The authorities in Rothenburg were spared another problematic encounter with a self-confessed child-witch until 1627, when thirteen-year-old Margaretha Hörber from the hinterland village of Gebsattel began claiming that she had been seduced into witchcraft and taken to witches’ dances by older women. As befitted a teenager, her story was more detailed than that told by six-year-old Hans Gackstatt in 1587, particularly in terms of her descriptions of the witches’ dance and her encounters with the devil. However, the questions of whether the experiences of a self-confessed child-witch had been real or illusory and of whether his or her testimony against others was to be trusted, which had perplexed the councillors and their advisers in 1587, also helped shape their dealings with Margaretha in 1627. What was different about the case in 1627 was the political context within which it took place. The Thirty Years’ War had started in 1618, and the late 1620s were years of ascendancy for the Catholic Habsburg Emperor, Ferdinand, and the Catholic League, the coalition of Catholic allies under the leadership of Duke Maximilian of Bavaria. This ascendancy culminated in the promulgation by Ferdinand of the Edict of Restitution in March 1629 which, among other provisions, ordered the return to the Catholic church of all ecclesiastical properties seized by Protestants since 1552 and constituted ‘a staggering blow to German Protestantism, before which all earlier setbacks paled in comparison’.

Margaretha Hörber’s narrative of witchcraft and the manner in which the Rothenburg council handled it proved to be firmly embedded in, and expressive of, this wider context of religious conflict, in which a beleaguered Lutheranism appeared to be fighting for its survival against the resurgent forces of counter-reformation Catholicism.
Unable to pray:  
Margaretha Hörber’s tale of witchcraft, 1627

In the early years of the Thirty Years’ War, between 1622 and 1631, Rothenburg’s subjects were forced to endure the almost continual mustering and quartering of imperial and Catholic League troops in the city’s hinterland. In line with a long tradition of trying to remain on good terms with the Emperors to whom the city owed its privileges, the city councillors doubtless hoped that this toleration of the Catholic military effort would prevent an irrevocable break with Ferdinand. However, after the collapse in 1621 of the Evangelical Union – the alliance of Protestant princes and cities formed in 1608 against the growing threat of Catholic militancy – the council had no real choice in the matter. The presence of these troops weighed heavily upon the inhabitants of the hinterland villages and it is likely that Margaretha Hörber’s parents, who died in early 1626, fell victim to an outbreak of plague spread by soldiers to her home village of Gebsattel. Margaretha was left an orphan under the guardianship of her stepbrother, Michael Hörber, and her brother-in-law, Jobst Unger, who also both lived in Gebsattel. Apparently unwilling to take Margaretha into their own homes, Hörber and Unger sent her to live for a year with Hans Herman and his family in the Siechen Mill, which was situated on the outskirts of Gebsattel, in late October 1626. In return for 8 gulden, Herman and his wife were to feed and care for Margaretha and to make sure that she learnt her prayers and catechism so that she would soon be able to take her first communion at the nearby Lutheran church of St Leonhard’s.

Margaretha did not make the progress in religious instruction her guardians hoped for. On the contrary, she seemed incapable of fulfilling her pious obligations adequately. The pastor of St Leonhard’s lamented that she wanted to learn nothing in church and she evinced a similar lack of enthusiasm for the instruction offered by the schoolmaster in Gebsattel. Matters were even worse at the Siechen Mill, where no amount of exhortation could persuade Margaretha to say her prayers willingly. When the time came for the recitation of morning and evening prayers by all members of the household, Margaretha either sought excuses which would enable her to absent herself from them or said the prayers in a confused manner when she was made to participate. Anna, the seventeen-year-old daughter of the miller with whom Margaretha shared a bed, had to force the younger girl to say her prayers before they went to sleep at night. Anna also hit Margaretha for refusing to wash her hands before meals, which was another habit of disobedience she had acquired.

Margaretha’s recalcitrance came to a head in the spring of 1627, when she ran away from the mill to her stepbrother in Gebsattel. She claimed that she was treated badly in the Herman household, but Michael Hörber showed little
sympathy for her complaints and sent her back to the mill. There she was questioned about the reasons for her flight and for her continued refusal to pray willingly by Anna, who threatened to beat her with a stick if she refused to answer, and then by the miller and his wife. In response, Margaretha claimed that she could not pray because Satan prevented her from so doing. He beat her whenever she wanted to say her prayers and had appeared to her in the mill in the guise of an ox, a piebald goat and a snail in order to reiterate his prohibition. Margaretha added that Ursula, the old midwife of Gebsattel, and her own mother, had also beaten her to stop her praying and had tried to teach her witchcraft before their recent deaths and that she had been taken to a witches’ dance on a golden fire-iron by Ursula’s daughter, Eva, who was still alive and living in Gattenhofen.

These claims shocked and frightened the miller and his wife and they summoned Michael Hörber to the mill for advice on what to do next. Hörber also questioned Margaretha about her inability to pray and was particularly concerned about a chair which the old midwife Ursula had given to his stepsister as a sign of her affection before her death. According to Margaretha, Ursula had instructed her to let no-one else sit in the chair and, when she sat in it herself, to say aloud that ‘as this chair was given to me by my dear mother, so I am her dear daughter’. Margaretha had taken the chair with her to the Siechen Mill, where the miller had ordered it to be put away in the attic. The miller and Hörber feared the chair, regarding it as bewitched or as capable of bewitching and either way as a symbol of the hold that the midwife still had over Margaretha. Hörber fetched the chair from the attic and burned it in order to destroy the midwife’s power and the onlookers’ worst fears of the chair’s supposedly magical properties were confirmed by the fact that even its ashes behaved strangely, jumping about like grains of gunpowder that only Margaretha could extinguish. This was too much for the miller and his wife. They refused to have anything more to do with Margaretha and she was taken back to Gebsattel by her stepbrother.

Margaretha’s strange behaviour was first brought to the attention of the council on 15 May, when the miller and his wife reported it to the city chancellery. It is unclear whether they had been asked to do this by the councillors, who may have heard rumours about Margaretha’s story and the burning of the chair at the mill and wanted an official report on the matter, or whether — as Rothenburg subjects — the Hermans had gone into the city of their own volition in order to apprise the council of an affair which threatened deleterious consequences for its authority in Gebsattel. Given the long history of conflict over the exercise of lordship in Gebsattel, the latter explanation is the more likely. The arrest of Margaretha by the council on 18 May can certainly only be understood in the context of a long-standing and extremely acrimonious battle.
to defend its judicial and political power in Gebsattel, a battle which had acquired an additional religious edge in the spring of 1627.

As discussed in the Introduction, Rothenburg was situated in a part of early modern Germany where rights over land and people were particularly fragmented and subject to competing claims from rival lords.11 The village of Gebsattel was one of the biggest thorns in the flesh of the city councillors in the context of their attempts to defend and extend Rothenburg’s lordship rights over its rural territory in the late medieval and early modern periods. With eighty-nine households, Gebsattel was the largest hinterland village. However, only thirteen of these households belonged and owed their seigneurial dues to the city. The remaining seventy-six belonged to Komburg, a large Catholic monastery situated near the city of Schwäbisch Hall.12 Komburg appointed an official to exercise authority on its behalf in Gebsattel; he lived in a small castle-cum-manor-house in the village which was scathingly called the ‘so-called castle’ by the Rothenburgers.13 Disputes between Rothenburg and Komburg over the rights that each possessed in Gebsattel began in the late fourteenth century and continued to be so numerous and acrimonious that the documentation they generated between 1575 and 1798 fills 161 volumes still held in the Rothenburg city archive.14 In many disputes legal argument was abandoned in favour of force of arms and several disagreements could be settled only by the highest court of appeal and arbitration in the Holy Roman Empire, the Reichskammergericht. The perpetually tense situation was not helped by the fact that Gebsattel, with its large concentration of ‘foreign’ inhabitants, was situated barely 2 kilometres to the south of Rothenburg.

