were concerned, a child who claimed to be a witch was, on grounds of both age and character, hardly a reliable enough witness on which to base the arrest and legal pursuit to the death of other people as witches. Case-specific and more general religious and political reasons, which often had little to do with witchcraft itself, also help explain why it made little sense for the council to take or pursue legal action against alleged sabbat-attenders in particular witchcraft cases.

Scepticism about the reality of witches’ dances did, however, help to sow sufficient doubt in the minds of the councillors and their advisers to encourage them to treat allegations of sabbats in particular and witchcraft in general with caution when trying them at law. This was because the scepticism about sabbats stemmed from a broader set of beliefs about the devil’s power to delude human beings: to make them believe as true sights and events which might not be true in reality, as Superintendent Zyrlein had put it in 1627. And, because the Rothenburg elites believed that, as a secret crime, witchcraft was difficult enough to prove unequivocally anyway, add the devil’s trickery, malice and power to delude to the equation and proving witchcraft at law became even more problematic. As jurists noted in 1582, 1602 and 1639, the devil might well have deluded Margaretha Seitz, Leonhardt Brandt and Brigitta Hörner into thinking that they had seen other people at sabbats because he hoped
thereby to endanger the lives of innocent people. The council would therefore be doing the devil’s work if it pursued the allegations against these potentially blameless people too vigorously. The idea that the councillors themselves were not immune to the devil’s trickery by virtue of their wisdom and status was suggested by Zyrlein in 1627, when he commented that the devil’s cunning was so great that, while he regarded weak, melancholy women as easier targets for his deceptions, no-one, not even the most steadfast and intelligent of men, was safe from them. Zyrlein painted such a vivid picture of the power and speed of the devil in playing tricks on the human mind and senses, which were coarse and slow by comparison, that one wonders whether the Rothenburg councillors had any confidence in their ability to use the law to reach conclusions about what was real and what imaginary, what true and what false, in witchcraft cases.

These doubts were expressed most clearly by jurist Walther in the witchcraft treatise he wrote on 14 September 1652. Walther organised his treatise around four questions: (1) What should we believe about witches and their activities? (2) Which of the witch’s sins most deserve punishment? (3) How should suspected witches be tried? and (4) How should witches be punished by courts? Walther’s responses to questions (1) and (2) reflected a fairly harsh view of witches. He began by stating that, despite the fact that melancholy imaginations and the devil’s delusions played some role in the matter of witchcraft, witches really did exist and always had done: God would not have said so much about them in the Bible if they were merely creatures of fantasy. Walther then listed the witches’ various sins – their apostasy and acts of malificium – explaining that their apostasy was the most heinous and deserving of death. However, in response to question (3), Walther’s tone changed from one of condemnation to one of caution. He noted that witchcraft was a weighty and dangerous matter and advised judges to take care not to anger God and assist the devil by subjecting suspected witches to rapid and unlawful trials. They should rather make diligent enquiries, not only about suspected witches but also about their accusers, to ensure that the latter were honourable and not motivated in their actions by envy, enmity or a desire for vengeance. Judges were also to investigate thoroughly the veracity of deeds confessed by alleged witches under torture before reaching verdicts against them. Caution and thoroughness were needed because witchcraft was a secret crime and the devil was the arch-deceiver.

Walther gave his solution to the problems posed by witchcraft to judges in the opinion that he wrote on the ongoing trials of alleged witches Margaretha Horn and Catharina Leimbach on 23 September 1652. Stick to due legal procedure, he advised the council and, if Horn and Leimbach cannot be proven guilty according to it, they should be released without punishment and their
eternal fate left to the all-seeing wisdom of God. The risk of executing the innocent along with the genuinely guilty was otherwise too great. For Walther, then – and perhaps also for the councillors, who followed Walther’s advice in these cases – it was possible to hold and express harsh opinions against witches in theory while remaining cautious in the handling of specific witchcraft cases in practice. Walther’s tract may well have been modelled, consciously or otherwise, on the famous legal treatise, Practicae novae imperialis Saxonicae rerum criminalium, published by the Saxon jurist Benedict Carpzov in 1635. As Tom Robisheaux has shown, Carpzov also condemned witchcraft harshly as one of the most heinous crimes possible in Part One of his treatise, then advocated scrupulous adherence to due legal procedure as laid down in the Carolina in trying witches in Part Three. This gap between the ‘bark’ of their demonological rhetoric and the ‘bite’ of their jurisprudential advice on the part of both Carpzov and Walther should thus perhaps warn us against the danger of taking demonological rhetoric at face value, without exploring how – and if – its ideas actually influenced trial procedure.

Doubts about their ability to prove witches unequivocally guilty according to due legal procedure, fears that they would invoke God’s wrath against themselves and their subjects if they overstepped its bounds, and a certain humility in thinking that witchcraft was a matter best left up to God, all played a part in encouraging the Rothenburg councillors and their advisers to handle witchcraft cases with caution. It was therefore a marked degree of jurisprudential scepticism, and not a well-defined and dogmatically maintained scepticism about the reality of witchcraft, which was the defining feature of the city’s early modern witchcraft cases. Thus, while a particular set of beliefs about the devil’s powers of delusion influenced and strengthened this legal caution, it was the refusal by the council to treat witchcraft as an exceptional crime, subject to no legal restraints or safeguards, which was most important in explaining the relatively restrained treatment of witchcraft suspects, the paucity of guilty verdicts in witchcraft cases, and the absence of larger-scale episodes of persecution in the city during the early modern period.

This attitude towards witchcraft had much in common with the stance adopted in the treatises published between 1617 and 1635 by the four most important early seventeenth-century opponents of witch-hunting in Germany: Adam Tanner, Paul Laymann, Friedrich von Spee and Johann Matthäus Meyfart. Stuart Clark has argued that the four:

assumed (in print at least) that there was such a crime as witchcraft, involving real contact with demons, and that men and women were capable of and could properly be found guilty of it . . . Delusion appeared occasionally in these . . . texts but only as a reason for regarding revelations about the sabbat with caution, not as a threat to the entire reality of witchcraft.
However, Tanner, Laymann, Spee and Meyfart did not become embroiled in the minutiae of ongoing demonological debates in their works. Instead they attacked the practice of witch-hunting, criticising the mistreatment of witches at law, arguing for the introduction of various procedural safeguards and the more careful regulation of the use of torture in witchcraft trials, and demanding that trials be conducted ‘according to the standards of natural reason and equity’.  

The similarities between their ideas and those of successive Rothenburg councillors, in terms of their belief in the possibility of witches causing maleficium and making pacts, their doubts about the reality of sabbats, and their overriding emphasis on the circumspect legal treatment of suspected witches, are striking. Still more striking was the fact that the Rothenburg councillors adopted what Clark has called this ‘radically sceptical position concerning these legal issues’ at so early a date: from the 1560s rather than the 1620s and 1630s. Moreover, the councillors had not learned the lesson of legal caution through bitter experience: no large-scale episode of witchcraft prosecution, based on excessive infliction of torture and other legal abuses, had occurred in Rothenburg to teach them that discretion was the better part of valour when it came to trying witches. This suggests that older legal ideas connected with the law of talion and the treatment of slander, the procedural safeguards stipulated by the Carolina, and the conviction that witchcraft was a spiritual crime best left to God’s ultimate judgement were sufficient, in Rothenburg at least, to ensure and maintain legal caution in the treatment of witchcraft without the need for any radical re-appraisal of the legal issues pertaining to the crime. It also suggests that the councillors and their advisers had a wider set of concerns, which had little to do with witchcraft itself, but which influenced their handling of witchcraft cases and helped explain why they were unwilling to throw legal caution to the winds in the process.

