

81 Witches of Prestonpans

By Annemarie Allan

Prestoungrange University Press (2005)
58 pages, softcover

Review by Hans Sherrer

Waves of hysteria about the presence and activities of witches periodically swept over Scotland from the mid-16th to the early 18th century. That hysteria was reflected in the Scottish Witchcraft Act, signed into law in 1563 by Mary Queen of Scots, which “forbade, on pain of death, any use of magic. In addition, anyone who consulted a magic user was subject to the same penalty.” (p.13)

Prestonpans is presently a small city of 7,000 on Scotland’s southeast coast about 10 miles east of Edinburgh. It was at center stage during the thousands of Scottish witch trials held during the 1500 and 1600s. Proportionate to its population four centuries ago, there were more accused witches convicted in Prestonpans than any other village, town or city in Scotland, and its total number of “witches” exceeded that of much larger municipalities.

A charge of witchcraft was instituted by one of three methods: “accusations by neighbours, a sorcerous reputation, [or] the naming of another individual by a witch under interrogation.” (p. 16) Although the charge of witchcraft was deemed to be evidence of guilt, a conviction was assured if it was augmented by a confession.

Knowing it meant a death sentence, an accused “witch” was typically resistant to confessing. Consequently extraordinary torture techniques were often employed to encourage a confession. Among the more mundane tactics were sleep deprivation, starvation, and being stripped naked and kept in a cold damp holding cell for weeks or even months until one’s tongue was loosened. The more vigorous tactics to induce a confession included being dipped in a river or held under freezing water (a medieval form of present day water boarding), and being skinned alive by being forced to wear a “hair shirt dipp’d in vinegar” (p. 17) It was also common for a ‘witch pricker’ to search for the “witches mark” by inserting a 3” long needle into various parts of an accused person’s body.

Once convicted, the witch was executed – usually by public strangulation and burning of his or her body. After the execution, the cost of the “witches” torture, trial and execution was reimbursed by the condemned person’s estate or family members.

A modern resurgence of interest in that dark time during Prestonpans history began after the publication in 2001 of *The Deil’s Ain* (The Devil’s Own). Written by Scottish historian Roy Pugh, the book documented the execution of 81 Prestonpans residents convicted of witchcraft. The executions occurred between 1590 and 1679. The actual number is believed to be much higher, but Pugh only included the verifiable cases for which records still exist. Pugh described the period from 1563 to 1727 in Scotland as a “mini-holocaust,” since as many as 4,500 Scots were convicted of witchcraft and executed.

Prestonpans lies within the domain of the Barons Courts of Prestoungrange & Dolphinstoun. On July 27, 2004, Prestoungrange’s Baron Gordon Prestoungrange and Dolphinstoun’s Baron Julian Wills exercised their ancient baronial authority by pardoning the 81 men, women and children identified in *The Deil’s Ain* as having been executed for witchcraft. (See *Pardon And Annual Remembrance Of 81 “Witches”* on page 21 of this JD issue.)

The Barons Courts also proclaimed that henceforth a Remembrance shall be held on each Halloween commemorating the injustice perpetrated on the 81 people wrongly convicted and executed as “witches.” The first Remembrance was held on October 31, 2004, the second on October 30, 2005, and the third is scheduled for Halloween 2006.

To provide background information about the Remembrance observance, the Prestoungrange University Press commissioned Annemarie Allan to write a historical study of the period of time during which the witchcraft trials and executions occurred. Published in 2005, Allan’s book, *81 Witches of Prestonpans*, goes far beyond being a recounting of Prestonpans local history. It provides an overview for the witch hunts in Scotland, which were “exported” to England by King James I (who prior to his coronation had been Scotland’s King James VI), and then “exported” to New England by Protestant émigrés – eventually resulting in the Salem witch trials of 1692.

81 Witches of Prestonpans also identifies that some responsibility for the English (and subsequent New England) witchhunts can be attributed to Shakespeare’s *Macbeth*. Although *Macbeth*’s exact publication date is uncertain, it is known to have been about the time King James I ascended the throne in England in 1603. Allan writes about *Macbeth*:

“The tale of a kingdom torn apart by the murder of its lawful King, of the unnatural signs and portents which accompany the murder of Duncan, God’s ordained monarch and the treasonable sorcery on

Innocent People Are Executed The Question Is: How Many?