A major source of conflict between Rothenburg and Komburg, and of particular relevance for Margaretha Hörber, was the fact that Komburg constantly sought to challenge what the Rothenburg council regarded as the most important expression of its territorial overlordship: its claim to exercise authority as the dispenser of high criminal justice over all inhabitants of the city and its hinterland.15 Two examples can serve as an illustration of the level of animosity which existed between the two rival lords in Gebsattel on this issue before 1627. In 1561 a Komburg subject called Leonhardt Lullich committed suicide in his house in Gebsattel and the city council, who claimed the right to dispose of suicides’ bodies as part of its high criminal justice authority, had the body ceremonially burned by the city’s municipal executioner. However, because this was done in one of Lullich’s fields, on wood which had belonged to him and which had been carried to the field by horses led by male householders chosen by lot from all the Komburg and Rothenburg villagers, Komburg felt that its own authority in Gebsattel had been compromised. A dispute over the disposal of suicides’ corpses ensued between Komburg and Rothenburg which was settled only in 1567 after reaching the Reichskammergericht.16 In
1590 it was the turn of the council to take umbrage after the Komburg official in Gebsattel placed a mill-hand who had slandered another villager in the castle stocks. The council felt that the matter came under its jurisdiction as dispenser of high criminal justice and demanded that the mill-hand be sent to Rothenburg for punishment. The Komburg official refused to comply, so a force of 500 armed Rothenburg peasants and citizens was dispatched to Gebsattel to break into the castle to fetch him into the city, seriously – and probably deliberately – damaging the castle as they went.\footnote{17}

The potential for conflict in Gebsattel was further increased by the introduction of Lutheranism to Rothenburg and its hinterland in 1544. Komburg held the patronage rights to the parish church of St Laurence in Gebsattel, but the council in Rothenburg had managed to persuade the monastery to reach an agreement in 1567 by which it promised to appoint only suitable individuals, who gave no grounds for complaint, to the living.\footnote{18} As far as the council was concerned, this meant Lutherans, and the first pastor to be appointed to the living after 1567 was the Lutheran Johann Fuchs, who held it until 1584.\footnote{19} After 1584, however, Komburg played on the vague wording of the 1567 agreement in order to justify a succession of short-lived appointments of ostensibly Catholic priests, despite the fact that Rothenburg tried unsuccessfully to block their appointments through the Reichskammergericht.\footnote{20} Unfortunately for Komburg the spiritual damage had already been done in the village during the long incumbency of Johann Fuchs. By the turn of the sixteenth century about two-thirds of Komburg’s subjects in Gebsattel had become Lutheran and looked to St Leonhard’s, the chapel attached to the leprosarium which lay between Gebsattel and Rothenburg, rather than to Gebsattel’s parish church, as the focus of their religious life.\footnote{21} The religious divisions within Gebsattel as a whole were reflected in the religious divisions within the Hörber family, who were all Komburg subjects: Margaretha Hörber had been baptised a Catholic,\footnote{22} while her stepbrother Michael Hörber and brother-in-law Jobst Unger had either been raised as Lutherans or had converted to Lutheranism by 1626.\footnote{23}

The balance of religious power swung dramatically in Komburg’s favour in the late 1620s, however. With Alexander Schreckenfuchs, a particularly zealous and belligerent Komburg official in post in Gebsattel, and a Catholic military presence in Rothenburg’s hinterland as a result of the Thirty Years’ War, Komburg and its powerful Catholic protector, Prince-Bishop Philipp Adolf von Ehrenberg of Würzburg, seized the opportunity to win back the lost souls of Gebsattel for Catholicism.\footnote{24} They enforced the principle of the Peace of Augsburg – that each ruler had the right to determine the official religion of his own territory – by ensuring that all of Komburg’s subjects in the village returned to the Catholic fold, despite the appeals made by the Rothenburg council on behalf of the Komburg Lutherans that they be allowed to remain
Lutheran. In March and April of 1627 officials representing the Bishop of Würzburg attempted to persuade the Komburg Lutherans to convert to Catholicism. This had little effect, so Philipp Adolf gave them a stark choice: they had to convert to Catholicism or sell their landholdings to Catholic buyers and leave Gebsattel by 13 May. This deadline was subsequently extended, but some of the most committed Komburg Lutherans made the decision to sell up and settle elsewhere by December 1627 and twelve families eventually left Gebsattel. They included Michael Hörber, who moved to the hinterland village of Steinach. The rest, faced with the unenviable task of trying to find Catholic buyers for their land in the midst of a war-zone, were ‘persuaded’ to become Catholic in a series of religious examinations held by Komburg and Würzburg officials in the village between December 1627 and August 1628.

This was the complex and conflict-ridden background against which the arrest and trial of Margaretha Hörber was set. But one element is still missing from the picture: the terrible series of mass executions for witchcraft which occurred at the same time in the Prince-Bishopric of Würzburg, just to the north-west of Rothenburg. An initial wave of trials had seen possibly as many as 300 executions for witchcraft there during the episcopate of Julius Echter von Mespelbrunn in 1616 and 1617, but worse was to come under the aegis of Bishop von Ehrenberg. Isolated executions in 1625 gave way to a swell-tide of denunciations in 1626, to produce a witch-hunt which lasted until 1631, peaked in its ferocity between 1628 and 1629, and sent possibly as many as 900 people, including at least thirty-nine priests and numerous children, to the stake. It proved to be the largest witch-hunt ever seen in Franconia, although the Prince-Bishopric of Bamberg, with about 300 executions between 1625 and 1631, ran it a close second. There were also mass trials and executions in the Bishopric of Eichstätt and the Upper Archbishopric of Mainz in the same years. The hunts experienced by these Catholic ecclesiastical territories in early seventeenth-century Franconia were exceptionally savage, realising what Wolfgang Behringer has described as ‘the sombre dream of unconditional persecution, of persecution without regard for political, social or humanitarian obstacles, but only for the logic of the persecutions themselves’.

The arrest of Margaretha Hörber on 18 May 1627 was thus prompted primarily by the Rothenburg council’s fear that its judicial authority over her would otherwise be usurped by Komburg and the Prince-Bishop of Würzburg. On 15 May the Siechen miller Hans Herman had told the council that Margaretha had been questioned on suspicion of witchcraft on her return to Gebsattel by Komburg official Schreckenfuchs, who was now keeping her in custody while he decided what course of action to take next. Then on 16 May the council received an anonymous letter from Gebsattel which reported that Schreckenfuchs intended to send Margaretha to be dealt with by the Jesuits in Würzburg
and advised the council to act quickly if it wanted to assert its authority in the matter. The situation was particularly urgent, the letter suggested, because Margaretha’s relatives were keen to be rid of her, so would presumably not leap to her protection if Schreckenfuchs put his plan into action. As a self-confessed witch, Margaretha would hardly have been popular with her relatives at this time. Moreover, although we do not know whether or not she had inherited any money or property from her parents, it may have been the case that her relatives had financial motives for failing to leap to her defence; perhaps they hoped thereby to rid themselves of the need to support her, or to gain access to any inheritance she may have been entitled to if she were executed as a witch.

As dispenser of high criminal justice over Gebsattel, the council in Rothenburg had the right to arrest and try any inhabitant of the village who was suspected of heresy, sorcery or witchcraft, a right which had been confirmed explicitly in treaties agreed between the city and Komburg in 1614 and 1618. It therefore seems that Schreckenfuchs was trying to capitalise on the Catholic ascendency in Gebsattel in the spring of 1627 by challenging this right and spiriting Margaretha away to Würzburg before the council had time to act. Given the context in which these events occurred, the challenge by Schreckenfuchs and the reaction of the council to it had significant religious and political implications. Had Schreckenfuchs succeeded in sending Margaretha to Würzburg, he would have struck a blow for Catholicism against the Lutheran imperial city. Moreover, given that Rothenburg had been subject to the ecclesiastical authority of the Bishop of Würzburg before the city had adopted Lutheranism, the sending of Margaretha to Würzburg would have suggested that ‘proper’ Catholic episcopal authority was in the process of being restored over the ‘heretical’ Lutheran city. By arresting her first, the Rothenburg council reasserted its judicial authority against a rival lord, its autonomous status as an imperial city against an autocratic prince-bishop, and its Lutheranism against the threat of counter-reformation Catholicism. At the same time, and perhaps aware of what Margaretha’s likely fate would have been as a suspected witch in Würzburg, the council may also have been striking a deliberate blow for Lutheran moderation against what it had come to regard as a Catholic ferocity in witch-hunting which was inextricably bound up with a resurgence of Catholic political and military power.

Margaretha in custody, May 1627–February 1628

Margaretha was questioned for the first time in the city gaol on 18 May. Perhaps unsurprisingly, given that she had already been browbeaten into telling her story of witchcraft before her arrest by Hans Herman and his wife and daughter, by
Michael Hörber and by Schreckenfuchs, she repeated it in custody with little prompting from her interrogators. Her story fell into two parts, one recounting her attendance at witches’ dances, in which her central relationship was with Ursula, the old midwife of Gebsattel, and the other explaining her inability to pray in the context of her encounters with Satan. Magaretha told her interrogators that, while her parents were still alive, Ursula had offered to teach her witchcraft, with her mother’s knowledge. At first Magaretha had declined the offer, but Ursula had persisted in her entreaties and had finally succeeded in taking Magaretha to a witches’ dance on a golden fire-iron. Many other people had been there, dancing to the music of two bagpipers. Magaretha named twenty-two of them, most of whom came from Gebsattel: nineteen women, including her own dead mother and godmother, and three men. Three old women and the old herdsman of Gebsattel had illuminated proceedings by standing on their heads at the corners of the dance with torches stuck in their backsides. There had been a feast of meat and wine, but no bread or salt, and people had blessed each other in the devil’s name as they shared out the food. Satan, in the guise of a handsome young man, dressed in black, with a black feather in his hat, a green badge on his coat and a gilded dagger at his side, had taken charge of the dance. It had lasted three or four hours and then Ursula had taken her home. Ursula had taken Magaretha to four more dances; after her death her daughter Eva had taken Magaretha to another four and a woman from the village of Bockenfeld had taken her to a further three. Magaretha was keen to stress to the councillors that she could not fly to dances on her own; that she had not learned how to do this or any other witchcraft; and that she had refused to be persuaded by the old midwife to promise herself to Satan. Magaretha’s description of the dance was also suffused with this sense of her unwillingness to participate rather than of her enjoyment of the revels. She had been taken there by the midwife against her will; she had refused to obey the devil’s suggestion that she stand on her head to act as a ‘light’ for the others; and she had blessed others at the feast in the devil’s name only at the midwife’s behest.36