**Wider social and political priorities**

If hunting witches without regard for due legal procedure risked doing the devil’s work by executing the innocent along with the guilty, it also made little sense to the Rothenburg councillors for more practical reasons. Take the importance of the rural hinterland, from where most witchcraft cases emanated until the later seventeenth century, to the city and its elites as an example. The hinterland had always been vital to Rothenburg’s survival as an autonomous political unit and to the continuing political dominance within the city of the urban patriciate, whose wealth came primarily from the land that they owned rather than from craft-based trade and commerce. Ever since Heinrich Toppler, the best-known late-medieval mayor of Rothenburg, had
begun to increase the city’s landholdings outside the city walls from the late fourteenth century, the fates of the city, its hinterland and their own power were regarded by the urban elites as inextricably connected. Rothenburg’s hinterland subjects provided essential foodstuffs and raw materials to the inhabitants of the city, money in the form of rents and dues to the city coffers and individual patrician families, a market for the goods of the urban craftsmen, and a peasant militia as the first line of defence against attack from external enemies.66 The importance of the hinterland and its inhabitants to the city was emphasised in many ways during the early modern period. After the Peasants’ War of 1525, for example, the council acknowledged the military importance of the men of the hinterland when it quickly re-armed the peasants who had just raised their weapons in rebellion against its authority so that they could help defend the city in a feud with a neighbouring lord.67 The economic importance of its peasant subjects to the city can be seen from council ordinances which ordered the hinterland inhabitants to sell their produce only at markets in Rothenburg and not to flee the hinterland with their possessions during the Thirty Years’ War.68 After the Thirty Years’ War had wrought terrible destruction on the hinterland villages, the council adopted policies which would ensure that they were rebuilt and repopulated as quickly as possible, offering financial assistance to its peasant subjects to achieve this aim.69 Council concern for the well-being of the peasants was at work here, but so too was concern for the economic well-being of the city and its inhabitants.

The importance of the hinterland to the city and its survival, then, helps explain why the councillors showed little enthusiasm for pursuing the allegations of witchcraft raised by villagers in the late sixteenth and early seventeenth century beyond the limits of due legal procedure and why they often emphasised the restoration of social harmony in their resolution of witchcraft cases. Partly as a result of their traditional policies regarding slander and partly as a result of observing the effects of large-scale witch-trials in other areas, the councillors seem to have realised from an early date that thoughtless talk about witchcraft on the part of their subjects risked triggering witch-trials and plunging communities into a spiral of accusation, counter-accusation and enmity, and that the zealous pursuit of witch-trials on a dubious legal basis risked the persecution and perhaps execution of large numbers of their subjects.70 Neither scenario was conducive to the traditional aim of the councillors: that of maintaining order and harmony in well-populated hinterland villages in the economic, political and military interests of the city. It is also interesting to note that the five villages which became the focus of investigations into allegations of witchcraft between 1561 and 1602 – Wettringen, Finsterlohr, Oberstetten, Hilgartshausen and Steinach – were all situated close to the territorial boundaries of the hinterland, with Oberstetten lying beyond the line of hedges...
and ditches the city had erected to protect its rural possessions. The council may have been particularly keen to maintain order and authority at its outer territorial reaches by deciding not to allow allegations of witchcraft among its inhabitants there to escalate out of control.

In Chapter 1 I argued that we can clearly see council concern for order and harmony in its handling of the allegations of witchcraft from Finsterlohr in 1563, Oberstetten in 1582 and Steinach in 1602. However, this concern also shaped the way in which the council resolved urban witchcraft cases. In 1605, for example, the councillors followed the advice of jurist Friedrich Prenninger to banish joiner Hans Georg Hofmann rather than investigate the suspicions of witchcraft against him any further in order to quell the rising tide of talk about witchcraft among the common people of Rothenburg, while elite concern for social stability in the city, mingled with self-interest on the part of the councillors, lay behind their treatment of Barbara Rost’s allegations of witchcraft as slander in 1629. This same concern helps explain why eight-year-old Brigitta Hörner of Spielbach was sent to the city hospital with no further investigation of her witchcraft confessions in July 1639. Hörner was one of the many children orphaned during the Thirty Years’ War and she wandered Rothenburg largely unchecked, telling people that she had been seduced into witchcraft, had promised herself to the devil, had flown to sabbats which various women from Spielbach and Rothenburg had also attended, and had committed acts of maleficium. The sources note that Hörner had stirred up great trouble among the common people and especially the children on the streets of Rothenburg with her witchcraft stories. The type of trouble she had caused was not specified, although it was probably similar to that caused by six-year-old Hans Gackstatt’s witchcraft stories in the village of Hilgartshausen in 1587, discussed in Chapter 3: furthering suspicions about already-reputed witches, increasing the likelihood of public accusations of witchcraft, and raising the level of enmity within the community. Moreover, the records of the Consistorium suggest that some city-dwellers had asked Hörner whether she had seen individuals they personally suspected of witchcraft at the sabbats she claimed to have attended. Had the council taken her confessions too seriously, it might have elevated her authority as an identifier of witches in the minds of some of its subjects, who might then have brought formal witchcraft charges against other reputed witches. By taking Hörner off the streets and placing her in the hospital, the council doubtless hoped to calm feelings and speech about witchcraft in Rothenburg.

Case-specific political circumstances also influenced the legal treatment of allegations of witchcraft by the council, often in a manner which encouraged caution. This can be seen in the case involving Margaretha Hörber of Gebsattel from 1627 discussed in Chapter 4 and the cases from Bettenfeld and Wettringen
from 1652 discussed in Chapters 5 and 6. In all three cases factors which had little to do with witchcraft itself – rivalries with neighbouring lords, the immediate political and religious context of the Thirty Years’ War, ongoing disputes with their subjects, and the desire to maintain their own judicial authority and autonomy – helped shape the handling of the allegations of witchcraft by the council. More general political issues also help explain why the council showed little desire for prosecuting witches beyond the limits of what they perceived as due legal procedure. Territorial rulers who presided over particularly large episodes of witch-hunting based on abuses of the law and the excessive use of torture could render themselves vulnerable to external interference in early modern Germany. For example, Gerhard Schormann has shown that the action of the Reichshofrat, one of Germany’s two central imperial courts, helped end the terrible witch-hunts in the Franconian Prince-Bishopric of Bamberg in 1630. This happened after refugees from the hunts in Bamberg fled to Nuremberg and made formal complaints against Prince-Bishop Johann II Fuchs von Dornheim from there to the Reichshofrat, thereby persuading the Emperor to issue mandates ordering von Dornheim to hand over the records of the Bamberg hunts to the imperial court. The same pattern of an assertion of imperial authority on grounds of legal abuses also helped end the terrible witch-hunts which took place in the Electorate of Cologne and the Prince-Bishopric of Würzburg between 1626 and 1631.

