

Court Depositions of South West England, 1500-1700

Case 10: Sheep Pilling in Wiltshire

Case type: Theft

Summary: Poor weavers Robert Hayward and John Smyth are accused of stealing wool from sheep in Wiltshire.

Source: Wiltshire and Swindon History Centre, A1-110-1622T

Original Spelling Transcription

Deposition 1

Wiltes

The exa[m]i[n]a[c]i]on of Rob[er]t hayward al[ia]s Syms of Newton tony in the county aforesaid weav[er]¹ taken before thomas Sadler Esq[ui]e¹ & Thomas Jay two of his Ma[jes]ties Justices of the peace² for the county aforesaid the xxviith of May 1622

Who saieth that John Smyth of the p[ar]ish of Woodborrowweav[er]¹ kept him this Ex[aminan]t company in their Master hapgoodes house³ in Newton tony in the county aforesaid both day & night Lodgeing in one bed together, & takeing their meat & drinke together in the same hapgoodes house⁴ all this Last week from Sondag till Friday night Last. / At w[hi]ch tyme & a little before sonne sett this Ex[aminan]t & the said Smyth, tooke their Journey from thence & went to the said Smithes house in Woodborow aforesaid, being about xiiii teen miles betweene and they came thither on the next Saturday in the morning even a verie little before the sonne was upp. And being demanded w[hi]ch way they went thither, he saieth they kept the next way ov[er] the playne, & came not at any house or village at all till they came into Maningford co[m]men & soe to Woodborow, & their was noe body els in their company all the way but them selves, and when they were come to the said Smythes house, they found there his wief & three of his children vizt ii boyes & a little girle of iii yeere old w[hi]ch said children were all in bed & his the s[ai]d Smythes wief went p[rese]ntly away to Marlburgh & this ex[aminan]t & the s[ai]d Smith betooke themselves to their rest lying downe upon the bed in a little low chamber w[i]thin the hall And w[i]thin an hower after, certayne people officers & others came thither & did besett the house calling upon the said Smyth div[er]s & sundry tymes w[i]th a lowd

voyce to open the doores & let them in⁵, but the said Smyth like as this ex[aminan]t lay still & made them noe answeere howbeit this Ex[aminan]t for his p[ar]te was willing (as he saieth) to have opened the doore but the said Smyth would not suffer him, fearing (as he said) least they had bin som bayliffe, or officers that came thither w[i]th proces to arrest him the said Smyth. By meanes wherof this Ex[aminan]t and the said Smyth would neither shew themselves nor open the said doores In w[hi]ch manner they soe contynewed, & the said people kept continewall watch over them, till about one or two of the clocke in thafternoone what tyme they haveing gott Mr Jeyes Warrant, brake open the doores of the said Smythes house, came in & app[re]hended both the said Smyth & him this Ex[aminan]t/ And this Ex[aminan]t being demanded how often beside that tyme hee had byn at the said Smythes house, he saieth nev[er] but twice w[hi]ch was once as he now rem[em]breth about a moneth or iii weeks before, & another tyme before that opon Shrove sonday Last⁶, At w[hi]ch tyme he went thither to know of the s[ai]d Smyth when he would come againe to worke at his Maister Hapgoodes house in Newton toney aforesaid because he had absented himself from thence about the space of a moneth or iii weeks before. And thother second tyme when he went thither he went in the company of the s[ai]d Smyth from hapgoodes house of purpose to have hired his brother henry Smythes shop in Botwell a little reaper¹ from the said John Smythes house but he did not then bargaine w[i]th him for yt / he utterly denyeth that ev[er] he was an Actor or an accessory to the s[ai]d John Smyth in doeing any such unlawfull act of pilling⁷ of sheepe as they are accused neither had they any such intent or purpose for his p[ar]te soe to doe.//./

Tho. Sadler⁹

Deposition 2

Wiltes

Thexa[m]i[n]a[c]i]on of John Smyth of Newton tony in the county afores[ai]d weav[er]¹ taken ut supra./

He saieth that he is a poore man & soe much indebted as that he darst not tarry at home in his owne house at Woodborrow w[i]th his wief & children¹⁰, but was driven to seeke abroad for worke being a weav[er] by his trade; and being demanded where he was all this last weeke he saieth that uppon Monday last a little before night, he went from his Mr Will[ia]m hapgoods house³ of Newton tony to speake w[i]th his wifes brother one Gilbert Tounsend of Lymington dwelling w[i]th Mr Button of Buckland farme there, & when he came thither his brother was not theare wherfore he returned back agayne to his said Master hapgoods house at Newton aforesaid, upon the friday following about noone where he stayed an hower or two,