The devil had also appeared to Magaretha in her parents’ house and in the Siechen Mill, usually as a black, horned man who offered to teach her witchcraft in return for a promise that she would be his. Magaretha went into particular detail about his visits to the Siechen Mill. The first time he had appeared to her there he had told her that, because she had been christened a Catholic, she must now let herself be re-baptised by him. Magaretha had been stopped from complying with his suggestion only by the intervention of a white figure, like that of a young man, which she had assumed was an angel and which had suddenly appeared at her side to assist her. Later, and on successive Sundays when Magaretha had been alone in the mill while the others were at church, the devil had appeared to her as a piebald goat which could open and close
doors with its hooves and as an ox which distracted her so much from her work that the fire had gone out, disrupting her cooking. He had also appeared to her in order to stop her praying and washing her hands from behind the vinegar jar and from under the stove in the shape of a snail which only she could see. She even thought that he sat next to her when she went to church and urged her not to pay attention to the services.37

After hearing this disturbing narrative from Margaretha, and perhaps having learned its lesson from 1587, when legal advice had been called for only at a late stage of the Hans Gackstatt case,38 the council turned immediately to jurists Christoff Conrad Seuter and Johann Schäfer for counsel on how best to proceed. Schäfer began his opinion on the case by considering whether or not Margaretha’s claims that she had been seduced into witchcraft and had flown to witches’ dances were to be believed. The problem as far as her alleged seduction was concerned was that the old midwife and Margaretha’s mother were now dead and could not be questioned on the matter. Schäfer pointed out that the devil could have deluded Margaretha into ‘seeing’ the two dead women as her seductresses. However, he offered another explanation of their central roles in Margaretha’s story which evinced a potentially low opinion of her, suggesting that she might be seeking deliberately to shift the blame for her seduction into witchcraft onto them precisely because they were dead and unable to deny her allegations for themselves.39 On the question of witches’ dances, Schäfer discussed whether they and the flights to them took place in reality or were diabolic delusions and concluded by subscribing to a middle way of thinking on the issue. He believed that the devil exploited people of weak faith, sometimes by transporting them corporeally to other places and sometimes by deluding them into dreaming that they had been so transported. Schäfer thought that the alleged attendance at the witches’ dance by Margaretha belonged in the latter category, but found it hard to believe that she had not paid homage to Satan, given the number of encounters she admitted to having had with him. He advised the council to question her more vigorously on this point.40 Had she been of age (fourteen) Schäfer thought it would have been acceptable to have tortured her ‘moderately’, but as she was still a minor, all he could advise was that she might be flogged at the council’s discretion if she proved obstinate under interrogation.41

Seuter was more kindly disposed towards Margaretha. He argued that she should not be punished as a witch as she had not confessed to learning or practising any witchcraft. He suggested instead that the council try to establish the exact nature of her relationship with the devil; like Schäfer, Seuter thought it likely that Margaretha had promised herself to the devil as she admitted that he had enough power over her to stop her praying. However, Seuter thought that the question of how Margaretha was to be freed from the devil’s clutches was...
better answered by theologians than jurists. He advised the council to seek theological advice on the matter and to ensure that Margaretha was given daily religious instruction in custody so that her trust in God was restored.42 Neither Seuter or Schäfer thought that the testimony given by Margaretha against the other alleged participants in the witches’ dance was enough, without other evidence, to justify any legal action against them, although they both pointed out that the council could make further enquiries against those named as participants by Margaretha if it so wished.43

The council followed the milder of the two courses of action suggested by its jurists and turned to its foremost cleric and ecclesiastical official, Superintendent Georg Zyrlein, for advice. This was the first theological opinion asked for in a witchcraft case in Rothenburg and it presaged an increasing involvement of clerics in such cases, particularly in the later seventeenth century. Zyrlein questioned Margaretha three times in early July 1627, then delivered a lengthy opinion on her case to the council on 15 July. From this opinion it is clear that Margaretha had repeated to Zyrlein much of what she had said in custody in May, emphasising her reluctance to attend or participate in the witches’ dances and the fact that she could work no witchcraft herself. However, she had added more details in response to Zyrlein’s questions. She dated her seduction into witchcraft by the old midwife to six years ago. She also confessed that she had, in fact, given herself to Satan and had sex with him, but only because he had tempted her with promises of sugar (which she had not received), and because the old midwife had told her she must do this. Margaretha had actually been afraid of him and expressed the wish to be free of his snares, with God’s help.44 From this, Zyrlein concluded that Margaretha belonged in the category of witches who had not actively and willingly made pacts with the devil, but who had been terrified, forced or deceived into making such pacts; who had not given the devil their signature as a pledge of their servitude to him; and who had worked no harmful magic against other people. Such witches, whose consent was entirely lacking from their dealings with the devil, ought not to suffer legal punishments as they had already suffered enough at the devil’s hands. Margaretha was especially to be pitied because she had been seduced by the forces of evil at so young an age, before she had acquired the constancy of will or maturity of intellect necessary to enable her to resist them.45

Zyrlein was convinced that diabolic delusion was the cause of all of the events allegedly experienced by Margaretha; indeed, it was the only explanation for the glaring incongruities in her testimony. How could she have had sex with the devil when the devil was an incorporeal being? How could Margaretha’s mother have appeared to her after her death, as Margaretha now claimed? How could Margaretha have flown to the witches’ dance, yet remained in bed at the same time? How could she have eaten and drunk at the dance, yet...
suffered hunger and thirst on her return? Zyrlein cited extracts from the works of St Augustine, Luther, Melanchthon, Conrad Dietrich, Johann Geiler von Kaisersberg and Niels Hemmingsen in support of his belief that Margaretha had only dreamed or imagined her flight to and participation in the dances. He concluded by advising the council that Margaretha be helped to make good the lack of faith in God which had laid her mind open to the influence of the devil’s delusions in the first place. Drawing on the ideas of Württemberg theologian Theodor Thumm, who believed that no-one should suffer the death penalty simply for apostasy, Zyrlien advised that Margaretha be given religious instruction to teach her how greatly she had sinned and to comfort her with the prospect of God’s mercy and be kept stringently to a programme of praying and hearing God’s word so that she would always know how to resist the devil’s wiles. In this way, she would be brought back onto the right path spiritually and snatched from the clutches of Satan by proper Lutheran teaching.

Jurist Seuter readily agreed with Zyrlein’s interpretation of Margaretha as a girl who had been led astray by the old midwife and deluded by Satan when she was too young to have known any better and who deserved to be taught the errors of her ways rather than to be physically punished for them in the next opinion he wrote on the case on 9 September. He even suggested ways of proving that Margaretha’s experiences had been diabolic delusions, although it is unclear whether this was for her benefit or that of the council. He advised the council to ask Anna, the miller’s daughter with whom Margaretha had shared a bed at the Siechen Mill, whether Margaretha had ever gone missing during the night. Anna was asked to testify on this matter on 9 October and she stated that, although Margaretha had often made strange noises in her sleep and had been hard to wake up, she had never actually left their bed, nor had Anna ever seen anyone come to fetch her from it. Seuter also advised the council to have Margaretha examined by the city midwives, if she persisted in claiming that she had had sex with the devil. This was done on 11 October, after Margaretha had repeated her assertion that the devil had deflowered her under interrogation on 10 October: the three midwives called on to perform the examination confirmed that Margaretha was still a virgin. In late October, both Seuter and Schäfer advised that Margaretha be released from gaol without punishment and committed to the guidance of theologians and the care of pious people.

In the meantime the council had made some effort to discover more about some of the other people Margaretha had implicated in her story. The old midwife’s daughter Eva, who Margaretha claimed had taken her to four dances after the midwife’s death and the main, living suspect in the case, had been called into Rothenburg to testify on 22 May. She denied the allegations vehemently and pointed out that she neither knew the girl well nor had had much to do with Margaretha’s mother when she was alive. She also denied that her
own mother had ever worked any witchcraft. On the contrary, the midwife had taught Eva and her sisters how to pray; she had, in short, been a good mother to them. Eva did, however, state that the old herdsman of Gebsattel, who had allegedly provided one of the undignified lights at the witches’ dance, had a reputation for working witchcraft among the inhabitants of Gebsattel. This suspicion against the herdsman was strengthened in a report written in early September by Georg Phoss, the Gebsattel official answerable to the Rothenburg council, who had been asked by the council to investigate it further. Phoss’ report implied that the villagers suspected the herdsman of being able to harm livestock, although they appear to have intimated this to him in the indirect manner usually adopted by other villagers when expressing suspicions of witchcraft against their neighbours to the council or its representatives. What they had actually said was that the herdsman had been in the habit of blocking the way when the village livestock was driven back into Gebsattel at night, until he had been ordered to stay in his house until all the beasts were safely returned to their stalls.