Of course, the Rothenburg councillors could not have known in advance how the Bamberg, Würzburg and Cologne witch-trials were going to end in 1630 and 1631. They were, however, the governors of a medium-sized Lutheran imperial city which owed its status as an autonomous political unit within the Holy Roman Empire to the rights and privileges given to it and protected by Catholic Emperors. This meant that after their adoption of Lutheranism in 1544, successive generations of councillors tried consistently to pursue both internal and external policy in a way that would draw as little imperial attention to themselves as possible and give the Emperor as few excuses for interfering in their affairs – and perhaps curbing their powers and judicial autonomy – as possible. This policy of quiet caution in order to remain on good terms with the Emperor can be seen, for example, in the slow and legalistic nature of the city’s reformation between 1544 and 1559, and in the circumspect political stance taken by the city during the Schmalkaldic War in the mid-sixteenth century and the early years of the Thirty Years’ War in the seventeenth century. It was therefore possible for successive generations of councillors and their advisers to have made the links between abuse of the law, excessive witch-hunting, and imperial displeasure at an early stage of their judicial engagement with witchcraft allegations, and shaped their legal treatment of these allegations accordingly. In 1605, for example, one of the reasons given by jurist Friedrich Prenninger in support
of his advice to the council to pursue allegations of witchcraft against a citizen and joiner, Hans Georg Hofmann, no further, was that Hofmann might complain to the Emperor about his treatment if he were tortured during his trial, and thereby embroil the council itself in lengthy legal proceedings.  

**External influences on elite thinking?**

The Rothenburg councillors were content to keep witchcraft cases an almost exclusively in-house affair during much of the early modern period. They asked ‘foreign’ jurists for advice in only three instances: Johann Höfel of Schweinfurt in 1663 and 1673 and Nuremberg jurists Gugel and Hardessheim in 1582.  

However, although Gugel and Hardessheim were employed by and lived in the city of Nuremberg, they were also paid an annual retainer for their services by the council in Rothenburg. This meant that the councillors could ask them for advice directly, without having to submit a request to this effect to their counterparts in Nuremberg. Moreover, the advice proffered by Gugel and Hardessheim in 1582 was very similar to that given to the councillors by their own jurist Thalhaimer, which it in many ways confirmed. Apart from these three instances, the Rothenburg councillors relied on their own appointees for legal, theological and medical opinions on witchcraft cases until 1671 when, for the first time, they sought advice from a law faculty at a university (Tübingen) on a witchcraft case. As the Carolina had ordered judges to seek advice in this way in difficult criminal cases nearly a hundred and forty years earlier in 1532, we can perhaps see in the council’s determination to consult only its own experts on witchcraft before 1671 a deliberate assertion of its judicial and political autonomy as well as an expression of confidence in its ability to handle witchcraft cases without external assistance.

This is not to say that elite ideas about witchcraft and how it was best handled at law were immune to external influence in Rothenburg – just that any signs of such influence were almost entirely absent from specific cases. It seems likely, for example, that connections with Nuremberg, the most powerful imperial city in Franconia, helped shape the attitudes of the Rothenburg elites towards witchcraft. Both cities became Lutheran, and both had similarly restrained patterns of witchcraft prosecution, based on similar beliefs about witchcraft, about the need to try witches according to due legal procedure, and the need to maintain social order for practical reasons. And, while the Gugel–Hardessheim opinion is the only example of a direct link between the two cities in a specific witchcraft case, there were other contexts in which ideas about witchcraft could have been exchanged. For example, the Rothenburg council looked to Nuremberg for help and advice in the implementation of its
own Lutheran reformation between 1544 and 1559, drawing heavily on the services of Nuremberg jurist Christoph Gugel, to whom it paid an annual retainer between 1530 and 1577.\textsuperscript{88} It also ‘borrowed’ Nuremberg cleric Thomas Venatorius, who had helped advise the council in Nuremberg on a witchcraft case in that city in 1536, to be Rothenburg’s first evangelical preacher in 1544.\textsuperscript{89} After 1559 the municipal account books show that mayors and jurists made numerous advice-seeking visits to Nuremberg throughout the early modern period, when ongoing witchcraft cases from either city could have been discussed, while most of the jurists active in Rothenburg in the seventeenth century and an increasing proportion of its councillors studied at the newly established Nuremberg university at Altdorf.\textsuperscript{90}

The Rothenburg council also continued to pay annual retainers to certain Nuremberg jurists for their services. By the late 1580s the two jurists retained in this way were Andreas Stöckel and Johann Heroldt.\textsuperscript{91} They wrote no opinions about witchcraft cases in Rothenburg but we know of their views on the subject from opinions they wrote for the council of another Franconian city, Weissenburg, in 1590. Like several of the Rothenburg jurists, Stöckel and Heroldt regarded witchcraft as a real crime deserving of severe punishment but recommended caution in its legal treatment, especially as the devil could delude alleged witches into accusing other people, who were in fact innocent, of the crime.\textsuperscript{92} Stöckel and Heroldt may have discussed their ideas privately with their Rothenburg acquaintances in the late sixteenth century, but no reference was made to their formal written opinions in Rothenburg until 1652, when jurist Walther mentioned them fleetingly in his witchcraft treatise.\textsuperscript{93}

The Rothenburg elites were probably also influenced in their attitudes towards witchcraft by the links they forged with the nearby Lutheran Duchy of Württemberg. Erik Midelfort has shown that, from the early sixteenth century, theologians from Württemberg’s Tübingen University combined the emphasis from the \textit{Canon Episcopi} on the devil’s power to delude with a providential belief that God was ultimately responsible for all things – good and bad – that happened on earth to produce a particularly sceptical view of the power of witches. The most famous proponent of this Württemberg view of witchcraft was the Lutheran reformer Johannes Brenz. After his congregation blamed a particularly severe hailstorm on witchcraft in 1539, Brenz drew on the story of Job in order to tell them that bad weather came from God to test and punish them and to encourage them to repent, and not from witches, who were merely deluded by the devil into thinking that they could cause storms.\textsuperscript{94} Jacob Heerbrand, a theologian from Tübingen University, preached in the same vein in the 1570s.\textsuperscript{95} The Tübingen jurists wrote little about witchcraft during the sixteenth century, but ‘their occasional opinions show definite restraint in regard to procedures used against witches’.\textsuperscript{96}
The councillors in Rothenburg also looked to Württemberg for advice and assistance during the implementation of their reformation. Württemberg theologian Jakob Andreä drafted the Rothenburg *Church Ordinance* of 1559, relying heavily on Württemberg precedents in the process, while the first Superintendent, or foremost cleric and ecclesiastical official, in Rothenburg was Johannes Hoffmann, another Württemberger. Johannes Brenz himself was an important influence on proceedings and enjoyed a personal friendship and correspondence with Johannes Hornburg, the Rothenburg councillor responsible for instigating the adoption of Lutheranism in the city. The library in Rothenburg also contained copies of the complete works of Brenz, including his *Sermon on Hailstorms*, and of Heerbrand. The links between Rothenburg and Württemberg, and especially Tübingen University, continued throughout the sixteenth century. In 1578 the council sought the advice of the Tübingen theologians in a dispute about usury which had arisen among its own pastors. The number of students from Rothenburg matriculating at Tübingen rose significantly after Rothenburg became Lutheran, while six of the eight jurists who advised the council on witchcraft cases between 1582 and 1652 had also studied at Tübingen: Renger, Metzler, Thalhaimer, Prenninger, Bezold and Seuter. They all advocated caution and adherence to due legal procedure in handling allegations of witchcraft and two of them – Thalhaimer in 1582 and Prenninger in 1587 and 1602 – expressed beliefs in line with the *Canon Episcopi* in their opinions on witchcraft cases.

