

Court Depositions of South West England, 1500-1700

Case 9: Missing Sheep

Case type: Theft

Summary: Following the theft of sheep in a Devon parish, a search is made of the house of Thomas and Joan Conant, the suspects.

Source: Devon Heritage Centre, QSB-Epi1621

Original Spelling Transcription

Devon

The severall examynac[i]ons of Johane Conant the wief¹ of Thomas Conant of Morton Hampsteed in the said County of Devon husb:[andman]², Thomasine Conant John & Beniamyn and George Contant children of the said Thomas taken before Bartholomew Berye Esq[ui]re²⁰ one of the Kinges Ma[jes]t[ie]s Justices of the peace³ w[i]thin the foresaid Countie the xxxth daie of October Anno diu 1620

Deposition 1

Johane Conant being examyned where she was on Saterdaie night last, shee saieth shee was at home in her owne house All that daie and night, And being further examyned whither shee did steale two ewe sheepe of the goodes of one John hutchins of the said p[ar]ishe whose Landes lye adioyning unto this Ex[aminan]ts husbands Land, she denieth it or that shee doth knowe of the bringing of the said sheepe into her said husbandes barne, or of the binding of their Legs w[i]th a Cord, And being demanded where shee had certaine woole w[hi]ch was found in her house being neere Lx L¹⁹ weight uppon a searche made by the Constable⁴ of the foresaid p[ar]ishe of Morton, shee saieth shee bought the same of Certen men⁵ of Chagford whose names shee knoweth not, And being demanded where shee had certen Mutton sute²² found in a baskett⁶ lying neere her husbands barnes walle being neere xii L in weight and cov[er]ed w[i]th old strawe, she saieth that neether the baskett or the mutton sute²² was hers neither doth shee knowe how it come there, And being further examyned whither she did not hide certen Vells⁷ about

June last and the eares of them being cutt of in a hedge of a Close of her said husband shee denye that, but saieth her Children put them there, and bought them themselves, because shee should not sell them and have the p[ro]fitt of them./.⁸

Deposition 2

The said Thomasine Conant her daughter being examyned saieth that shee was sicke and Lay in her bed on friday allday, and Saturday night last, And doth not knowe of the bringing in of the said two ewe sheepe into her fathers barne neither of the stealing of them, And further saieth that concerning the baskett wherein the said Mutton sute²² was she denieth it to be her mothers, for that their baskett was sent to the house of John howe of St Thomas in the County aforesaid unto a sister of this Ex[aminan]ts about 3 weekes before Mich[aelm]as Last¹⁰ to fetch home this Ex[aminan]tes Clothes⁹, But shee saieth that the said baskett was either left there or lost be the waie

Deposition 3

The said John Conant being examined saieth that he hath served one Giles Kingwell of Crediton in the Countie aforesaid by the space of five yeares untill about Lamas Last¹⁰ and then he came home unto his said Fathers house, and there hath continued ever sithence¹¹, And denyeth the stealinge of the said ewe sheepe, and of the bringing in of them into the said barne, But confesseth that he was on the said hutchins grounde on Saturday last and did drive a mare into the said ground¹² But for the baskett or Tallowe²¹ in the same he knoweth not howe it came there neither the said Vells⁷ in the hedge.

Deposition 4

Beniamyn Conant being examyned saith that he was at home on Saturday last all day untill it was almost night, att w[hi]ch time his sister rose to bake three loaves of bread¹⁴, and then this Ex[aminan]t and his brother John went forth in the evening into their owne ground to sett or till springles to catche wood cockes¹⁵ And further saieth that he carried the foresaid baskett unto the aforesaid howes house to fetch pease from the said house, but there were none¹⁶, And therfore left the baskett there, And being examined concerninge a Certen baskett of wett woole, w[hi]ch was found there uppon the Constables searche, he confesseth it was woole he gathered upp about the house, and washed the same himself to make him Clothes¹⁷, And further confesseth that his brother Richard brought w[i]th him from sea about tenn daies last past a certen bunche of Cord, w[hi]ch this Ex[aminan]t saieth his mother

did use to hang Clothes to drie thereon¹⁸, and thincketh that it is now in the house, And further confesseth that one of the sonnes of henry Trend of Chagford gave unto this Ex[aminan]t two sheepes velles⁷ of sheepe that died w~~h~~i~~c~~h were the Velles⁷ this Ex[aminan]t's mother hath formerly spoke of But denieth the Cutting of the eares of them or the stealing of the said two ewe sheepe or that he doth knowe of the bringing in of the said sheepe into the said barne

Barthus Berye¹³

Modernized Spelling Transcription

Devon

The several examinations of Joan Conant, the wife¹ of Thomas Conant of Moretonhampstead in the said county of Devon husbandman², Thomasine Conant John and Benjamin and George Contant children of the said Thomas, taken before Bartholomew Berry, esquire²⁰, one of the King's Majesties' Justices of the Peace³ within the foresaid county, the 30th day of October 1620.