& then went away w[i]th his fellow Rob[er]t hayward home to his owne wief & house at Woodborrow & being demanded w[hi]ch waie they went he saieth they kept the plaine still till they came to Manningford, & there goeing through the towne the dogges barked very much at them wherfore they made hast home to his house & wief afores[ai]d & when they came thither yt was about sonneriseing, & his wief was up & readye to goe to Marlburghe Market¹¹ / & thither she went presently & this Ex[aminan]t haveing a purpose to retorne back w[i]th the said Robert to his Mr hapgood assoone as they had eaten som what but sending his boy to buy them an halfe penny worth of milke¹¹ who Locking the doore & carrying the Key w[i]th him, this Ex[aminan]t & the said Robert, Layd them downe on the bed in his said house thinking to take a little rest because they were weary w[i]thin a while after his house was beset w[i]th officers & people he knoweth not howmany, nor who they were, and although they knocked & called very much, yet this ex[aminan]t p[ar]tly because the boy was gon w[i]th the key, but chiefly fearing that they had bin bayliffes or officers to have apprehended him⁵ he nether shewed himself nor spake to them but kept himself & the s[ai]d Robert as close & as obscurely as they could In w[hi]ch manner they contynued & the watch still guarded the house till about xii of the clock that day and then they brake upp the doore upon them, & came in asking what other company he had w[i]th him, to whom he answered that there was one more besides his children, then they tooke them both and put them in the stocks till they brought them hither this day And this ex[aminan]t further saieth that he hath made his abode at Newton tony aforesaid more then a peece working⁸ all that tyme for the most p[ar]te at his weavers trade w[i]th the said hapgood saveing in the harvest tyme and then he wrought w[i]th Mr Symon West¹³, and saveing that somtimes he went to his wief home to his house at Woodborrow & somtimes he went downe to Ciresters m[ar]kett & bought wooll for his wief¹¹ sometimes a weight at a tyme sometimes more somtymes lesse sometimes flice & somtimes vel wooll¹² & still he brought yt home at his backe, somtimes in a bagg & somtimes in a sheet as his wief would give him to carry yt in. And being demanded how often the said Rob[er]t hayward went w[i]th him from his Mr hapgoods he saieth he knoweth not but hath forgotten yt nev[er]theles he thinketh he was there w[i]th him two or three tymes but he answereth not when nor about what tyme, hee saieth the first occasion of their acquaintance was upon the said haywards coming to the s[ai]d hapgoodes about Xptmas Last⁶ to seeke worke, haveing wrought there before (as his Master said) before this ex[aminan]ts first coming thither he utterly denieth that ev[er] he pulled or pilled⁷ any wooll from any sheepes backes neither was he ev[er] acquainted w[i]th any such dealings./

Tho. Sadler⁹

Thomas Jeaye⁹

Modernized Spelling Transcription

Deposition 1

Wiltshire

The examination of Robert Hayward (alias Sims) of Newton Tony in the county aforesaid, weaver¹, taken before Thomas Sadler, esquire¹, and Thomas Jay, two of his Majesty's Justices of the Peace² for the county aforesaid the 27th of May 1622.

Who says that John Smith of the parish of Woodborough, weaver¹, kept him this examinant company in their Master Hapgood's house³ in Newton Tony in the county aforesaid both day and night lodging in one bed together, and taking their meat and drink together in the same Hapgood's house⁴ all this last week from Sunday till Friday night last. At which time and a little before sunset, this examinant and the said Smith took their journey from thence and went to the said Smith's house in Woodborough aforesaid, being about 14 miles between and they came there on the next Saturday in the morning even a very little before the sun was up. And being demanded which way they went there, he says they kept the next way over the plain, and came not at any house or village at all till they came into Manningford common and so to Woodborough, and there was no body else in their company all the way but themselves. And when they were come to the said Smith's house, they found there his wife and three of his children viz. two boys and a little girl of three years old, which said children were all in bed and his the said Smith's wife went presently away to Marlborough. and this examinant and the said Smith betook themselves to their rest, lying down upon the bed in a little low chamber within the hall. And within an hour after, certain people, officers and others came there and did beset the house, calling upon the said Smith diverse and sundry times with a loud voice to open the doors and let them in⁵, but the said Smith like as this examinant lay still and made them no answer. Howbeit, this examinant for his part was willing (as he says) to have opened the door but the said Smith would not suffer him, fearing (as he said) lest they had been some bayliff or officers that came there with process to arrest him the said Smith. By means whereof this examinant and the said Smith would neither show themselves nor open the said doors. In which manner they so continued, and the said people kept continual watch over them, till about one or two of the clock in the afternoon, what time they having got Mr Jeyes' warrant, broke open the doors of the said Smith's house, came in and apprehended both the said Smith and him this examinant. And this examinant being demanded how often beside that time he had been at the said Smith's house, he says never but twice which was once as he now remembers about a month or three weeks before, and another time before that upon Shrove Sunday last.⁶ At which time he went there to know of the said Smith when he would come again to work at his Master Hapgood's

house in Newton Tony aforesaid because he had absented himself from there about the space of a month or three weeks before. And the other second time when he went there he went in the company of the said Smith from Hapgood's house of purpose to have hired his brother Henry Smith's shop in Botwell a little reaper¹ from the said John Smith's house, but he did not then bargain with him for it. He utterly denies that ever he was an actor or an accessory to the said John Smith in doing any such unlawful act of pilling⁷ of sheep as they are accused, neither had they any such intent or purpose for his part so to do.