I do not want to suggest that the Rothenburg councillors and their advisers slavishly followed a Tübingen or Nuremberg ‘line’ in their treatment of witchcraft. For example, despite the influence of Brenz on Rothenburg’s reformation, he was not cited in relation to witchcraft in the city until jurist Walther mentioned him briefly in his witchcraft treatise of 1652. Nor were Brenz’s ideas about the powerlessness of witches entirely followed by jurists and councillors in Rothenburg: as we have seen above, case-specific evidence suggests that they continued to think that witches were able to cause storms as well as other sorts of maleficium, while emphasising the devil’s powers of delusion mainly in relation to witches’ sabbats. By the early seventeenth century views on witchcraft had anyway become sharply divided in Tübingen itself. Whereas Brenz and his followers argued that witches deserved execution just for apostasy, Theodor Thumm and other moderates argued against the death penalty for a spiritual crime. The important point from a Rothenburg point of view was that the councillors chose to opt for the moderate Thummian position in 1627, on the advice of Wittenberg-educated Georg Zyrlein and because this made good sense to them for other reasons. The similarities in the treatment of witchcraft between Rothenburg and Nuremberg may have stemmed as much from their political similarities as they did from any explicit exchange of ideas.
on the subject: they were both imperial cities with rural hinterlands, ruled by
patrician councils which introduced Lutheranism. The most that can be con-
cluded at present is that there were channels of communication between
Rothenburg and its two staunchest local Lutheran allies through which ideas
about witchcraft and its legal treatment could have been exchanged, from
Rothenburg to Tübingen and Nuremberg as well as vice versa.106 Any more
detailed conclusions about the networks of mutual influence that existed
between the elites in Rothenburg and their counterparts elsewhere must await
much-needed research on the lives, careers and correspondence of the leading
men of Rothenburg throughout the early modern period.

A final factor influencing the cautious legal treatment of witchcraft in
Rothenburg was probably the fact that alleged witches, like all other suspected
criminals, were tried by the sixteen-man city council, constituted as the city’s
criminal court. Johannes Dillinger has argued that the trial of witches by coun-
cils or council subcommittees in early modern German cities probably mili-
tated against witch-trials spreading rapidly and with scant regard for the law.
This was because it involved a relatively lengthy process of discussion and con-
sideration of the issues which no individual was able to control and in which a
variety of opinions had to be aired and discussed so that a final consensus could
be reached.107 The same processes were at work in Rothenburg. The progress
of criminal cases was controlled by the full council, which considered them and
planned the next course of action during its meetings. Suspects were interro-
gated in the city gaol by the two most junior councillors who, because of their
lowly status, were least likely to pursue a case at variance with council dictates.
Any sudden change in the progress of a case was reported back to the council
for further consideration. Rothenburg also had its own municipal hangman,
who was paid by the council and had no personal influence on witchcraft cases.
This is a noteworthy point, as travelling hangmen who offered their services in
identifying, torturing and executing witches to judicial authorities at times of
witch-panics could help exacerbate and spread these panics, as they had a
vested interest in so doing.108 In Rothenburg control was always kept by the
council, although its five most powerful members, the five mayors, almost cer-
tainly exerted a disproportionate influence over proceedings. By encouraging
and even prolonging discussion about cases, therefore, the trial process in
Rothenburg probably helped ensure that doubts about their ability to prove
witches guilty at law remained uppermost in the minds of successive gener-
tions of councillors, whatever they believed about witchcraft as individuals. A
consensus about legal caution may, in fact, have hidden a greater variety of
opinions about witchcraft among the councillors than the decisions they
reached en masse in particular cases suggests.
White magic

The Rothenburg elites had to deal with what they perceived to be the problem of popular use of beneficient or white magic as well as maleficient or demonic witchcraft during the early modern period. Like the lower orders throughout the rest of Europe, their subjects drew on deep resources of white magic in order to try to ensure success in their daily undertakings; to find lost or stolen objects or missing people; to protect themselves and their livestock against witchcraft, disease and other misfortunes; and to limit the damage caused by these threats to their health and livelihoods once they had taken effect. People sewed herbs and seeds blessed in special ways into cloth pouches and wore them about their bodies or placed them in their bed-straw to protect themselves against witches, or put them into door-lintels to protect the livestock that passed under them against witchcraft. Amulets containing written blessings were worn for the same purpose, while women swept their homes and left their brooms outside in a ritual manner on Shrove Tuesday to ensure that their houses were protected against dirt, disease and witchcraft for the coming year. Of particular importance to the web of white magic rites were blessings: prescribed formulae invoking God, Jesus, Mary or the saints which were spoken aloud — often to the accompaniment of other rituals — and which were believed to invest particular objects with magical power or to protect or cure by virtue of their own power. Blessings were spoken to protect soldiers against being wounded in battle, to cure wounds, open sores and failing eyesight, and to protect sheep against wolves. In Rothenburg these blessings circulated in written as well as spoken form. The earliest reference to a hinterland inhabitant possessing a book of blessings dates from 1582, although such references became more common during the seventeenth century. This may have reflected rising levels of literacy among the peasantry, or more probably the fact that more blessings and blessing-books had entered circulation as a result of troop and population movements through the area during the Thirty Years’ War.

Most inhabitants of Rothenburg and its hinterland would have had their own repertoire of white magic blessings and rituals to draw on in their daily battle against misfortune. However, they often also used the services of cunning folk — men and women renowned for their skills as purveyors of white magic. It is usually unclear how cunning folk first acquired their reputations. However, for the blacksmiths and herdsmen and -women among them, this probably occurred because they were already regarded as experts in identifying and curing diseases in livestock. Other cunning folk built up their reputations deliberately — and played down the skills of their competitors for custom — by means of judicious self-advertisement. In the early seventeenth century
cunning man Jörg Fronhöfer of Ober Breitenau solicited customers by spreading the news that he travelled long distances to find the herbs he used in his magic, and that he could do things that no physician or barber-surgeon could achieve.115 Some cunning folk may have chosen or continued in the job because it was a good way of earning money: in 1582 Georg Kissling, cunning man and blacksmith of Ergersheim, claimed that he had earned 10 gulden for protecting a peasant’s livestock against witches and six gulden for healing a woman’s diseased thigh.116 These were considerable sums of money and would have constituted a welcome addition to the income of any household.

