

LITTLE BO PEEP HAS LOST HER SHEEP

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The earliest colonial settlers were well aware how far they were from England. They knew that the plants, seeds, and animals that they brought with them needed to survive and flourish in order to support them. Thus, the government took a hand in seeing that this happened.

For example, as early as 1630, Virginia legislated that “for the better increase and multiplying of cattell in this colony, that noe female kind of cattell bee killed unlesse they bee such as are eyther past breedinge, or are likely to dye by some infirmity.” It worked, but they weren’t going to share. Two years later “whereas it doth appeare that the later preservation of female neate catle within this colony hath much encreased the number of them and inricht this colony, and the continewance thereof yet for a tyme will much encrease the number of them further; It is ordered that no cowes, heifers, or female catle be transported to any other parts of the government.”

New England towns had common land that often was designated as common grazing land. This common pasture quickly became a valuable resource subject to regulations. It was usually restricted to the shares of the original proprietors. But as the number of animals increased, other restrictions were added. For example, in 1638 the Salem, Massachusetts, town meeting “agreed that the drie cattle shalbe put out to the farmes round about & that none shall goe with the milch cowes in the common, this year.”

In New England, the model household was greatly self-sufficient. In other words, it had cows, hogs, and sheep; it grew it corn and other grains; and it grew root vegetables such as turnips. The living patterns clustered the houses close together and, as mentioned above, they also shared common land.

The South had widely dispersed dwellings and tended to focus on raising cash crops such as tobacco or indigo and therefore had a less diverse agricultural style. They often let livestock graze in the woods around their fields.

No matter what the locality, the time period, or the farming style, they shared the common problems of keeping livestock where they wanted them and of keeping livestock away from where they weren’t wanted.

GOOD FENCES MAKE GOOD NEIGHBORS

The control took several forms. The first was a requirement that residents build fences—good, secure fences, kept in repair. Not only were they usually directed to fence the areas holding the animals in order to keep them contained, they also were directed to fence gardens and crop fields in order to keep the animals out.

In Virginia, a 1632 act stated “Every man shall enclose his ground with sufficient fences uppon their owne perill.” And in Salem in 1638, the townspeople were “resolved to sowe English graine this spring. It is therefore ordered that all comon & particular home fences about the towne shall be sufficientlie made up, before the twentieth

day of the first moneth next uppon the payne or penaltie of 5 shillings everie day after that.”

Each year, New England towns appointed a variety of minor officials. One of these offices was that of fence viewer, who was responsible for inspecting each resident’s allotted portion of the common fence and any particular [individual] plots to see that regulations were followed.

CONTROLLING CRITTERS

Little Bo Peep has lost her sheep

and can’t tell where to find them.

Leave them alone, and they’ll come home

wagging their tails behind them.

Our ancestors certainly knew about wandering livestock. It was such a big issue in their lives that it was the source of a number of different kinds of records. In addition to fence viewers, New England towns appointed hog reeves (officers charged with the prevention or appraising of damages by stray swine). Hogs were usually supposed to be yoked (wear collars) and have rings in their noses, which reduced the amount of damage they could do to gardens and crops by rooting. This was not a minor concern, because the food was necessary to human survival.

There were punishments established for failure to control animals. The fine in Salem was “10 shillings for each swine for every time it is found without a keeper.” But, the damaged party had to have an adequate fence, as in 1643 Virginia where “if he be deficient therein, what damage he shall systeyne by hoggs, goats or cattle whatsoever shall be to his own losse and detriment.”

Wandering livestock were called “estrays,” they were “taken up,” and they often were taken to the “pound.” Notice of such actions are found in town records and county court minutes.

Horses were not common in the earliest years, but once they were, they provided an equal amount of aggravation because they could more easily break over or through fences and once loose were not easily captured and herded. If not caught, they could quickly munch down green growth in gardens or fields. They were valuable, so owners were concerned. In just the first two issues of the *Pennsylvania Gazette* in 1748 are notices for mares strayed in Conewago, Lancaster County; for a horse strayed near Frankfort; for cattle taken up in Passyunk Township; and two ads offering rewards for strayed horses.

MARKS AND BRANDS

Farmers needed to be able to identify their own animals. We think most quickly of brands, which were used well into the twentieth century. The open range of the American West required brands to separate animals belonging to different owners.

In earlier days, marks were more commonly created by cropping, notching, or splitting an animal's ear. These marks are often recorded in public records and sometimes included a description of the color, size, and special characteristics of a particular animal. They may be interspersed in other types of events or they may have a page or section of the record book just for them. My favorite was a page of sheep marks, complete with darling little drawings of sheep heads. In later times you will find dedicated books.

To learn more about marks and brands, consult "Pilgrims, Farmers, and Ranchers: Marks and Brands as a Genealogical Source," by Kathleen W. Hinckley in the *National Genealogical Society Quarterly*, December 1991, 79:253–67.

FINDING YOUR ANCESTOR

Your ancestor may appear in the records being appointed as fence viewer or hog reeve or pound keeper. He may have been chastised or fined for poor fences. He may have been guilty of letting an animal stray by inadequate control. He may have registered a mark or brand. He may have found a straying animal. He may have given a deposition to the court about damage he saw done by straying animals or to his knowledge of who owned a taken-up animal.

These various actions may have been recorded in any one of several places. Because they don't fall into nice categories such as vital records or deeds, you may need to review town records, county records, and newspaper abstracts to find the mention.

Finding your ancestor's name therein can give you a glimpse of events in his life that you can get no other way.