This was as far as the investigations against the other alleged sabbat-attenders progressed, however. As jurist Seuter pointed out in early September, as it had not been proven that Margaretha had really attended these dances herself, there was little firm basis on which to justify further legal action against other people who may or may not have been there as well. Seuter was also scathing about the evidence Phoss had gathered against the herdsman. He argued that it did not amount to a legally recognisable presumption of guilt against him and instead criticised the Gebsattel inhabitants for believing that Satan and his minions were to blame for the misfortunes visited upon them by God as punishments for their sins. Instead of encouraging the villagers in their suspicions against the herdsman, Seuter advised, the pastor of St Leonhard’s should preach with zeal against these superstitions. Once the questioning of Anna and the examination of Margaretha had added weight to the idea that her experiences had been illusory rather than real, there was even less justification for action against any of the twenty-two individuals she claimed to have seen at the dance.

Margaretha was finally released from custody without punishment on 8 December 1627. She was then sent to the city hospital, where her religious instruction continued, until 13 February 1628, when she was finally set at liberty after promising to live a good Christian life and after her guardians had, reluctantly, paid the considerable costs incurred by her incarceration. It might be argued that the nine-month stay in custody endured by Margaretha constituted physical and psychological punishment enough for her confessions. However, the council kept her imprisoned for so long for what it deemed to be good reasons. Once they had accepted Zyrlein’s categorisation and the jurists’
confirmation of Margaretha’s crime as apostasy, for example, they would have taken seriously the idea that she needed religious instruction to teach her the error of her ways. This was something which could hardly be achieved overnight, particularly as Seuter noted that it would also be necessary to observe Margaretha’s behaviour for a time in order to establish that her repentance was genuine and not a sham. The council also prolonged Margaretha’s stay in custody for the same reason it had arrested her in the first place: to keep her out of the clutches of Schreckenfuchs in Gebsattel. On 9 September Seuter suggested further interrogation and physical examination of Margaretha as a deliberate tactic to delay her release, because he had heard that Schreckenfuchs still intended to send her to Würzburg as soon as she was free. On 28 October Schäfer suggested a ploy by means of which the council might free Margaretha but continue to protect its judicial authority in Gebsattel against attack from Schreckenfuchs. Margaretha was to be released, but Schreckenfuchs was to be told that the case against her was still open and subject to the jurisdiction of the council and that the council was still conducting enquiries in relation to it. The council may have thought that this strategy was too risky, however, and opted to keep Margaretha in custody instead. Margaretha may even have seen this as the lesser of two evils herself: while begging for her release from gaol on 10 October she had asked not to be sent back to Gebsattel, because she was afraid of Schreckenfuchs.

**Spiritual crisis: Margaretha’s narrative in personal and political context**

Margaretha’s witchcraft narrative became more elaborate as she repeated it in response to questioning in custody, but its central elements – the reason for her inability to pray, her frequent encounters with the devil, the role of the old midwife in seducing her into witchcraft, and her attendance at the sabbats – remained constant throughout. On one level, her narrative can be read in the context of her life story, as a response to, and attempt at coping with, the emotionally difficult situation in which she found herself in 1627. She had lost both her parents in 1626 and then experienced rejection at the hands of her guardians, Unger and Hörber. They had sent her away to the Siechen Mill and then Hörber had made her return there even after she complained that the Herman family treated her badly. The old midwife Ursula had been a good friend of Margaretha’s mother and Margaretha recalled in custody how Ursula and two other women, Georg Windsheimer’s wife and Leonhard Unger’s wife, who was also Margaretha’s godmother, had been in the habit of visiting her mother to eat and drink together while her father was absent from their
Margaretha named Windtsheimer’s wife and her mother and godmother in the list of sabbat-attenders she gave to her interrogators on 18 May, which suggests that the sabbat Margaretha imagined being taken to by Ursula was an embellished version of her memories of the actual, convivial gatherings of women-friends which had taken place in her home before her mother’s death. That she claimed to be able to see her mother and godmother at these sabbats even though they were both dead suggests a sense of loneliness and abandonment felt by Margaretha after their deaths, as did her later claim that her mother had visited her after her death, appearing to her while she was in bed and calling ‘little Margaret, little Margaret’.

Margaretha’s loneliness may also help explain her fantasies of the visits by the devil to the Siechen Mill. There she was particularly isolated and the focus of psychological and physical pressure to conform to the daily routine of Lutheran prayers: she was subjected to constant exhortation to pray, was beaten by Anna, the miller’s daughter, to make her pray, and was left alone in the mill to perform domestic chores in the absence of the Herman family. In this context, imagining even the devil as a visitor was probably a welcome distraction, insofar as he offered her companionship and, in the case of the devil-as-ox who made the fire go out, a scapegoat for her unfinished housework. Margaretha’s description of the devil as the snail which only she could see and which hid behind the vinegar jar or under the stove in the mill, suggests a poignant desire for company on the part of the friendless girl which was increasingly being fulfilled by the powers of her own imagination.

It is unclear why Margaretha fixed on the old midwife, who apparently did not have a reputation as a witch in Gebsattel, as the person who had tried to teach her witchcraft and taken her to sabbats, rather than on her own mother, as Hans Gackstatt had done in 1587. Perhaps Ursula had told tales of witchcraft at the women’s gatherings in the Hörber household before the deaths of Margaretha’s parents and thus planted an association between herself and witchcraft in Margaretha’s mind. Perhaps Margaretha wanted to protect her dead mother from the worst stigma of witchcraft by claiming that Ursula had been chiefly responsible for her seduction into it, with her mother simply allowing this to happen. However, there is evidence to suggest that Margaretha may have enjoyed a close, quasi-filial relationship with Ursula. Margaretha claimed to have been made a present of the allegedly bewitched/bewitching chair by her ‘dear mother’ Ursula, upon which only she, as Ursula’s ‘dear daughter’, could sit. This suggests that a degree of special affection had existed between the two of them, or had been wished for by Margaretha, of which their imagined flights to witches’ dances were an extension. It also suggests that early modern girls could identify women other than their blood-mothers, perhaps with whom they spent time or who paid them particular attention, as mother-figures in relation to themselves.
Margaretha’s narrative was also an expression and dramatisation of the attempt which was being made in the Siechen Mill at the behest of her guardians to convert her, a baptised Catholic, to Lutheranism, and of her struggles to resist this conversion. In this sense, her narrative reflected in reverse the struggles of conscience which the Lutheran inhabitants of Gebsattel were being made to undergo by the re-Catholicisation programme started by the Bishop of Würzburg in the spring of 1627 and which continued throughout Margaretha’s time in custody.69

By claiming that she could not pray because Ursula, her mother, and especially the devil in all his guises prevented her from doing so, Margaretha was able to blame her disobedience to her guardians’ wishes and to the daily exhortations of the miller’s family on others. This was probably not a deliberate strategy on Margaretha’s part. It was rather an expression of her youth and powerlessness and of the fact that she was entirely dependent, materially and emotionally, on the very people who were trying to make her give up the Catholic faith into which she had been baptised. In this position she could hardly meet the attempts to teach her to pray properly with open defiance. Moreover, before she was even gaolled Margaretha had wept bitterly and lamented the fact that the devil kept her from praying and expressed her desire to be able to pray properly and to live a pious life, if only she could be helped thereto.70 This suggests that her habit of imagining her struggles of religious conscience in terms of a personal relationship with the devil had become so entrenched that she genuinely believed she was in thrall to him and powerless to escape without external assistance.

A couple of the imagined exchanges with the devil which Margaretha described for her interrogators suggest that she was suffering a genuine spiritual crisis, wanting to remain loyal to the Catholic faith of her birth but knowing that her life would be easier if she converted. For example, for the most part Margaretha imagined the devil as the cause of her inability to become Lutheran: he stopped her saying her prayers and told her they were in vain. However, she also imagined the devil telling her that her Catholic baptism was invalid, that she would not go to heaven because of it, and that she must allow him to rebaptise her properly as a Lutheran.71 Here, then, Margaretha imagined the devil as the personification of the Lutheran effort to convert her, rather than her desire to remain Catholic, and as expressing arguments which Margaretha’s guardians and the miller’s family had probably often used to try to persuade her of the errors of her Catholic ways. She was only prevented from submitting to the devil’s offer to rebaptise her by a white being like a guardian angel which appeared, as a personification of Catholicism and her only ally in her isolated situation, to save her from this temptation.

Why did the council accept Margaretha’s presentation of herself as a hapless individual ensnared by Satan and the forces of evil against her own will and
therefore treat her leniently? It need not have done so. Early in the case jurist Schäfer mentioned the possibility that she might have been guilty of wilful deceit in the telling of her stories and that the council was within its rights to have her flogged to loosen her tongue. Moreover, at some point after her arrest in 1627 Margaretha turned fourteen, the age at which, according to Schäfer, it would have been legally acceptable to have had her tortured. Why then did the council choose to regard her as a corrupted innocent and to question and release her without torturing or formally punishing her, when it had treated the younger Hans Gackstatt more severely in 1587?