The records of the Consistorium, or church council of Rothenburg, identify many cunning folk who operated in the hinterland during the early modern period, although many more who never surfaced in official records doubtless also existed. In 1577 Thomas Zipfel of Detwang was chastised for having used the services of Els the Herdswoman, who had tried to cure Zipfel’s wife’s diseased leg with a ritual involving molten lead, a pair of scissors and a blessing.117 In a list of cunning folk and their users made in 1612, the herdsman of Gammesfeld and his wife were identified as purveyors of blessings, while various hinterland inhabitants were criticised for having consulted the Sorcerer of Feuchtwangen and the executioners of Ellwangen and Rothenburg about witches.118 Feuchtwangen and Ellwangen were towns situated well beyond the boundaries of Rothenburg’s hinterland, showing how far people were willing to travel to consult particularly renowned wizards. The two most notorious early seventeenth-century cunning men in Rothenburg also came from outside the hinterland. One was Jörg Grönn, a carpenter from the town of Aub, who made regular forays into hinterland villages, visiting taverns in order to obtain news of local people who might be interested in his services. In 1612 alone he had been used by villagers from Tauberscheckenbach, Hardt, Schweinsdorf, Finsterlohr, Detwang and Gattenhofen to protect themselves and their livestock against witches and to cure disease. He may have pushed his luck too far that year, however, as in 1613 he was arrested by the council and banished from Rothenburg and its hinterland for his use of magic.119 The other, Peter Fischer, who was known as the Little Miller from Buch am Wald, was also arrested and interrogated by the council in 1624 but was released without punishment and continued to ply his trade until the 1640s, when he surfaced in the trial for witchcraft against Margaretha Rost of Finsterlohr, discussed in Chapter 5.120 While women could be cunning folk, the sources suggest that at least twice as many more were men, as were all the most renowned cunning folk of the area, Fronhöfer, Grönn and Fischer included. Just as maleficient witchcraft was gender-related to women, beneficial witchcraft was gender-related to men.121

Inhabitants of Rothenburg and its hinterland regarded white magic in a pragmatic light, as one method of trying to combat misfortune and cure
disease which was worthwhile using along with other, non-magical methods in the hope that one of them would have the desired effect. Cunning folk were thus often just one of a range of experts called on in times of need. For example, in 1612 Kirch Hans of Gattenhofen called Jörg Grönn into his house to treat his sick wife while he was waiting for a barber-surgeon to come to the village from Rothenburg to let his wife’s blood. The pastor of Gattenhofen, Michael Beringer, was in Kirch Hans’s house at the same time, offering spiritual solace to his wife, and was subsequently criticised by the Consistorium for having failed to accost and chastise Grönn while he had the chance. In 1613 Michael Bendig of Detwang was reprimanded by the Consistorium for having used the services of Grönn and the executioner of Feuchtwangen against his own wife, whom he suspected of having bewitched him, causing his thigh to become diseased. Bendig had also consulted one of the Rothenburg physicians, Jeremias Seng, about his condition. The striking aspect of this consultation was that Bendig had tried to use university-educated Seng as he would have used Grönn or any other cunning man – in order to gain confirmation of the identity of the witch he already suspected of having bewitched him. Seng was forced to make a statement to the Consistorium to clear himself of any suspicion in his dealings with Bendig, stressing that Bendig was mistaken in thinking that he, Seng, had blamed Bendig’s disease on Bendig’s wife.

In contrast to their subjects, and like elites elsewhere in Protestant Europe, the Lutheran councillors and clerics of Rothenburg viewed the use of white magic as a sin. This was because they believed that God sent misfortunes to punish people for their sins and to test their faith; the only theologically appropriate response to misfortune was therefore prayer and repentance, although acceptable medical methods – natural remedies or the services of physicians and barber-surgeons – could be used to combat disease. The use of white magic, however, ‘questioned God’s providential control over affairs’ and attributed powers to objects, rituals and words which were neither natural nor sanctioned by Scripture. If white magic worked, and it was neither natural nor godly, then ‘the devil must be held to have co-operated’. To the Rothenburg elites, white magic was thus theoretically as sinful and as worthy of punishment as maleficient magic, as both implied co-operation with the devil and denial of God on the part of the perpetrator. As the first ordinance issued in Rothenburg specifically against white magic noted in condemnatory tones in 1612, people who used white magic and consulted cunning folk committed ‘abominable apostasy’ for the most minor of material gains and were ordered to desist on pain of corporal punishment, while cunning folk were described as idolatrous, blasphemous and deserving of death for their activities.

Despite their loathing of beneficient magic, however, the councillors failed to eradicate its use by their subjects during the early modern period.
Councillor ordinances and Consistorium minutes repeated the same laments about the problem throughout the seventeenth century, while court records show that inhabitants of Rothenburg and its hinterland were still consulting cunning folk in the late eighteenth century. Moreover, research undertaken in Franconia in 1970 showed that beliefs about both maleficent and benefificent magic had persisted, albeit doubtless in attenuated form, among the rural populace into the twentieth century. How can we account for this failure on the part of the Rothenburg elites, contrasting as it does with the apparent severity of the 1612 ordinance?

The secular and clerical elites in Rothenburg used three tactics to try to persuade their subjects that the use of white magic was a sin: teaching them in Catechism classes and sermons that this was the case, admonishing individuals identified as users of white magic, and punishing the worst recidivists with excommunication or secular punishments. The first tactic—teaching—may not have been particularly effective, for two reasons. Consistorium records from the sixteenth and seventeenth century suggest that many Rothenburg subjects lost interest in formal church teaching once they had learned enough to take their first communion. To compound the problem, the structures and processes of institutionalised religion all but collapsed in Rothenburg’s hinterland during the Thirty Years’ War, at the same time as access to and reliance on the forms and formulae of white magic on the part of its inhabitants increased. Even if the conditions and resources for teaching their subjects had been more favourable, however, it is unlikely that the councillors would have convinced their subjects that white magic was sinful. This idea made so little practical sense to them, and the consequences of embracing it were so uncongenial, that most of them probably chose prudently to ignore it.

Individuals known or rumoured to have used white magic could be called to answer for their actions before the Consistorium, which met in Rothenburg, or before the councillors who periodically visited the hinterland’s villages to check on standards of piety among their inhabitants. These individuals often sought to minimise their culpability in the eyes of their elite questioners by offering various mitigating explanations for their behaviour. The magic they had used had not really worked, they claimed; they had used it with good intentions, because other people had advised them to do so, or because they or their family members had been so ill and all other remedies had failed; anyway, they had not known that to use white magic was a sin, because their parents had used it before them and because blessings invoking God could surely not be sinful. These excuses point to the conceptual gulf that existed between the elites and lower orders on the question of white magic, at least in the early years of Rothenburg’s reformation, although as the years passed and awareness of elite opinion on the issue spread, peasants
probably offered these excuses disingenuously, in the hope that they would thereby escape official sanctions.\textsuperscript{133}

Official sanctions were not exceptionally severe anyway. A verbal warning was usually all that the sinners who appeared before the Consistorium suffered. In 1612, for example, Michael Bendig was simply told to stop using cunning folk, after much ink had been expended explaining in the minutes of the Consistorium why he deserved to be harshly punished for consulting Jörg Grönn about his allegedly bewitched leg.\textsuperscript{134} In 1615 the Consistorium resorted to the even tamer method of asking Hans Müller of Gailnau’s wife to admonish her husband on its behalf when she returned home. Müller was rumoured to have used cunning folk but was unable to appear personally before the Consistorium because he was infirm.\textsuperscript{135} In the sixteenth century the council occasionally gaoled recidivists, who were usually released after a short spell in custody, while in the seventeenth century it imposed fines more regularly on offenders – if they confessed their sins.\textsuperscript{136} However, the general tactic of admonition of offenders, combined with exhortations to them to live better lives, appears to have remained relatively consistent throughout the early modern period.