The following eight articles and reviews don’t even scratch the surface of the large body of work substantiating that innocent people are, and have been wrongly convicted of a capital crime for centuries in countries whose legal system evolved from England’s Common Law. While some of those errors have been detected prior to carrying out of the sentence, the unanswered question is how often they have not, and the frequency with which those errors continue to occur.

the part of the witches incorporates all the major themes of the witch panics of the 1590s. References to the ancestry of King James in the character of Banquo make it clear that Shakespeare was linking his work of fiction to the person of the King and the details included within the play clearly reveal the author’s familiarity with the description of events contained within ‘Newes from Scotland’.

The pursuit of witches did not, however, limit itself to England. By the time James succeeded to the throne of England, colonisation of the eastern seaboard of the American continent had already begun and the witchcraft act of 1604 has been identified as a primary cause of the most famous episode of witch persecution in America, the Salem witch trials of 1692.” (p. 42)

The public’s belief in witches was fueled by civil and religious leaders who saw it as a method of “controlling the population through religious fanaticism.” (*The Deil’s Ain*, p. 147) When public authorities issued an order for a witch-hunt, the superstitious fears of a large segment of the population was unleashed — distracting them from real problems that plagued their lives.

An interesting sub-theme of Allan’s book is that the widespread belief in witches was used by opportunists to accuse well-to-do persons of witchcraft so they could acquire their assets. In 1662 the Privy Council denounced accusers “who only acted out of envy or covetousness. All such unauthorised proceedings were now forbidden.” (p. 40)

Allan’s book also touches on the modern relevance of the witch hunts that occurred centuries ago. She notes that Arthur Miller’s 1953 play, *The Crucible*, while ostensibly about the Salem witch trials, was written during the time of the McCarthy Red Scare in the U.S. – when many people were misled into

81 Witches cont. on page 21

81 Witches cont. from page 20

believing communists lurked everywhere. *The Crucible* warned of the danger that determining guilt of any alleged “crime” on the basis of innuendo and association led to the prosecution of innocent people and barbaric behavior by normally civilized people.

The last major outbreak of witch hunting in Scotland was in 1678. However, the mood of the people had changed: Unlike previous witch hunts, some people were saved by neighbors who defied the label of “guilt by association” and came to their friend’s defense. The change of attitude toward unrestrained witch hunting was reflected in the 1662 proclamation by the Privy Council (Scotland’s highest judicial body):

“...a caution was given that there must be no torture for the purpose of extorting confession. The judges must act only upon voluntary confessions; and even where these were given, they must see that the accused appeared fully in their right mind.” (p. 40)

Isolated incidents of witch hunting continued in Scotland until 1727. In 1736 the Witchcraft Act was changed significantly. Witchcraft was effectively repudiated as mythical by a provision that only allowed for the fining or imprisonment of a person who sought to profit from *pretending* to possess powers of witchcraft. Thus capital punishment was no longer on the table because a person could no longer be convicted of being a witch – only pretending to be one.

The United Kingdom’s last witchcraft prosecution was in 1944. Helen Duncan was convicted of witchcraft and imprisoned for nine months “because the authorities feared her clairvoyant powers enabled her to predict details of wartime movement of shipping.” (p. 44) The Witchcraft Act was finally repealed by Parliament in 1951.

There is a two-fold purpose for Prestonpans annual Remembrance of the 81 executed “witches” and the commissioning of Allan’s book. One is to honor the memory of those innocent people, and the other is to keep alive the memory of the irrational hysteria that induced those people’s friends and neighbors to actively participate or stand silent as they were wrongly accused, tortured into confessing, convicted, and then publicly strangled and their bodies burned for the commission of phantom crimes.

81 Witches of Prestonpans shows how easily the public’s fear of the unknown – including an unexplained event or unusual personal

Pardon And Annual Remembrance Of 81 Convicted “Witches”

By JD Staff

Eighty-one Scots convicted of being witches and executed in the 16th and 17th centuries were publicly declared as innocent during a ceremony in Scotland’s Prestonpans township on October 31, 2004. The ceremony followed Baron Gordon Prestoungrange and Baron Julian Wills’ grant of a posthumous Absolute Pardon to the 81 people on July 27, 2004.¹ The Barons Court had existed since 1189 — predating the signing of the Magna Carta in 1215 by several decades — and it had the jurisdiction and *de jure* legal authority to issue the pardons.²