Deposition 1

Joan Conant, being examined where she was on Saturday night last, she says she was at home in her own house all that day and night. And being further examined whether she did steal two ewe sheep of the goods of one John Hutchins of the said parish, whose landes lie adjoining unto this examinant's husband's land, she denies it or that she does know of the bringing of the said sheep into her said husband's barn, or of the binding of their legs with a cord. And being demanded whether she had certain wool which was found in her house being near 60 L¹⁹ weight upon a search made by the constable⁴ of the foresaid parish of Morton, she says she bought the same off certain men⁵ of Chagford, whose names she knows not. And being demanded whether she had certain mutton suet²² found in a basket⁶ lying near her husband's barn wall being near 12 pounds in weight and covered with old straw, she says that neither the basket or the mutton suet²² was hers, neither does she know how it came there. And being further examined whether she did not hide certain vells⁷ about June last and the ears of them being cut off in a hedge of a close of her said husband, she denies that, but says her children put them there and bought them themselves, because she should not sell them and have the profit of them.⁸

Deposition 2

The said Thomasine Conant, her daughter, being examined says that she was sick and lay in her bed on Friday all day, and Saturday night last. And does not know of the bringing in of the said two ewe sheep into her father's barn, neither of the stealing of them. And further says that concerning the basket wherein the said mutton suet²² was, she denies it to be her mother's, for that their basket was sent to the house of John Howe of St Thomas in the county aforesaid unto a sister of this examinant's about three weeks before Michaelmas last¹⁰ to fetch home this examinant's clothes.⁹ But she says that the said basket was either left there or lost by the way.

Deposition 3

The said John Conant, being examined, says that he has served one Giles Kingwell of Crediton in the county aforesaid by the space of five years until about Lammas last¹⁰ and then he came home unto his said father's house, and there has continued ever since.¹¹ And denies the stealing of the said ewe sheep, and of the bringing in of them into the said barn. But confesses that he was on the said Hutchin's ground on Saturday last and did drive a mare into the said ground.¹² But for the basket or tallow²¹ in the same, he knows not how it came there, neither the said vells⁷ in the hedge.

Deposition 4

Benjamin Conant, being examined, says that he was at home on Saturday last all day until it was almost night, at which time his sister rose to bake three loaves of bread.¹⁴ And then this examinant and his brother, John, went forth in the evening into their own ground to set or till springles to catch woodcocks.¹⁵ And further says that he carried the foresaid basket unto the aforesaid Howe's house to fetch peas from the said house, but there were none¹⁶ and therefore left the basket there. And being examined concerning a certain basket of wet wool which was found thereupon the constable's search, he confesses it was wool he gathered up about the house, and washed the same himself to make him clothes.¹⁷ And further confesses that his brother, Richard, brought with him from sea about ten days last past a certain bunch of cord, which this examinant says his mother did use to hang clothes to dry thereon¹⁸, and thinks that it is now in the house. And further confesses that one of the sons of Henry Trend of Chagford gave unto this examinant two sheeps vells⁷ of sheep that died. ~~which were the vells⁷ this examinant's mother has formerly spoke of~~

But denies the cutting of the ears of them or the stealing of the said two ewe sheep or that he does know of the bringing in of the said sheep into the said barn.

Barthus Berye¹³

Notes

¹ (technicalities of the court) Female depositions: marital status descriptors (e.g. singlewoman, widow, wife) were typically recorded in the brief biographical statement at the beginning of the deposition.

² (gloss) A husbandman is an agricultural worker. Occupational or social status descriptors (e.g. baker, joiner, yeoman) were typically recorded for men.

³ (gloss) A Justice of the Peace was a high-status man appointed to preside over the county courts.

⁴ (interpretation) When an individual was suspected of theft, parish constables procured warrants to search their property.

⁵ (interpretation) Women were engaged in commerce (buying wool). Even if Joan had stolen the sheep, her testimony indicates that it was plausible for a woman to have bought the wool.

⁶ (technicalities of the court) In cases relating to sheep-theft, examiners were often asked questions relating to mutton found in or around their property.

⁷ (gloss) A vell is a salted calf's stomach, sometimes used in cheese making.

⁸ (interpretation) The family's perception of individualism and income-generation within the household economy is interesting. Joan suggests that her children hid the vells to prevent her from selling them and taking the profit for herself.

⁹ (interpretation) Thomasine may have been in service (perhaps with her sister) but returned home due to sickness.

¹⁰ (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).

¹¹ (interpretation) John Conant had left service and returned to live at home. This is interesting as the labour laws (e.g. 1563 Statute of Artificers) required unmarried men and women to remain in service unless they were of sufficient income.

¹² (interpretation) Animal husbandry: evidence of men's work undertaken in the evening.

¹³ (technicalities of the court) Signature of the Justice of the Peace.

¹⁴ (interpretation) Baking: evidence of women's work.

¹⁵ (interpretation) Setting traps to catch woodcocks: evidence of men's work. A springle is a trap to catch animals.

¹⁶ (interpretation) Fetching peas: evidence of men's work.

¹⁷ (interpretation) Washing and the making of clothes: evidence of men's work. It is interesting that the washing of the wool was undertaken by a young man.

¹⁸ (interpretation) Drying clothes: evidence of women's work.

¹⁹ (gloss) 'L' used after a number refers to weight in pounds (e.g. 60 pounds).

²⁰ (technicalities of the court) Occupational or social status descriptors (e.g. baker, joiner, yeoman) were typically recorded for men.

²¹ (gloss) Tallow is a hard substance made from animal fat, which was often used to make candles and soap.

²² (gloss) Suet is a cooking fat obtained from around the loins and kidneys of mutton.

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