This approach made theological sense according to the Rothenburg Church Ordinance of 1559, which had emphasised that sinners were to be given every chance, by means of persuasion, to repent and return to the Lutheran fold of their own volition.\textsuperscript{137} However, it would have been practically impossible for the councillors to have punished with any great severity – with corporal punishments, as the 1612 ordinance suggested – all users of white magic within the city and its hinterland, as this would have meant gaoling, flogging or otherwise punishing a significant number of their subjects. Moreover, pastors in some hinterland villages had reported hostile and incredulous reactions on the part of their parishioners to the public promulgation of the first post-reformation ordinances against various sins, with villagers accusing the council of wanting to erect a new priestly tyranny over them.\textsuperscript{138} For the sake of social and political order, then, the council may have feared antagonising its subjects by disciplining the users of white magic too zealously and accordingly adopted more cautious policies.

The council’s greatest ire was reserved for the purveyors rather than users of white magic. This was because it believed that cunning folk encouraged popular use of white magic in opposition to church teaching on the subject, deprived the physicians and barber-surgeons of Rothenburg of custom, defrauded the council’s subjects out of money for remedies and services which did not work, and exacerbated social discord by confirming their customers’ suspicions against alleged witches.\textsuperscript{139} The anger of the Consistorium against cunning folk occasionally reached boiling point: the 1612 ordinance issued by the council against them can be traced directly to the increasing impatience of
the Consistorium with the activities of Jörg Grönn in Rothenburg’s hinterland, while in 1643 the impatience of the Consistorium with Peter Fischer of Buch am Wald prompted the council to issue another ordinance against white magic in which Fischer was mentioned by name. The council’s rhetorical venom was only periodically translated into judicial action against cunning folk, however, and their usual fate was not execution but banishment beyond the boundaries of Rothenburg’s hinterland: in 1571, for example, itinerant cunning woman Ursula Hespel was banished for practicing divination and other forbidden arts using herbs, roots and blessings. More severe punishments were rarely inflicted and then only on itinerant quacks or local cunning folk who had committed other crimes in addition to the sale of their magical skills. In 1551, for example, a woman from Trier and three mercenaries were set in the pillory and then banished – after the men had also been flogged – for having sold plants which they falsely claimed to be mandragora to unsuspecting peasants, while in 1581 itinerant quack Anna Gebhart had a cross burnt into her forehead and holes burnt through both cheeks before being banished after she had defrauded several inhabitants of Schwäbisch Hall, Nördlingen and Rothenburg by claiming, among other things, that she could find buried treasure with the help of a spirit. In 1582 blacksmith Georg Kissling of Ergersheim was flogged and banished after being found guilty of acts of extortion and slander which he had perpetrated in the course of his activities as a cunning man against an inhabitant of Rothenburg’s hinterland village of Wettringen, while in 1616 blacksmith Leonhardt Geuder from Gattenhofen enjoyed the dubious honour of being the only cunning man ever to be executed in Rothenburg. He was beheaded mainly because he had committed adultery and bigamy, however, although the final summary of his crimes did mention his activities as a purveyor of forbidden remedies and blessings.

These punishments must be set in context, however. To begin with, the individuals listed above undoubtedly represented only a fraction of all the cunning folk active in Rothenburg and its environs; as was almost certainly the case with the majority of reputed witches, most cunning folk probably lived out their lives without ever coming or being brought to the attention of the secular or ecclesiastical authorities. Second, while arrest and banishment may have made cunning folk more cautious about plying their trade in Rothenburg’s territory, they may not have experienced it as a terrible, life-destroying punishment because many of them – like Hespel and Grönn – lived outside Rothenburg’s hinterland anyway. Finally, the Rothenburg council tended not to conflate white and black magic in trials of cunning folk, despite the fact that – according to Lutheran thinking on the matter of magic – they might have been tempted to do so. For example, they never showed great enthusiasm for trying to force cunning folk into admitting that they were in league with the devil in
the course of their trials. They tried hardest to do this with Anna Gebhart, who stoically resisted torture to deny that she had made a pact with the devil; the fact that she was branded with a cross reflected the council’s lingering suspicion that she was a witch as well as its desire to make an example of her because of the audacity of her crimes. Generally, however, and in line with its relatively restrained treatment of witchcraft as a whole, the councillors were satisfied to accept the denials of cunning folk on this issue; by the seventeenth century the question of a cunning person’s pact with the devil had become a largely formulaic part of the trial process. There was no need to force such individuals into confessing that they were in league with the devil or guilty of maleficient magic when their illicit and fraudulent use of magic was almost invariably grounds enough to justify their banishment anyway.

Why do the Rothenburg court records contain a relatively meagre haul of cunning folk punished for their activities? Part of the answer lies in the fact that the council was largely reliant on the customers of cunning folk to turn them over to the authorities. In the ordinance against white magic issued in 1612 the council ordered its rural subjects to capture any cunning folk caught sneaking in and out of the hinterland and to hand them over to the council for punishment. The council seems to have missed the point that, for as long as they believed that white magic worked, peasants had a vested interest in keeping cunning folk out of the clutches of the authorities. It was only when relationships between cunning folk and their customers soured significantly – if cures went wrong, for example – that cunning folk were at risk of being accused of fraud or maleficium. This does not appear to have happened very often in Rothenburg. A second problem for the council was that its judicial authority stopped at the boundaries of its hinterland. This meant that foreign cunning folk could travel in and out of the hinterland and Rothenburg subjects could visit cunning folk in neighbouring territories with relative impunity. Disputes over political and judicial rights appear to have made it difficult for the council and the lords of neighbouring territories to co-operate and take concerted action against renowned cunning folk in their respective territories, who thus fell between the gaps of the various judicial systems.

Finally, the councillors had to take immediate circumstances – and particularly the maintenance of social harmony – into account when taking action against cunning folk, just as they did when trying allegedly maleficient or demonic witchcraft. This point was illustrated in 1613, when Rothenburg chaplain Michael Hornung brought the activities of a ‘so-called’ doctor, Lazarus Schmid, to the attention of the Consistorium. Hornung had called on the services of Schmid – a newcomer to Rothenburg – when his wife fell ill, but had been shocked when Schmid had given her an amulet, containing a paper on which strange characters were written, and some herbs, over which he had
spoken strange words, to cure her. The concern that Schmid was in fact a wizard, who used blessings and other forbidden arts, was raised again by clerical members of the Consistorium in 1616, when they demanded that the council expel Schmid from the city with the pointed reminder that magicians deserved to be burned to death. Johann Bezold, Michael Reichshöfer and Johann Offner, the three councillors who sat on the Consistorium, responded almost wistfully that, while they wished they could do something about Schmid, they saw no possibility of proceeding against him, because no-one apart from the clerics had complained about him and because he had a large following of apparently satisfied customers among the citizenry. The gap between theological theory and its practical application in the case of Schmid was uncomfortably plain for all members of the Consistorium, and presumably many of the townsfolk, to see.¹⁵¹

I do not want to suggest that the attempt by the council to police the use of white magic was entirely without effect. Its best-educated and most pious subjects may have come to share its view that the use of white magic was a sin, while those who continued to use white magic probably did so more furtively, knowing that the risk of some sort of official sanction had increased. Cunning folk in particular were forced to become more circumspect in what they said and did and faced an increased risk of formal prosecution and banishment as a result of their activities.¹⁵² However, on the whole the system of beneficient magic and the beliefs that underpinned it survived relatively intact in early modern Rothenburg and its hinterland to remain the most crucial weapon in the armoury of strategies for coping with witchcraft that the inhabitants of the area possessed. And as long as this system retained its resilience, there was less reason for the inhabitants of city and hinterland to look to the law as the most important or effective means of dealing with suspected witches.