Pardon Ceremony and First Annual Remembrance

Upwards of thirty descendants and namesakes of the pardoned people attended the ceremony on October 31, 2004. The ceremony also marked Prestonpans’ first Witches Remembrance that Baron Prestoungrange proclaimed was to be held annually on Halloween in commemoration of the wrongly convicted and executed people. A township spokesperson said, “There were some concerns that we’ve got the ceremony on Halloween, but we couldn’t have a witches remembrance in the middle of March. It has a serious purpose, we’re respecting these unfortunate individuals.”³

Historian and witch expert Roy Pugh, whose 2001 book *The Devil’s Ain* (The Devil’s Own) inspired interest in re-opening the cases of the people who were pardoned, spoke during the ceremony:

behavior – can be exploited by opportunists seeking financial gain or enhanced political authority. Once in a fearful state, it is a minor step for the gullible amongst the public to be convinced that their fear can be assuaged by punishing a person or persons identified as responsible, but who are in fact innocent of wrongdoing. Allan wrote about the cautionary message of the Prestonpans pardons for people living in the twenty-first century:

It is very easy for all of us to acknowledge and rail against the crimes that others perpetrate against humanity, but it is an altogether different thing to acknowledge that such inhumanity can occur within one’s own community.

“It is too late to right the wrongs of a previous age. This modest ceremony may go some way towards a symbolical recognition of those countless victims of the witch-hunt who were cruelly persecuted. I invite those present – the possible descendants or namesakes of some of the 81 victims in Prestonpans – to lay a floral tribute at the Memorial which commemorates the names of those who were judicially executed.”⁴

Second Annual Remembrance

On October 30, 2005, Prestonpans observed its second annual Remembrance of the 81 people wrongly condemned as witches.

During the week prior to the Remembrance the Port Seton Drama Group performed a new play the Prestoungrange Arts Festival commissioned Pugh to write. The play, *Witches!*, depicts the trial of Agnes Kelly and Marjorie Anderson, who were among the 81 executed “witches.” The presiding magistrate at their 1678 trial in Prestonpans was the then Baron of Prestoungrange, Sir Alexander Morrison. *Witches!* dramatizes the brutalization of the two women including their deprivation of sleep for many days in an effort to induce a confession to witchcraft. The women were found guilty and condemned based on the “spectral” evidence of witnesses and incriminating body marks found by a “witch pricker.” The plays three performances were well attended, in part because of extensive publicity, including reports on the British Broadcasting Corp. and Scottish Independent TV.

The Remembrance ceremony on the evening of October 30 was led by the current Baron of Prestoungrange. The climax of the ceremony was when 10 archers released 81 flaming arrows across the Firth of Forth.

The annual Remembrance is coordinated by the Prestoungrange Arts Festival, and they have expressed determination to maintain its focus on the injustices committed against the innocent people condemned for witchcraft, because such atrocities “could so easily be done again when any community takes against a minority within it.”

The third annual Remembrance will be held on Halloween 2006.

Endnotes and Sources:

Prestonpans 2005 Hallowe’en Remembrance of our 81 Witches, <http://www.prestoungrange.org>

1 Absolute Pardon of 68 women and 13 men at, <http://www.prestoungrange.org/core-files/archive/absardon.pdf>

2 The Baron’s Court’s website is, <http://www.prestoungrange.org/prestoungrange/index.html>

3 Town pardons executed ‘witches’, *BBC News*, October 29, 2004.

4 Address by Roy Pugh, October 31, 2004, First Remembrance of Prestonpans 81 Witches, at, <http://www.prestoungrange.org/core-files/archive/RoyPugh.pdf>



81 Witches cont. on page 22

Time Without Pity

Starring Michael Redgrave and Peter Cushing
Directed by Joseph Losey
Screenplay by Ben Barzman
Based on a play by Emlyn Williams
Released to theaters in 1957, B&W,
88 minutes. Released on VHS in 1995.

Review by Hans Sherrer

Time Without Pity is one of those low budget British films from the 1950s that are typically shown late at night on Turner Classic Movies or other cable channels. Yet one look at the cast and people behind its production indicates it is anything but a “B” flick.

The movie opens with a stark scene of a young woman being attacked in a room and killed by a fortyish man. The movie then cuts to some time in the future, as a disheveled middle-aged man who looks like he just stepped out of a gin joint is picked up at London’s airport by a well-dressed gentleman. The traveler is the father of a young



man scheduled to be executed the next morning for the murder of the young woman, and the gentleman is the young man’s lawyer.

The father is an alcoholic writer who has been in a Canadian sanitarium during the entire time of his son’s legal ordeal. This was possible in the England of the 1940s and 50s, since as little as six months could pass from the time of a person’s arrest to their execution.

