



## THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

10 March 2025

### HJ2 – Criminal Law – Witchcraft – Exoneration

Madame Chair, Vice Chair, and members of the Rules Committee. Thank you for the opportunity to present House Joint Resolution 2.

In 1654, the *Charity of London* departed from Europe, destined for St. Mary's City. On the journey, the ship encountered a tremendous storm. Sailors aboard the ship saw fit to attribute the squall to witchcraft. Mary Lee, a passenger, was blamed for practicing witchcraft; those aboard described her actions and demeanor during the trip as that of a witch. Ms. Lee was hanged at sea by her fellow passengers. Upon landfall, those accusing reported her demeanor, and attested that they found a "witches mark" on her body prior to hanging.<sup>1</sup> With such evidence, a fledgling Maryland colony did not call any aboard to trial for Ms. Lee's murder.

In 1685, the Maryland General Assembly celebrated its 50<sup>th</sup> anniversary. By 1685, Rebecca Fowler had been a resident of Maryland for 30 years. With her husband Thomas, Ms. Fowler lived on a plot of land in what would soon be Prince George's County. Thomas Fowler passed away in 1685, leaving his land and indentured servants to Rebecca Fowler. Months later, an indentured servant accused Ms. Fowler of practicing witchcraft.<sup>2</sup> It is unknown whether the accusation was born of jealousy or spite; what is known is that an innocent Rebecca Fowler was promptly convicted by the courts for witchcraft, and hanged.

In the late 1690s, Leonardtown was home to Moll Dyer, an elderly woman who was accused of witchcraft by her neighbors. Her solitary disposition made her a target for the townspeople's frustrations. A mob came to drive her from the town, burning her house to prevent her return; she fled, and passed away in the freezing cold.<sup>3</sup>

We know today, and many likely knew at the time, that Mary Lee, Rebecca Fowler, and Moll Dyer could not have practiced witchcraft. These women were killed on false pretenses under the Witchcraft Act of 1604.<sup>4</sup> Too many residents in an early Maryland colony were accused, tried, or killed for "practicing witchcraft," a crime which is impossible to commit. I find it more important now than ever that we tell these stories, and acknowledge the mistakes that those before us made

<sup>1</sup> <https://msa.maryland.gov/megafile/msa/speccol/sc2900/sc2908/000001/000003/pdf/am3--307.pdf>

<sup>2</sup> <https://www.thebaltimorebanner.com/culture/maryland-women-witchcraft-allegations-OOIRKSJDSNC2NB5QMN4RAML2GU/>

<sup>3</sup> <https://mdwitchexoneration.wordpress.com/moll-dyer-unknown/>

<sup>4</sup> <https://www.nationalarchives.gov.uk/education/resources/early-modern-witch-trials/an-act-against-witchcraft/>

so we do not repeat them. HJ2 accomplishes this by formally acknowledging and apologizing to Marylanders accused of practicing witchcraft. Today, innocent women in our country are targeted unfairly over issues of reproductive care, sexual orientation, and in ways that heavily mirror the witchcraft trials seen in the 1600s. Women who act “outside of the norm” are subject to more scrutiny from their peers with unsubstantiated evidence, and I challenge us to make sure we do better than those who came before us by affirming our protection of them and other targeted groups.

I find it equally important to highlight triumphs made in protecting victims from the witch trials of Maryland that I hope we can learn from. Jon Cowman was a man accused and convicted by the Judiciary of practicing witchcraft in 1674. He was sentenced to be hanged; he was saved when the lawmakers of the Lower House of the Maryland General Assembly, now known as the House of Delegates, petitioned the court for clemency. The Upper House, now known as the Senate of Maryland, confirmed the reprieve.<sup>5</sup> This body long ago set the precedent, and this bill asks this body to continue that tradition by extending exoneration to all those who were not formerly granted reprieve.

Witch trials are not isolated to the 17<sup>th</sup> century; along with righting past wrongs, we can make real change *today* by creating modern legislative precedent against witch trials. There are countries across the world where “practicing witchcraft” is still criminalized. Humanitarian groups are actively working to allay the practice, and American resolutions passed recently in Massachusetts and Connecticut to exonerate those formerly accused of witchcraft serve as a model for those nations to follow. Today, “witch camps” are prevalent in some nations, serving as a place of refuge for elderly women accused of witchcraft.<sup>6</sup> By passing a formal resolution affirming that the “practice of witchcraft” is impossible and that those accused and convicted should not have been, Maryland can join other states in being a role model for worldwide efforts to prevent modern witch trials.

In 1649, before anybody in the colony was accused of witchcraft, the General Assembly passed an Act of Religious Toleration, granting freedom of worship to all Christians regardless of faith.<sup>7</sup> This was a rarity at the time, and established freedom of belief and practice as a founding pillar of Maryland’s culture. Over a century later, the United States would ratify in their constitution the First Amendment, following in Maryland’s footsteps and expanding that founding principal by establishing the free exercise of religion for all. Whether those individuals formerly charged with witchcraft were actually practicing a different religion, or they were accused for other reasons, our state has defended different beliefs and practices as foundational to our democracy.

Maryland is long overdue to do right by those who were formerly accused by our justice system of violating the Witchcraft Act of 1604. Doing so is consistent with our values allowing diversity of belief and practice, and sends a message that our state is committed to protecting falsely accused individuals here and across the world. For these reasons, I respectfully ask for a favorable report on HJ2.

---

<sup>5</sup> <https://msa.maryland.gov/megafile/msa/speccol/sc2900/sc2908/000001/000002/pdf/am2--425.pdf>

<sup>6</sup> <https://www.newsweek.com/witch-camps-elderly-women-die-ghana-1754907>

<sup>7</sup> <https://mdtwofifty.maryland.gov/story/religious-toleration-in-maryland-law/#:~:text=In%201632%2C%20George%20Calvert's%20vision,of%20worship%20to%20all%20Christians.>