Notes
1 StAN Ro. Rep. 2087 fols 99r–113r. The only books published by a Rothenburger on the subject of magic were Neue Teuffels-Stücklein (Frankfurt, 1678) and Greuel des Segensprechens (Nuremberg, 1680), written by Superintendent Johann Ludwig Hartmann against the sin of white magic.
2 Although the first volume of Consistorium minutes (1559–1605) is missing, extracts from it were recorded in the sixteenth century by Johann Ludwig Schäfer in Auszug aus den Consistorialacten des ehem. Rothenburg. Consistorium (held in the archive of Rothenburg’s parish church of St Jakob). The Consistorium was dominated by its secular members, as two of the three councillors who staffed it were city-mayors. The clerics were the Superintendent (Rothenburg’s foremost cleric), the preacher of St Jakob’s and one of its deacons, who kept the minutes.
3 RStA Interrogation Book A877 fols 557v–558v. These were similar to the acts of maleficium listed by Pope Innocent VIII in his Bull Summis Desiderantes of 1484, which forms the Preface to the Malleus Maleficarum; see Kramer, Malleus Maleficarum, pp. 101–107.
4 StAN Ro. Rep. 2087 fols 103v–104r.
5 RStA Interrogation Book A902 (unpaginated), 22 December 1662–31 July 1663 (case
involving Michael Würth); RStA Interrogation Book A908 (unpaginated) 11 July–11 October 1671 (case involving Appolonia Glaitter); StAN Ro. Rep. 2087 fols 621r–739r (1689).

6 RStA Interrogation Book A873 fol. 389r.
7 RSTa Interrogation Book A877 fols 555r–558v.
8 RStA Interrogation Book A886 fol. 283r.
9 StAN Ro. Rep. 2087 fol. 105v.
10 Ibid., fol. 104v; RStA Interrogation Book A886 fol. 283r.
11 RStA Interrogation Book A877 fol. 567v.
12 RStA Interrogation Book A886 fol. 283r: ‘dem teufflischen willen nach’.
13 Ibid., ‘mit schedlichen Zaubersegen, mit gifft vom Teuffel zusammengemacht, oder andern ungebülligen künsten, durch hülfle dess Teuffels’ (emphasis mine).
15 For the work of Brenz, see Midelfort, Witch Hunting, pp. 36–33; for Weyer, see Midelfort, A History of Madness, pp. 196–213.
16 See for example the cases involving Margaretha Horn (pp. 180–192) and Catharina Leimbach (pp. 150–160).
18 Radbruch, Die Peinliche Gerichtsordnung, p. 78.
19 RSTa Surety Book A844 fols 199v–200r.
20 RSTa Surety Book A849 fols 296r–298r.
21 Radbruch, Die Peinliche Gerichtsordnung, p. 87.
22 See pp. 26–27.
23 See above, n. 19.
24 See for example a case involving Kunigundt, who accused her sister Anna of having lamed her husband through witchcraft in 1572, RStA Surety Book A851 fols 509v–510r, and Appendix. In 1576 a woman called Barbara Muller was banished with her family: during interrogation she was asked about her alleged ability to lame people through witchcraft. However, her punishment was for quarrelsome, slander and generally verbally disruptive behaviour, with which she had upset her neighbours for many years, see RStA Interrogation Book A870 fols 137r–138r; Surety Book A851 fols 367r–368r.
25 See pp. 136–143 for discussion of Dürr’s case. In 1673 Anna Margaretha Rohn was executed after she had claimed to have been possessed by the devil for seven years and after confessing to several acts of infanticide, which she had almost certainly not committed. In 1692 Barbara Ehness was executed after poisoning her lodgers – although none of them died – and then confessing that she had done this at the devil’s bidding. See Appendix for both cases.
27 RStA Interrogation Book A886 fol. 283r.
28 RStA Blood Book B331 fols 202v–208r. This was probably the same Jobst Unger who was the guardian of self-confessed witch Margaretha Hörber, whose case is discussed pp. 105–124.
29 RStA Interrogation Book A886 fols 283r–283v.
31 Ibid., fols 285v–286r.
32 On Thumm, see Midelfort, Witch Hunting, p. 50; Clark, Thinking With Demons, p. 166, 210. On Weyer, see Midelfort, A History of Madness, pp. 204–205.
33 RSTa Interrogation Book A886 fol. 286r. On Gödelmann, see Clark, Thinking With Demons, pp. 203–204, 209–210, 519.
34 RSTa Interrogation Book A886 fol. 286v; see also Haustein, ‘Martin Luther’, p. 40.
35 See Chapter 1, n. 13. The idea that the apostate should be taught the error of her ways rather than punished was also central to thinking about witchcraft in the Palatinate and helps explain why the elites there showed no enthusiasm for prosecuting witches: see Schmidt, Glaube und Skepsis, pp. 131–137, 215, 479.
36 See Midelfort, *A History of Madness*, p. 194, although Midelfort points out that the Carolina decreed that a child could be punished as an adolescent or adult if it was felt that his/her malice made up for his/her age. For Hörber’s trial see pp. 105–124; for that involving Schürz, see pp. 150–160 (especially 150–151); for Hörner’s trial, see p. 62 and Rowlands, ‘The “Little witch girl”’. Self-confessed boy-witches could also be treated in this way: see the case of Hans Adam Knöspel, 1689, in the Appendix.

37 StAN Ro. Rep. 2087 fols 104v–106r. For discussion of this view at Tübingen see Midelfort, *Witch Hunting*, pp. 34–46.

38 RStA Interrogation Book A895 fols 172r–173r.

39 Kramer, *Der Hexenhammer*, pp. 360, 366–368, 372, 373–374, 381, 479, 480–481; RStA Interrogation Book A886 fol. 274r. This was the first citation of the *Malleus* in a Rothenburg witchcraft case.

40 See Chapters 3 and 5.

41 RStA Interrogation Book A875 fol. 211v.

42 *Ibid.*, fols 221r–222r.

43 Midelfort, *Witch Hunting*, pp. 15–16. These were the popular beliefs in the wild ride discussed in the Introduction.

44 For the *Episcopi* tradition at Tübingen, see Midelfort, *Witch Hunting*, pp. 34–46.

45 RStA Interrogation Book A877 fols 577r–577v (1587); RStA Steinach Village Acts A739 fol. 471v (1602).

46 RStA Interrogation Book A895 fols 171r–171v.

47 RStA Interrogation Book A886 fols 284v, 274r–274v.

48 *Ibid.*, fols 269(a)r–269(a)v.

49 See p. 24 for the Seitz and Brandt cases; p. 62 for the case of Hörner.


52 See for example the advice given by the jurists in Margaretha Hörber’s case in 1627, RStA Interrogation Book A886 fols 275v–276r, 277v–278r; and in Brigitta Hörner’s case in 1639, RStA Interrogation Book A895 fol. 172r. However, this caution was a result of the elites’ problematic encounter with Rothenburg’s first child-witch in 1587, in a case in which their treatment of the child and his mother was severe by their standards: see Chapter 3 for details.

53 See for example Margaretha Hörber’s trial, pp. 105–124.

54 See Chapter 1, pp. 32–33, for the elites’ belief in the difficulty of proving witchcraft at law.

55 See n. 41 (1582); n. 45 (1602); n. 52 (1639).

56 RStA Interrogation Book A886 fols 283r–283v.

57 StAN Ro. Rep. 2087 fols 101r, 102r–102v.


61 Robisheaux, ‘Zur Rezeption Benedict Carpzovs’.


63 *Ibid.*; see pp. 204–208 for general discussion of their works.