Part of the answer to this question lay in the political and religious situation of 1627–28. The council had always regarded witch-hunts as a threat to social stability and harmony, but in 1627 the spectre of unconditional persecution, which had been raised in Würzburg, must have reiterated – and warned them against – this threat particularly powerfully. As Zyrlein noted in July, in a reminder to the council that one execution for witchcraft had the potential to start a large-scale panic, ‘the more witches one executes or burns, the more numerous they seem to become’. It was probably also for this reason that no action was taken against the alleged sabbat-attenders named by Margaretha. By treating Margaretha leniently and keeping her out of the clutches of the Catholic authorities in Gebsattel and Würzburg, the council may also have been asserting a point about Lutheran restraint in witchcraft prosecution, in comparison to Catholic severity, as well as about its judicial authority. Its actions can be seen in the same light as the succour offered by the council of Nuremberg, another Franconian Lutheran imperial city with a record of restrained treatment of witches, to refugees fleeing from the terrible witch-persecutions in the nearby Prince-Bishopric of Bamberg in the late 1620s: as an affirmation of religious identity and alleged theological superiority. Set in this context of religious one-upmanship, it was not surprising that Margaretha’s story of a young soul torn between the forces of evil (witchcraft/Catholicism) and good (Lutheranism) appealed to the councillors and their advisers. It mirrored the wider conflict of the Thirty Years’ War while enabling the council to achieve a small victory over Catholicism by winning Margaretha’s soul for Lutheranism.

Crucial to the struggle for Margaretha’s soul was whether or not she could say her prayers. As I suggested in Chapter 3, Lutherans placed huge emphasis on the rote learning and recitation of prayers and other central tenets of their faith by their subjects because, as David Sabean argues, in the still predominantly oral culture of early modern Germany, ‘there was and could be no wordless salvation’ for Lutherans. In the Siechen Mill Margaretha had been unable to adhere to this standard of Lutheran orthodoxy: she had either recited her prayers improperly or had not said them at all. She did, in fact, know several prayers and the main points of the Catechism and was able to recite them to the
satisfaction of her interrogators on her first day in gaol. However, before then her will to say them properly had been lacking, distracted by the siren calls of the devil, midwife Ursula and her own mother. By taking Margaretha into custody, the council had lessened the hold that the forces of evil had over her, cancelling them out with its own judicial and religious power. All that was then needed was intensive religious instruction to give Margaretha the trust and faith in God’s mercy which would enable her to say her prayers properly and confidently in future, thereby proclaiming her adherence to Lutheranism.

The treatment by the councillors of Margaretha was thus shaped by their desire to prove a point in wider religious, political and judicial battles. However, what Margaretha said and the manner in which she said it, played into their hands, making it easier for them to pity rather than blame her. Unlike Hans Gackstatt in 1587, she was consistent in custody and did not alienate the councillors’ sympathies by offering different explanations for the genesis of her story. Moreover, neither she nor anyone else claimed that she had worked any harmful magic, a point which was cited throughout the case by both jurists and in the final case-summary as one of the key factors justifying her lenient treatment. Any confession of maleficium by Margaretha would have put her into Superintedent Zyrlein’s category of active, willing witches who were potentially worthy of the death penalty and thereby increased her risk of being questioned under torture and punished in some way.

Equally importantly, Margaretha expressed remorse for what she had done and the wish to be freed from the devil’s clutches with increasing fervour as the case progressed. She probably realised how important it was for her to express the penitence which the councillors and their advisers valued so greatly as a sinner’s first step back on the road to piety as a result of her interrogation sessions with Zyrlein in early July. By late October jurist Schäfer had come to the conclusion that the question of whether Margaretha’s tale of the sabbats was true or not was less important than the fact that she had repented of her sins and shown contrition; it was this latter fact which absolved her of any corporal or capital punishment. The final summary of her case also cited her penitence and her humble pleas for forgiveness as another key factor justifying her lenient treatment. It seems likely that Margaretha’s appeal for assistance to be freed from the devil’s influence pandered to the egos of the councillors and their advisers, enabling them to imagine themselves as the stern but merciful rescuers of this apparently helpless girl from diabolic clutches, at the same time as it fitted their theological interpretation of her as a penitent sinner.

Finally, the fact that Margaretha was pronounced a virgin by the city midwives helped the council justify its merciful treatment of her. Had her examination shown that she had been deflowered the council might have found it harder to regard her sins as purely spiritual and would have had a piece of physical
evidence about her alleged relationship with the devil that would have been harder to dismiss as illusory. Ironically, the sexual element of her confession, which had been absent from the narrative she had told before her arrest and during her first interrogation on 18 May, was a product of specific questions put to her in custody, probably for the first time by Zyrlein in early July.81 That Margaretha confessed to having had sex with the devil at this point suggests either that she thought this was what Zyrlein wanted her to say or that she was becoming more deeply convinced of her own sinfulness and identity as a witch as the case progressed.

Margaretha and the men who questioned her thus reinforced their perceptions of one another in what they all came to regard as the unfolding drama of the battle for her soul. This was a drama in which, of course, the councillors and their advisers held all the power as arbiters not only of Margaretha’s ultimate fate but also of her alleged experiences, with the power to redefine events she claimed had really happened as delusions. Margaretha’s only hope for escaping punishment was to play the part of the seduced but still-redeemable innocent, led astray by the forces of evil against her will and when she was too young to have known any better; luckily she proved able to do this with conviction and the necessary remorse and humility. She was helped enormously in this endeavour by the fact that midwife Ursula and her own mother, who Margaretha named as responsible for her seduction into witchcraft, were both dead by 1627 and therefore unable to complicate the council’s handling of the case with protestations of their innocence. This was a vital point. Had they been alive to defend their good names at law the case might have ended very differently, with an admonition or punishment of Margaretha for defamation in keeping with the more usual outcome of other Rothenburg witch-trials. At the very least, their consistent denials of any involvement in witchcraft in the absence of any other incriminating evidence against them would have rendered Margaretha’s story less credible and the authorities less confident in dealing with it, as they had been in 1587 in the face of Magdalena Gackstatt’s dogged refusal to admit that she had taken her son Hans to a witches’ dance.82 In their absence Ursula and Margaretha’s mother constituted convenient scapegoats for both Margaretha and the council; they were the bad mothers who were ultimately to blame for the diabolic seduction of Margaretha.

Margaretha’s claims that she had been tempted into witchcraft by midwife Ursula, as her ‘surrogate’ mother, with the consent of her blood-mother drew on the widespread belief that the arts of witchcraft were passed on by mothers to daughters. However, they also struck chords with the council’s fear of bad mothers as women who failed in their duty of teaching their offspring the basic tenets of Lutheranism.83 Margaretha told the council that her mother had been unable to teach her how to pray because she was unable to pray herself, a claim
that may well have been ‘true’, in the sense that her mother (as a Catholic) had not raised her to be a good Lutheran as defined by the council. The councillors doubtless imagined that this lack of early religious instruction had first rendered Margaretha vulnerable to the devil’s snares, with Margaretha’s mother then compounding this failing by allowing Margaretha to be tempted into witchcraft by Ursula and by joining Ursula in discouraging Margaretha from saying her prayers in the Siechen Mill. Ursula had behaved even more wickedly, making every effort to teach Margaretha the evil arts of witchcraft. The low esteem in which the authorities held the two dead women can be seen in the reference by Seuter to Ursula as the old witch of Gebsattel, as if her status were an unequivocally proven fact, and in the suggestion in the final summary of the case that Margaretha’s mother and Ursula had, like procurresses, been responsible for persuading Margaretha to have sex with the devil. The inclusion of this suggestion in the summary was unnecessary, given that it then went on to point out that Margaretha had never actually had sex, and shows that the council was having some difficulty reconciling its emphasis on the culpability of the two women in the case with its tendency to believe that Margaretha’s alleged experiences had been illusory rather than real.

Finally, Zyrlein’s report on the case probably helped confirm for the jurists and councillors a perception of Margaretha as worthy of pity rather than condemnation, dispelling earlier suspicions about her possible blameworthiness and providing compelling theological justification for treating her with clemency. Zyrlein (conveniently?) established that Margaretha had only been eight when Ursula had first taken her to a witches’ dance and thus too young to have known right from wrong. His argument that her flights to the dances were probably diabolic delusions gave theological backing to the jurists’ earlier advice not to arrest the other sabbat-attenders and constituted the most cogent and best-documented statement about the tricks the quicksilver cunning of the devil could work on the human mind and senses that a Rothenburg witchcraft case had ever seen. Finally, his categorisation of Margaretha as a harmless witch, guilty only of apostasy and therefore undeserving of punishment, gave the council a way out of the case which was legally and theologically acceptable and in line with the some of the most liberal Lutheran thinking about witchcraft.

After her release from custody on 13 February 1628 Margaretha was probably sent to live with her stepbrother Michael Hörber in Steinach. Hörber had not been eager to take her into his household after her parents’ deaths in 1626, nor had he shown much kindness towards her when she had complained to him of her harsh treatment at the Siechen Mill in 1627. However, he was her legal guardian and would have found it hard either to hand Margaretha over to the Würzburg authorities or to refuse to take her in himself once he
had declared himself for Lutheranism, left Gebsattel, and become a Rothenburg subject by buying a landholding which owed its dues to the city in Steinach. Still, it seems unlikely that Hörber would have wanted to be closely associated with a self-confessed witch, who had doubtless gained huge notoriety locally as a result of her trial, for very long. He probably sent her away into service somewhere far beyond the boundaries of Rothenburg’s hinterland at the earliest opportunity.