The father approaches his son’s impending execution with the same level of obsessiveness that one can imagine he approached his drinking – full tilt. He had failed his son at every other turn in life, and he doesn’t want to do so when there won’t be a chance for redemption. It is almost too much for him to handle when he realizes that if his son is to be saved it is up to him, and he only has 24 hours to do so. His son’s lawyer has given up hope that solid evidence of his innocence can be found and presented to the authorities in time to stop his execution. The clock pitilessly tick-tock-ticks on, one second at a time.

The pressure on the father is compounded by him not having anything to go on except blind faith that his son is telling the truth that he didn’t have anything to do with the young woman’s murder. On the surface the case against his son appears damning, but it is purely circumstantial and based on speculation of what *might* have happened. The victim was his girlfriend, she was found dead in an apartment where he was staying, and she was holding a locket with his picture in it. However, there are no witnesses or physical evidence tying him to the woman’s murder.

Looking at what happened with a fresh pair of eyes, the father feverishly races around the city questioning people who knew his son or the dead woman, or who might know some crucial but overlooked detail about the night she was killed that will unlock the iron door sealing his son’s fate.

Although it may seem preposterous that *Time Without Pity* revolves around a father’s panicked effort to find overlooked evidence in 24 hours that will prove his condemned son is innocent — it isn’t. Many condemned people professing their innocence have been granted a reprieve only hours prior to their scheduled execution, and later exonerated. Some of those

people were actually strapped into the electric chair or the gas chamber gurney and were only *minutes* from being executed for a crime they didn’t commit. In some of those last-minute miracles it was a relative or friend that found the crucial evidence.

Time Without Pity is also true to real life by portraying that most of the characters lead “messy lives.” Emphasizing the wrongness of his predicament, the condemned man led the most honorable life of all the significant characters in the movie. The ending of the movie is unexpected and has a unique twist. Yet it rings true by not sugar coating that someone sitting on death row waiting to be executed is deadly serious business, and it is deadly serious for a person trying to avert it from happening.

The film’s theme of a good and decent man horribly wronged by people blind to the truth, and its accurate character portrayal of people willing to sacrifice others to satisfy their blind ambition may have been a reflection of the real-life experiences of the film’s director, Joseph Losey, and its screenwriter, Ben Barzman. Both had successful careers in the film industry derailed after being blacklisted from working in the United States under their own names during the reign of terror known as McCarthyism. The film, made in England in 1957, was the first that gave directorial credit to Losey after his blacklisting in the U.S.

Given that the viewer knows from the first scene that the condemned man is innocent, *Time Without Pity* depends on powerful performances and the tension revolving around whether his debilitated father can find a way to prove it and stop the execution. Michael Redgrave is brilliant as the alcoholic father who becomes increasingly desperate to find some way to prove his son’s innocence and save him from having his life snuffed out. Although it has been almost five decades since it was first seen by moviegoers, *Time Without Pity* stands up remarkably well as solid entertainment. Neither has it lost any of its relevance as a cautionary tale that no matter how guilty someone may appear at first glance, if you look below the surface their innocence may be plain as day.

Time Without Pity is a classic example that a thoughtful and engrossing movie can be made on a modest budget if the production has a first-rate director, a well-written script and heartfelt acting performances.

Time Without Pity was released on VHS in 1995, and is available for purchase on Justice Denied’s website at, <http://justicedenied.org/movies.htm>

81 Witches cont. from page 21

The Pardon granted already stands as a distinctive memorial to those who lost their lives. But it must surely act forever as a warning that no-one amongst us can confidently state that they would never participate in such a process of persecution. The Kirk was right: there were indeed demons loose in their Godly state. Sadly, these demons were not supernatural – they were man-made, and still dwell amongst us. (p. 48)

Incorporating a wealth of diverse information spanning more than 400 years, *81 Witches of Prestonpans* serves as a warning that when irrationalism controls the legal process of a city, a state or a country – whether in 1590 or today – no one is safe from being accused of a non-existent crime that can result in their mistreatment, imprisonment, or even execution.

It is no minor feat that in a book of only 58-pages written in lay language Allan meaningfully contributes to the dialogue about the weighty social and legal issues she explores.

81 Witches of Prestonpans can be read or printed at no-charge from the Prestoungrange University Press website, http://www.prestoungrange.org/core-files/archive/university_press/21_witches/bod_ytext_witch.pdf. There is a link to the book on JD’s website at, <http://justicedenied.org>.