65 See pp. 24–33 for discussion of these ideas.


70 See Chapter 1, pp. 24–29.

71 See map of Rothenburg and its hinterland.

72 See pp. 24–25.
For Prenninger’s advice, see RStA Interrogation Book A884 fols 559v–560r; for the Rost case, see pp. 24, 27–28.

RStA Interrogation Book A895 fols 165r–174v, 408r–420v. See also Rowlands, “The “Little witch girl””.

RStA Municipal Account Book R528 fol. 591v.

StAN Ro. Rep. 2092 fols 53r–54r.

Schormann, Der Krieg, pp. 160–163.


Schattenmann, Die Einführung der Reformation, pp. 86–118; Moritz, Die Folgen des Dreissigjährigen Krieges, pp. 54–62.

RStA Interrogation Book A884 fol. 559r.

RStA Interrogation Book A902 (unpaginated) 2 February 1663 (Michael Würth case), and RStA Interrogation Book A909 (unpaginated) 22 June 1673 (Anna Margaretha Rohn case), for Höfel; RStA Interrogation Book A875 fols 221r–223v for Gugel and Hardessheim.

They were retained by the council between 1577 and 1586 (Gugel) and 1577 and 1585 (Hardessheim); see RStA Account Books R525a, R526 (General Expenditure sections).

RStA Interrogation Book A875 fols 211r–215r.

RStA Interrogation Book A908 (unpaginated) 19 August 1671 (Appolonia Glaitter case). The council had asked for advice from the law faculty at the University of Altdorf in a case of treasure-seeking in 1659, see StAN Ro. Rep. 2087 fols 296r–307r. It also looked to Altdorf for advice in the case of self-confessed witch Anna Margaretha Rohn in 1673, see RStA Interrogation Book A909 (unpaginated) 6 June 1673.

RStA Account Books R524, R525, R525a (General Expenditure sections); Schattenmann, Die Einführung der Reformation, pp. 105–118.

Ibid., pp. 93–96; Kunstmann, Zauberwahn, pp. 63–65.

RStA Account Books R525–R529 (External Travel Expenditure sections); RStA B186 (lists of councilors, 1230–1669) and B186a (council elections, 1300–1720); RStA B511 (lists of council appointees), preface: list of jurists; Steinmeyer, Die Matrikel der Universität Altdorf.

RStA Account Book R526 (General Expenditure sections from 1586).

Kunstmann, Zauberwahn, pp. 188–191.

StAN Ro. Rep. 2087 fol. 109v.

Midelfort, Witch Hunting, pp. 36–38. The Brenz sermon on hailstorms has been discussed most recently by Sönke Lorenz, ‘Brenz’ Predigt vom Hagel’.

Ibid., pp. 51–52.

Schattenmann, Die Einführung der Reformation, pp. 118–129.

Ibid., pp. 121–122.

RStA Council Library, Theology Section nos. 463, 284–286; Miscellaneous Section no. 68.

RStA Account Book R525a fol. 292r; Schattenmann, Die Einführung der Reformation, pp. 142–146.

Schattenmann, ‘Rothenburger Studenten’, pp. 31–33; Hermelink, Die Matrikeln der Universität Tübingen; RStA Account Books R524–R526 (General Expenditure sections); RStA B511 (council appointees), preface: list of jurists.

RStA Interrogation Book A875 fols 209r–219r (Renger, Thalhaimer, Metzler); RStA Interrogation Book A877 fols 577r–579v (Prenninger); RStA Steinach Village Acts A739 fols
471r–476r (Prenninger and Bezold); RStA Interrogation Book A886 fols 277r–278v, 298r–300r (Seuter).

103 StAN Ro. Rep. 2087 fol. 106v.
104 Midelfort, Witch Hunting, pp. 36–56.
105 RStA Interrogation Book A886 fols 283r–286v; Dannheimer, Verzeichnis, p. 144. See also pp. 53–54, 114–115, 123, for further discussion of Zyrlein’s advice.
106 Behringer argues that Nuremberg and Augsburg were leaders of opinion and exerted a restraining influence on smaller cities in southern Germany, Hexenverfolgung in Bayern, p. 156. However, the myriad channels of communication between the south-German cities on the subject of witchcraft remain largely unexplored.

107 Dillinger, ‘Hexenverfolgungen in Städten’.
108 This point is made by Behringer, Hexenverfolgung in Bayern, pp. 196–198.

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parishioners had to engage in when talking to the authorities about magic after the Reformation in Lutheran areas; see Dixon, The Reformation and Rural Society, pp. 162–202.

134 StAN Ro. Rep. 2090 fol. 120v–121r.
135 Ibid., fol. 163r–163v.
136 See for example the case of Dorothea Lang, RStA Surety Book A851 fol. 210r–210v, StAN Ro. Rep. 2089 fol. 72r–72v (1574); RStA Council Minutes B45 fol. 128r (fine of Michel Klenck for consulting a cunning man, 1671).
137 See Chapter 1, p. 18 and n. 13.
138 StAN Ro. Rep. 2089 fol. 32r, 33r–35r, 83v.
139 StAN Ro. Rep. 2090 fol. 176r–176v. The Carolina stated explicitly that nobody should be arrested or questioned under torture on the basis of the testimony of a cunning man or woman, but rather that the latter should be punished for their activities; see Radbruch, Die Peinliche Gerichtsordnung, clause 21, pp. 40–41.
140 StAN Ro. Rep. 2089 fol. 101r–101v; 2090 fol. 112r, 114r–114v, 120v–121r.
141 StAN Ro. Rep. 2092 fol. 48v, 50r; RStA Ordinances A1269 fol. 42r–42v. Fischer had already been mentioned by name in an ordinance issued by the council in 1639, see RStA Ordinances A363 fol. 279r–282r.
142 RStA Surety Book A849 fol. 258r–259r.
143 RStA Blood Book B329 fol. 138r–139r. Worn in an amulet, mandragora was highly valued as a means of protecting the wearer against illness and misfortune; see Labouvie, Verbotene Künste, p. 99.
144 RStA Blood Book B331 fol. 3r–6v; Interrogation Book A873 fol. 296r–399v.
145 See RStA Blood Book B331 fol. 8r–11v, Interrogation Book A874 fol. 24r–54v for Kissling’s case; Blood Book B331 fol. 220r–222r for Geuder’s sentence.
146 See above, n. 144 for Gebhart’s case documents.
147 See for example the case of Christoph Vogel of Bettwar from 1687, RStA Interrogation Book A920 fol. 143r–150v.
148 RStA Ordinances A363 fol. 48r–50r.
149 See for example the case of Peter Fischer, n. 120.
150 This appears to have happened with Peter Fischer, whose home in Buch am Wald lay in territory belonging to the Margrave of Brandenburg-Ansbach; see the case involving Margaretha Rost, pp. 144–150.
151 StAN Ro. Rep. 2090 fol. 125r–125v, 176r–177v.
152 Peter Fischer was cautious about identifying anyone specifically as responsible for Michael Rost’s bewitchment in 1641, for example, and also gave Rost remedies for his bewitched leg which involved no use of quasi-religious blessings, perhaps in order to avoid undue arousal of the authorities’ anger: see pp. 144–150 for discussion of this case.