Tho. Sadler⁹

Deposition 2

Wiltshire

The examination of John Smyth of Newton Tony in the county aforesaid, weaver¹, taken as above.

He says that he is a poor man and so much indebted as that he dares not tarry at home in his own house at Woodborough with his wife and children¹⁰, but was driven to seek abroad for work being a weaver by his trade; and being demanded where he was all this last week, he says that upon Monday last, a little before night, he went from his Mr William Hapgood's house³ of Newton Tony to speak with his wife's brother, one Gilbert Townsend of Lymington, dwelling with Mr Button of Buckland farm there. And when he came there, his brother was not there, wherefore he returned back again to his said Master Hapgood's house at Newton aforesaid upon the Friday following about noon where he stayed an hour or two, and then went away with his fellow Robert Hayward home to his owne wife and house at Woodborough. And being demanded which way they went, he says they kept the plain still till they came to Manningford, and there going through the town, the dogs barked very much at them, wherefore they made haste home to his house and wife aforesaid. And when they came there it was about sunrise, and his wife was up and ready to go to Marlborough market¹¹ and there she went presently and this examinant having a purpose to return back with the said Robert to his Mr Hapgood as soon as they had eaten somewhat but sending his boy to buy them a halfpenny worth of milk¹¹ who locking the door and carrying the key with him, this examinant and the said Robert, laid them down on the bed in his said house thinking to take a little rest because they were weary. Within a while after, his house was beset with officers and people he knows not how many, nor who they were, and although they knocked and called very much, yet this examinant, partly because the boy was gone with the key but chiefly fearing that they had been bayliffs or officers to have apprehended him⁵, he neither showed himself nor spoke to them but kept himself

and the said Robert as close and as obscurely as they could. In which manner they continued and the watch still guarded the house till about 12 of the clock that day and then they broke up the door upon them, and came in asking what other company he had with him, to whom he answered that there was one more besides his children. Then they took them both and put them in the stocks till they brought them here this day. And this examinant further says that he has made his abode at Newton Tony aforesaid more then a piece working⁸ all that time for the most part at his weavers trade with the said Hapgood, saving in the harvest time and then he wrought with Mr Simon West.¹³ And saving that sometimes he went to his wife home to his house at Woodborough and sometimes he went down to Cirencester market and bought wool for his wife¹¹, sometimes a weight at a time, sometimes more, sometimes less, sometimes flice and sometimes fell wool¹² and still he brought it home at his back, sometimes in a bag and sometimes in a sheet as his wife would give him to carry it in. And being demanded how often the said Robert Hayward went with him from his Mr Hapgood's he says he knows not but has forgotten it. Nevertheless, he thinks he was there with him two or three times but he answers not when nor about what time, he says the first occasion of their acquaintance was upon the said Haywards coming to the said Hapgood's about Christmas last⁶ to seek work, having wrought there before (as his Master said) before this examinant's first coming there. He utterly denies that ever he pulled or pilled⁷ any wool from any sheep's backs, neither was he ever acquainted with any such dealings.

Tho. Sadler⁹

Thomas Jeaye⁹

Notes

¹ (technicalities of the court) Occupational or social status descriptors (e.g. baker, joiner, yeoman) were typically recorded for men.

² (gloss) A Justice of the Peace was a high-status man appointed to preside over the county courts.

³ (interpretation) Robert and John did not work for themselves; they were weavers working and lodging in another person's house.

⁴ (interpretation) Robert and John did not only receive wages from William Hapgood; they also received board and lodging in exchange for their labour.

⁵ (technicalities of the court) This house was 'watched' and then searched as it was suspected that its inhabitants had stolen sheep or wool.

⁶ (interpretation) In describing when a particular event had taken place, witnesses often reported the time in relation to the liturgical calendar (e.g.referring to church seasons and feast days).

⁷ (gloss) 'Pilling' or 'pulling' means stripping wool from someone else's sheep.

⁸ (interpretation) Piece work is work paid for according to the amount produced.

⁹ (technicalities of the court) Signature of the Justice of the Peace.

¹⁰ (interpretation) This is a household primarily led by a woman, as her husband was absent from home for work.

¹¹ (interpretation) Men, women and children were engaged in various types of commerce (buying and selling).

¹² (gloss) Fell wool was a course type of wool.

¹³ (interpretation) Makeshift of economies: the myriad of work undertaken by this examinant complicates the idea that occupational descriptors (e.g. baker, joiner, yeoman) can serve as a guide to the type of work individuals were engaged in.

Prepared as part of the Womens Work in Rural England project.