**The second Catholic challenge:**
**the Schöneburg cavalrmen, 1629**

An even more blatant Catholic challenge to the council’s judicial authority over witchcraft occurred in August 1629, when Catholic League cavalrmen from the Bavarian regiment of Otto Friedrich von Schöneburg tried to start a witch-hunt in Rothenburg’s hinterland, where they were permanently quartered between 1628 and 1631 after several earlier, briefer visits to the area. They rapidly acquired a reputation as particularly callous and brutal soldiers among the hinterland’s rural population, and Surety Books of the time contain several instances of murders and attacks carried out by them on villagers which the Rothenburg council was virtually powerless to punish with adequate severity. In addition to the immediate threat posed to life and limb, social order, and the council’s judicial authority by the presence of von Schöneburg’s cavalrmen and other imperial troops in the hinterland, by August 1629 the Lutheran position in the Thirty Years’ War generally and Rothenburg’s position vis-à-vis its local Catholic rivals was even more parlous than it had been in 1627. In January 1629 the council had begun legal correspondence in defence of its secularisation of the religious houses of the city in anticipation of the promulgation of the Edict of Restitution by Emperor Ferdinand in March. Emboldened by the edict, our old friend Alexander Schreckenfuchs from Gebsattel went into Rothenburg on 5 August with some Jesuits from Munich and told the rector of the grammar school there that all the schools and churches in Rothenburg would soon be back in Catholic hands, a gloating prophecy which must have underlined for the councillors the reality and proximity of the Catholic threat to their Lutheran reformation and political power.

The attempt by the cavalrmen to start a witch-hunt occurred around the same time in the three neighbouring villages of Obereichenroth, Bovenzenweiler and Untereichenroth, which had eight, five and six households, respectively. In early August a fifteen-year-old girl called Margaretha Harter from Bovenzenweiler was fetching water from the well in Obereichenroth when she accidentally spilled some on a baker’s apprentice who was standing nearby. He
swore at her in anger and called her a witch. Some of the Schöneburg cavalrymen who were quartered in Obereichenroth heard this, took Harter captive, and presented her to their captain, Johann Caspar von Eltz, whose horse had recently died in mysterious circumstances. Witchcraft was suspected, and Caspar and his cronies seized the opportunity offered by the animal’s death and the public slandering of Harter as a witch to start their own investigation into the matter. Von Eltz claimed that it was possible to tell whether someone was a witch by looking into their eyes to see whether or not they had pupils; his wife subjected Harter to this identification ritual and, unsurprisingly, concluded that she had no pupils and was therefore a witch. Von Eltz and his companions then asked Harter whether other local women were also witches and, by means of leading questions and threats of violence, terrorised her into fabricating a story of witchcraft which would justify their instigation of a more widespread witch-hunt.

Harter was forced to admit that she had been seduced into witchcraft by Anna Dieterich, the sixty-one-year-old widowed herdswoman of Untereichenroth and one of the first women suggested by the cavalrymen to Harter as a probable witch. Harter claimed that she and Dieterich had once met the devil on their way home after they had been out begging for bread and alms together. He had offered his hand to Harter but she had refused to shake it and had hurried home alone while Dieterich talked to him. About a week after this incident Dieterich had taken her night-flying against her will to a stable in Oberstetten where the horse belonging to von Eltz was kept. There Dieterich had ridden the horse to the point of exhaustion, which explained why it had died three days later. Dieterich had then taken Harter to a nearby cellar where they had feasted and to a witches’ gathering where they had danced in the devil’s presence with other women from Obereichenroth and Bovenzenweiler, whose names were also suggested to Harter by the cavalrymen. Harter also claimed that at the dance the devil had instructed her to spit out rather than swallow the bread and wine she received at communion, but that she had not promised to obey him.

Once the cavalrymen had ‘persuaded’ Harter to incriminate other women in her witchcraft narrative they led her by a rope tied around her neck through Bovenzenweiler and Obereichenroth and called the men of the two villages together to hear her allegations. They asked Adam Strauss and Hans Simon of Bovenzenweiler and Hans Stinzenberger, old Dümler, Georg Strauss and the herdsman of Obereichenroth, whose wives’ names had been forced out of Harter as participants in the sabbat she had attended, whether they knew that their wives were witches? Von Eltz then suggested to Georg Strauss that his wife had been responsible for the deaths of Georg’s horses. Georg replied that if his wife were a witch who had killed his horses he would kill her
himself, but that no suspicions of witchcraft had been attached to the horses’
deaths at the time of their demise. Georg added that Harter and her allegations
of witchcraft should be taken before the proper judicial authorities for investi-
gation and this cry was taken up by the other men present. The cavalrymen
were not keen on this idea. They knew of the council’s restraint in trying
witches, commenting to Harter that if they allowed her to be taken into cus-
tody in Rothenburg the matter would end there, with the peasants and their
wives escaping arrest. They took Harter instead to Dunzendorf, a village out-
side Rothenburg’s hinterland, in a short-lived attempt to remove her from the
council’s jurisdiction. However, after a couple of days they let her go, after
either losing interest in their plan or realising that the villagers of Rothenburg’s
hinterland were not to be stirred easily into an enthusiasm for witch-hunting.
Harter was taken into Rothenburg on 13 August for investigation of her alle-
gations, which had already been brought to the attention of the council, prob-
ably by the men of Bovenzenweiler and Obereichenroth.94

Poor Harter. Thinking that she was now safe in council custody, she told
the councillors assigned to interrogate her how the cavalrymen had captured
her, told her they could do what they liked with her, and threatened to crush
her thumbs with their pistols if she did not answer their questions. She had tried
to insist on her innocence but had finally told them that she was a witch and
accused other women of witchcraft because she had been so afraid of their
threats and because she had hoped that they would release her if she told them
what they wanted to hear.95 Her interrogators did not appear satisfied with this
account of events, however, and asked her instead to repeat the story she had
told the cavalrymen, showing particular interest in her meeting with the devil
and the death of von Eltz’s horse. After much exhortation by her interrogators
and much reluctance on the part of Harter, she repeated her witchcraft narra-
tive as though it had actually happened, and the council duly began an investi-
gation of her alleged seduction into witchcraft by Anna Dieterich.96 Eight men
from Bovenzenweiler, Obereichenroth and Untereichenroth were questioned
about Dieterich’s alleged reputation as a witch, while Harter was interrogated
for a second time on 17 August and forced to confront Dieterich in custody
on 18 August.

Why was Harter pressed to repeat her witchcraft narrative after she had
offered what appears to have been an eminently plausible explanation of why
she had invented it in the first place? Her interrogators might have done this
simply to test the consistency of her testimony, as they did with suspects in all
criminal cases. However, the willingness of the councillors to contemplate
beginning an investigation against Dieterich once Harter had repeated her alle-
gations suggests that they must have thought that there was more than a grain of
truth in them. After all, they mirrored closely the witchcraft narrative they had
just heard in 1627, when they had been inclined to believe the worst of the women who had allegedly seduced Margaretha Hörber into witchcraft. Moreover, both the Hörber case and the Hans Gackstatt case discussed in Chapter 3 showed that the councillors and their advisers found it very difficult to believe that youngsters could simply fabricate witchcraft narratives, either subconsciously or strategically, from their own imaginative resources and for their own reasons. Finally, the fact that Rothenburg’s councillors had sentenced Magdalena Dürr, a woman who had confessed to both infanticide and witchcraft, to death on 12 January 1629, in what was to be the first execution for witchcraft in Rothenburg, may have meant that they were disposed to take allegations of witchcraft particularly seriously just a few months later in August 1629.

Harter doubtless repeated her narrative to the councillors as if it had really happened because she had just endured one terrifying experience of captivity and interrogation at the hands of the cavalrymen and feared that she would endure a similar experience if she did not tell her new set of interrogators what they apparently wanted to hear. During her second interrogation on 17 August she even gave the councillors additional evidence against Dieterich in a desperate attempt to win their sympathy and to shift the focus of the case onto the herdswoman. Harter told the councillors that she had heard that the Untereichenroth villagers wanted to get rid of Dieterich because they feared she would harm their livestock; that Dieterich had used blessings to cure headaches in Untereichenroth; that strange noises and fiery lights, indicative of mysterious nocturnal gatherings, had been heard and seen to emanate from the room where Dieterich lodged in the village; and that once, after Dieterich had had a bruised face for five weeks, it had been rumoured that she had been beaten by the devil.

Rumours connecting Dieterich with witchcraft do seem to have circulated in Untereichenroth, Bovenzenweiler and Obereichenroth before August 1629; this was doubtless why she had been one of the first women suggested by the cavalrymen to Harter as a probable witch. It is unclear how generally and seriously Dieterich was reputed a witch in Untereichenroth and its environs, however. Harter traced virtually all the rumours she had heard linking Dieterich with witchcraft back to a single source: Dieterich’s own son and daughter-in-law, with whom Dieterich had taken lodgings in the village after the death of her husband in 1627 and who appear to have hated and wanted to be rid of her with an alarming degree of enthusiasm. The cause of their animosity is unclear, although Dieterich and her daughter-in-law were reported to have quarrelled over the alleged bad housekeeping of the latter, a situation which cannot have been improved by the fact that soldiers had plundered their household, leaving them largely reliant on begging to survive.
The eight men of Bovenzenweiler, Untereichenroth and Obereichenroth called on to testify about Dieterich by the council, however, all claimed that they personally knew nothing about her in connection with witchcraft, other than what Harter and the cavalrymen had recently said. If anyone had ever called Dieterich a witch, Michael Dehner of Obereichenroth commented, this was simply because it was the general habit of people to call old women witches. The men of Untereichenroth praised Dieterich’s diligence as a herdswoman during the thirty-four years she had lived in their village and professed to know nothing about any of the additional evidence Harter had cited against Dieterich during her second interrogation. Hans Strauss confirmed that the men of Untereichenroth had commented that it would be better for the rest of the village if Dieterich lived elsewhere, but explained that this was because they feared that she might involve the rest of them in a witch-hunt, not because they feared that she would harm their livestock. This fear of finding themselves and their families dragged in a witch-hunt, and particularly one started by the hated Schöneburg cavalrymen, was also uppermost in the minds of men from other villages and helps explain their unwillingness to testify against Dieterich. As Adam Strauss and Hans Kaufman of Bovenzenweiler put it in a statement which highlighted the gulf that existed between the villagers and the cavalrymen on the question of how best to deal with witches, even if Dieterich had been called a witch in the past, this had only been done to tease and vex her. It had not been meant as a serious matter, which was what the cavalrymen were now trying to make of it, as they rode through Bovenzenweiler shouting ‘when will the burning start here?’ to its inhabitants. Popular concern about the risks of formal prosecutions for witchcraft were probably heightened at this point because of the ongoing mass witch-trials in Würzburg and also because of the execution of Magdalena Dürr for infanticide and witchcraft in Rothenburg in January 1629.

Anna Dieterich was thus helped significantly by the absence of negative communal testimony against her. Unfortunately for Harter, the herdswoman was also only too willing to appear in person in Rothenburg to protest her innocence vehemently to the councillors and to Harter when the two of them were brought face to face in gaol on 18 August. At first Harter attempted to stick to her allegations against Dieterich, despite Dieterich’s lamentation that Harter was trying unjustly to deprive her of her good name in her old age and her reminder to Harter that she would have to answer for her false accusations at the Day of Judgement. However, after Dieterich was removed from the room and Harter was exhorted to tell the truth by the councillors, Harter retracted the accusation against Dieterich that she had never wanted to make in the first place, admitted that none of her witchcraft narrative had ever really happened, and repeated that she had only spoken of it because the cavalrymen had terrorised her into so doing.
Harter’s admission that she had falsely accused Dieterichin of witchcraft brought the case to an end and earned the fifteen-year-old a flogging in the city gaol followed by banishment from Rothenburg and its hinterland for slander on 22 August.\textsuperscript{108} This doubtless satisfied the men of Bovenzenweiler and Obereichenroth whose wives had also been accused as witches by Harter; Georg Strauss of Obereichenroth had already planned to bring a slander case on behalf of his wife against Harter had the necessity arisen.\textsuperscript{109} Harter’s punishment was relatively harsh, however. The much older Barbara Rost had only been banished in January 1629, despite the fact that her slanders had touched some of the most eminent families in Rothenburg,\textsuperscript{110} and the fact that the cavalrymen had initially forced Harter into inventing her slander was played down by the council as a mitigating circumstance in her case. Moreover, if the council had been concerned chiefly with the consistent punishment of slander in August 1629, then it should also have arrested the baker’s apprentice who had called Harter a witch in Obereichenroth in the first place. Harter had complained to the councillors of his unfounded accusation of her during her first interrogation on 13 August, but there is no evidence to suggest that he was ever made to answer for it at law.\textsuperscript{111}

Harter’s inconsistency in custody – and her final admission that she had, indeed, falsely accused Dieterich of witchcraft – doubtless did little to endear her to the councillors. They appear also to have decided to categorise her as a malicious slanderer because she had repeated her allegations against Dieterich in custody as if they were true without suffering torture: she was asked at the end of her second interrogation why she had said such things about Dieterich when she had not been forced to do so.\textsuperscript{112} This inability or unwillingness on the part of the councillors to comprehend that Harter had probably been so traumatised by her experience at the hands of the cavalrymen that she would probably have said whatever anyone interrogating her subsequently appeared to want to hear suggests a marked lack of sympathy for her on their part. This unsympathetic stance was probably also motivated by practical and political reasons. Given the ease with which the Schöneburg cavalrymen had escaped the council’s justice for other crimes they had committed, the councillors doubtless realised that it would have been very hard even to try to punish them for attempting to start a witch-hunt. It was much easier for the councillors to gloss over the fact that the cavalrymen had tried to start a rival and unofficial witch-hunt in the city’s own hinterland and to assert their judicial authority in the matter by making an example of the defenceless Harter as an evil slanderer. They therefore used Harter, as they had used Hörber in 1627, to make a point about their judicial authority over witchcraft cases which had political and religious resonances beyond the immediate context of the cases themselves.
From the point of view of the Schöneburg cavalrymen, their attempted witch-hunt was another way of terrorising the villagers in whose midst they were quartered and also a way of showing them how witches ought to be tried and hunted, in contrast to what they regarded as the mealy-mouthed treatment of suspected witches by the council in Rothenburg. They were careful to give a semblance of legitimacy to their actions by aping recognised legal procedures in their treatment of Harter: they ‘arrested’ and ‘interrogated’ her, threatened to ‘torture’ her using their pistols as a makeshift version of thumbscrews, and subjected her to an identification ritual that was used by municipal executioners in other parts of southern Germany. However, in stark contrast to the usually cautious legal handling of witchcraft allegations by the council, the cavalrymen’s only aim in their ‘trial’ of Harter was to force her to confess to being a witch and to accuse other people of witchcraft as quickly as possible, in order to start a witch-panic which they hoped would result in many executions. Here they seem to have been drawing on knowledge of the mass witch-trials currently ongoing in the Catholic ecclesiastical territories of Franconia, which relied for their impetus on excessive use of torture and forced denunciations by suspected witches of their accomplices, in order to ‘teach’ the inhabitants of Untereichenroth, Obereichenorth and Bovenzenweiler the mechanisms by which such trials might be replicated in Rothenburg and its hinterland. Fortunately for all concerned, the villagers in question proved to be intractable pupils and neither participated in the cavalrymen’s ‘trial’ of Harter nor demanded harsher action against witches generally from the council. This, combined with the continued caution of the council in its handling of witchcraft allegations, ensured that Rothenburg was spared the swell-tide of executions which engulfed the Catholic territories of Franconia between 1627 and 1629.

Notes
1 Gagliardo, *Germany Under the Old Regime*, p. 54.
2 The same was the case in the rest of Franconia; Nuremberg, for example, also became a mustering and provisioning centre for the Catholic armies, see Endres, ‘Der Dreissigjährige Krieg’, pp. 487–488.
4 This was probably the same Jobst Unger whose son Hans had almost been tricked out of 400 gulden belonging to his father in 1614, see pp. 52–53. This, and the fact that Michael Hörber could afford to move out of Gebsattel rather than convert to Catholicism, suggests that neither of Margaretha’s guardians was financially incapable of caring for her themselves.
5 RStA Interrogation Book A886 fols 264r, 265r.
6 ibid., fols 264r–264v, 291r–291v.
7 ibid., fols 264r–266r.
8 ibid., fols 266v–267r, 291v.
9 ibid., fols 264r–267r.
10 All sixteen of the mills situated along the Tauber River in Rothenburg’s hinterland belonged to the city; their millers had to swear annual oaths of loyalty to the council, promising to uphold Rothenburg’s mill ordinances, see Bedal, *Mühlen und Müller in Franken*, pp. 141–144, 178.
See p. 4.


See RStA Gebsattel Village Acts, disputes with Komburg, vols A105–A166.

On the importance of the exercise of high criminal justice to the consolidation and assertion of the Rothenburg council’s territorial overlordship, see Rowlands, ‘Women, gender and power’, pp. 7–8, 10–11.


*Ibid.*, p. 49. Müller’s book contains an excellent account of the medieval origins of the rivalry between Rothenburg and Komburg over their respective rights in Gebsattel (pp. 35–44), as well as several other examples of disputes between them which occurred during the sixteenth century (pp. 44–51).


RStA Interrogation Book A886 fols 270v, 294r.

Hörber and Ünger were listed as Lutherans by the Bishop of Würzburg in 1627, see Bauer, *Gebsattel im 17. Jahrhundert*, p. 204.

Schreckenfuchs held this post from 1618 until 1632, then again from 1636 until 1650, see Müller, *Gebsattel. Chronik eines fränkischen Dorfes*, pp. 150–151. This action of von Ehrenberg’s was a continuation of his predecessor Julius Echter von Mespelbrunn’s counter-reforming efforts as Bishop of Würzburg, which had started in the 1580s, see Schubert, *Gegenreformation in Franken*.


Kunstmann, *Zauberwahn*, p. 17; Merzbacher, ‘Geschichte des Hexenprozesses im Hochstifte Würzburg’; Schwillus, ‘„Der bischoff lässt nit nach”’. Robert Walinski-Kiehl suggests that the estimate of 900 witches executed in Würzburg (which comes from a pamphlet printed c. 1629) is almost certainly too high, but that accurate figures for the Würzburg persecutions are hard to obtain because many trial-records from the period are missing, see Walinski-Kiehl, ‘„Godly states”’, p. 13. Wolfgang Behringer, however, suggests that the high figures are probably reasonably accurate, especially for the witch-hunts that occurred in the late 1620s, *Hexenverfolgung in Bayern*, pp. 237–238.


RStA Interrogation Book A886 fol. 266r.


The Prince-Bishop of Würzburg issued a mandate ordering the confiscation of the property of witches executed in his territory only on 10 June 1627, see Merzbacher, ‘Geschichte des Hexenprozesses im Hochstifte Würzburg’, p. 173.


Robert Walinski-Kiehl, for example, argues that the witch-hunts in the Prince-Bishoprics of Bamberg and Würzburg in the late 1620s ‘should be viewed as a product of the new vigour of emerging Catholic absolutist-style states’, see ‘„Godly states”’, p. 21. Jürgen Schmidt...
argues that the authorities in the Calvinist Palatinate, who deliberately refused to foster witch-trials there from 1561, also regarded the mass-trials in the Catholic ecclesiastical territories disparagingly as evidence of typically Catholic confusion, see *Glaube und Skepsis*, p. 480.

36 RStA Interrogation Book A886 fols 269r–270v.

37 Ibid., fols 270v–271v.

38 See Chapter 3, especially pp. 89–92.

39 RStA Interrogation Book A886 fols 273r–273v.

40 Ibid., fols 274r–275r.

41 Ibid., fols 275r–275v. Although not mentioned specifically, the treatment of Hans Gackstatt in 1587 may have influenced Schäfer’s opinion on this point: see Chapter 3.

42 Ibid., fols 277r–278v.

43 Ibid., fols 275v–276r, 277v–278r.

44 Ibid., fols 283v–284r.

45 Ibid., fols 283r–283v, 284v. See also pp. 53–54 for further discussion of Zyrlein’s division of witches into ‘active’ and ‘passive’ categories.

46 Ibid., fol. 284v.

47 Ibid., fols 285v–286v. See also pp. 53–54 for the influence of Thumm, Gödelmann and Luther on Zyrlein’s ideas.

48 Ibid., fols 298r–300r.

49 Ibid., fol. 298v.

50 Ibid., fols 291r–292r.

51 Ibid., fols 298v–299r. The expertise of midwives in ascertaining whether or not women were still virgins had been legally acknowledged in Rothenburg in two sixteenth-century slander cases, see RStA Interrogation Book A852 fols 264r–265r (1554); RStA Marriage Acts A1477 fols 138r–145v (1565).

52 RStA Interrogation Book A886 fol. 301r; although performed by the midwives, the examination was carried out in the presence of one of the city’s physicians.

53 Ibid., fols 302r–304r.

54 Ibid., fols 280r–281v. Eva had recently married: see Appendix for details.

55 Ibid., fol. 287r. This report also implicated the herdsman’s wife and maidservant in these suspicious activities.

56 Ibid., fols 299r–300r.

57 Ibid., fols 279r, 282r, 305r–305v, 306r–307r.

58 Ibid., fol. 300r.

59 Ibid., fol. 299r.

60 Ibid., fols 303v–304r.

61 Ibid., fol. 297r.

62 Ibid., fol. 269r.

63 Ibid., fol. 269 (a)r.

64 Ibid., fol. 284r: ‘Meigelein! Meigelein!’. Brigitta Hörner, another girl who claimed to be a witch in the seventeenth century, was also an orphan and unwanted by her relatives: see p. 62 and Rowlands, ‘The “Little witch girl”’. Perhaps Margaretha and Brigitta coped with their emotional trauma by means of their witchcraft narratives.

65 Ibid., fols 264r–267r, 291r–292r, 270v–271v.

66 Ibid., fol. 265r.

67 See Chapter 3 for discussion of Hans Gackstatt’s case.

68 Ibid., fols 266v, 271v.

69 The process of questioning that the Komburg Lutherans were forced to undergo in Gebsattel at the hands of Schreckenfuchs, Gebsattel’s Catholic priest Georg Holzapfel, and the Bishop of Würzburg’s representatives, in order to convert them to Catholicism, is transcribed by Bauer in *Gebsattel im 17. Jahrhundert*.

70 RStA Interrogation Book A886 fols 266r–266v.

71 Margaretha expressed this idea during her first interrogation on 18 May, see ibid., fol. 270v.
She repeated it when questioned by Superintendent Zyrlein in early July (fol. 284r), and again under interrogation on 10 October (fol. 294r).

72 See Schäfer’s first opinion on the case dated 20 May, ibid., fols 273r–276r.
73 ibid., fol. 286r: ‘ie mehr man hexen vmbbringet oder verbrennet, ie mehr derselben werden.’
74 Schormann, Der Krieg, p. 162–163. On the probable exchange of ideas about witchcraft between Rothenburg and Nuremberg during the early modern period, see pp. 64–67.
75 See pp. 94–96; Sabean, Power in the Blood, p. 111.
76 RStA Interrogation Book A886 fol. 272v.
77 ibid., fol. 307r.
78 However, leniency would probably have been shown towards Margaretha because of her youth even if she had confessed to maleficium, as happened in the case of Brigitta Hörner in 1639, see Rowlands, ‘The “Little witch girl”’.
79 RStA Interrogation Book A886 fols 303r–303v. On this point, see also Zyrlein’s use of the example of the penitent sinner taken from Luther, pp. 53–54.
80 ibid., fol. 307r.
81 ibid., fols 283v–284r.
82 See Chapter 3.
83 See pp. 94–96.
84 RStA Interrogation Book A886 fol. 271v.
85 ibid., fol. 298r.
86 ibid., fol. 306v. This way of imagining procuresses had some basis in reality; Lyndal Roper’s work on procuresses in early modern Augsburg suggests that they tended to be older, married women, while the prostitutes they controlled tended to be younger and unmarried. See Roper, ‘Mothers of debauchery’, pp. 6–7.
87 RStA Steinach Village Acts A739 fols 645r–45v, 654r–654v. The records say nothing about Margaretha’s fate after her release from custody. However, the fact that a formal investigation into self-confessed child-witch Brigitta Hörner’s death occurred in 1640, after she had been released from council custody but rejected by the relatives who were supposed to have taken responsibility for her, suggests that Rothenburg’s council did not turn a blind eye to the fate of child-witches after their release from custody, see Rowlands, ‘The “Little witch girl”’. Hörber would therefore probably not have found it easy to turn Margaretha out of his house after her trial.
88 Schmidt, ‘Das Kriegsjahr 1628’, pp. 59–68. Endres also notes that these cavalrmen were notorious, see ‘Der Dreissigjährige Krieg’, pp. 488–489.
89 StAN Ro. Rep. 2086 fols 11r–14r (this entire volume is devoted to correspondence about the Edict of Restitution).
90 Heller, Rothenburg ob der Tauber im Jahrhundert des grossen Krieges, pp. 40–41.
91 This account is taken from Harter’s first statement in council custody on 13 August, RStA Interrogation Book A888 fols 595r–600r, especially 595r–598r. The Rothenburg sources refer to the cavalrmen’s ringleader as Hans Caspar, but records from Nuremberg suggest that this was Captán Johann (Hans) Caspar von Eltz, StAN Council Correspondence Books Rep. 61a, vol. 245, fol. 30v.
92 RStA Interrogation Book A888 fols 596r, 614r.
93 ibid., fols 598v–600r. This was the story that Harter repeated to Rothenburg’s councillors during interrogation on 13 August. We know that this was the story she had been forced to fabricate by the cavalrmen before her arrest, as the councillors interrogating her already knew all about its key elements (her alleged meeting with the devil, the sabbat, the death of the horse) from reports it had received from unspecified sources before her arrest.
94 ibid., fols 596v–97v, 619v.
95 ibid., fol. 595r–598r.
96 ibid., fols 598v–600r.
97 See above, pp. 122–123.
98 See RStA Interrogation Book A887 fols 592r–594v for Dürr’s sentence; pp. 136–143 for discussion of her case.

99 RStA Interrogation Book A888 fols 606r–608r.

100 Ibid., fols 596r, 607r, 609v, 614r.

101 Ibid., fols 601r–603v, 609r–612r.

102 Ibid., fol. 601r.

103 Ibid., fols 603r, 609r–612r.

104 Ibid., fols 611r–612r.

105 Ibid., fol. 603v.

106 See above, n. 98.

107 RStA Interrogation Book A888 fols 614r–616v.

108 Ibid., fols 618r–619v.

109 Ibid., fol. 619v.


111 RStA Interrogation Book A888 fol. 598r.

112 Ibid., fol. 616r.

113 In 1590, for example, Friedrich Stigler identified several Nuremberg women as witches because of their alleged lack of pupils, after he had learnt this identification method from his master, the executioner of Eichstätt; Kunstmann, Zauberwahn, p. 76. Stigler was ultimately executed for bigamy, sorcery and falsely accusing these women of witchcraft, ibid., pp. 76–78.

114 Although Heinrich Schmidt suggests that the Schöneburg cavalrymen probably served as the guard that accompanied condemned witches to the stake in Würzburg in 1627 (Schmidt, ‘Vordringender Hexenwahn’, p. 77), I have been unable to find any evidence of this. It is, however, virtually certain that the cavalrymen would have travelled through or been quartered in or near those areas of Franconia where large-scale witch-hunts took place between 1627 and 1629, and that the differences in Catholic and Lutheran patterns of witch-prosecution during those years must have plain for them and others to see.