

& thus is it Rendered that the Wall when Built was Law-ful - & it is to be Built again, to the Length of two thousand Yards - from Cuthorpe Common unto Linacre Ponds at the sole expense of the Accused.

*As witnessed & transcribed  
by the Magistrate Wandley  
August 1st.*

[ 46 ]

**H**ere indicted before this Assizes sat upon the nineteenth day of August in this Year seventeen hundred & sixty come one Husband & his wife - namely **Matthew Marchand & Sarah Marchand** of the new village of Nighthead in the District of Nighchester Town-without-Sheffield - Accused the Pair of Theft by Butchery of one Bullock (valued £15) the property of Simon Awlbatch - a cowman (& the Prosecutor) of that same place.

\*\* The Justices & Men of the Jury here Circuited have heard that of which they are Attainted - that they did do this thing the Both by some Ferocious & Obscure Method on or within the hour of mid-night upon Jul 26. of this Year while Abroad on the Chase of the Nighthead Heath - this place lying some quarter-league from their Home & where the Prosecutor is oft Grasing his Cattle as the Law yet permits him. The Prosecutor has spake that upon the morn of Jul 27t. he did miss his Property - for the Bull (which was called fondly in the Districke Little John, for its Size) was not found in St. Severus Wood with the other Animals where they did all commonly Shelter when there were Gales - & thus is agreed by all Witnesses Local that the night before there had been much Weather. The Prosecutor does testify that he was so Keen for it was the Market-day & the herd was to be drove to Nighchester by ten - & did he testify that he had some Queer Notions (so he spake it) for he had seen in the Days previous some great Bird flying over in the Night, making a strange Character in the Sky, & then some strangely Lights upon the High Ground, and final some great Trees torn away as if by a Clap of Wind (by his own Words here Recorded). Then did he gather to him some Men (who have depos'd here to the Jury) & they did all come north & east some way from the village & did find there in the brake a fresh thwaite of grass flattered (so spake the Prosecutor) which all there agreed in their Experiences was the work of the Bull only some Hour before - & all did accord with the Prosecutor that no Bull should lie alike to that at Night unless it were Spent (so spake one **Mr. Horsham** of that same place). They did then come a little further north to the very Highest Portions of the Heath to the two great Stones which stand there & are known well by all those Local to that Place - & there did they find the Remainder of the Animal dead by some Terrific & Cruel Process.

\*\* All Present have testified that the Bull was Skinned asunder very completely & all Blood spirited off - &

no Bone nor Horn left within the Flesh nor Organ - & the Flesh & tripe having been Addled unto a thick Rennett pulp-set - & that Rennett most Purposefully sheaped unto the form of a Cylinder fat & very Smoothed & rocking still there to & from upon the Ground gentle like to a cradle (as spake Mr. Horsham once more).

It was then that the

Prosecutor did hue to the Constable (here Represented) who did come from his Garrison at Nighchester Town to the Heath & viewed the Beast in such

State - & it is Agreed by those Present that such was its Transformation that all Value had been robbed of it - for not even the Flesh could be sold in such Form Inconvenient - much less its Derivatives & Seed which had been taken also.

\*\* The Prosecutor has confessed that he did suspect Foul deeds in the very first Instance as Answering to this Theft - for he spake that he knew no Distemper that could cause an Animal to re-configure So - & it has been heard also of **Master George Ableton** of the Loxley Hunt that there be no Beasts dwelling still upon that Heath that could cause such Desecration to a healthy Bullock - & indeed that (as it were heard direct of the Prosecutor) that it seemed only the Overheading Mercies of the Lord, or the Cruel Touch of the Devil that would have Capacity for such Acts.

\*\* As to the motive it is placed into Admission that the Accused were Folk who did wish Ill publicly of the Prosecutor - we have heard testimony of a **Thomas Pickton** here Represented (a Clerk of the Magistrate's Court at Sheffield Town) who spake that the Prosecutor did stand upon May 12t. of this same Year within the Sessions; Accused him-Self of the wilful Murder of one **Robin Marchand**, the son of those here Accused today, upon that same Heath, and by those same Stones, on the Night of May 1t. - & it were

within those same Sessions that Mr. Awlbatch did confess to have Struck the Boy until dead that Night, & that it had Brought him little Pleasure - & that it were the just Verdict of that Jury that

the boy did mean to Poach of Mr. Awlbatchs Herd & that the Killing was defensive in Nature - & that Mr. Awlbatch did stand gladly one month in gaol for the Breaking of the Peace. The clerk here Represented did spake that he did witness the great & unreasoned Fury of Sarah Marchand that day - & that she did defy the Truthful rendering of the Court & did cause much Discord & Commotion - as indeed she has this Day in Kind. Despite such Warnings as to her Disgrace & the standing of the Facts in

every Element so are her Words today against Mr. Awlbatch stood in Testament against her, & have been entered into the Record - that did Mrs. Marchand spake with great Harshness that her son were no Poacher yet did only come to the Moor for elf-caps which be the Common Right - & that he did carry a Light to see by & be known by, as no Poacher eer did - & that Mr. Awlbatch be a Liar & Mr. Pickton a Liar all-so.

\*\* The Prosecutor has Tendered that in Vengeful Frame upon the day in Question the Accused did seek Recourse for their Son - & that to this End they did purchase the aid of one **Anne Latch** (here Represented), wife to **John Latch** & daughter of **Caleb & Mary Mason** (now the both deceased) - who has some minor Reputation in that District as an enchantress & Empirick & who Vends as such. It is spake by the Prosecutor & many others here Today that Mrs Latch does keep some Hound or other about her house that many Folk from that place & from a greater Distance do visit to seek some vain Satisfaction to their Troubles. Thus it is the Claim President of the Prosecutor that it was this Beast which was sent Abroad by the Command of Mrs. Latch (& in Paid Compack with the Accused) to satisfy its Appetites & deliver them their Satisfaction in the devouring of the Bullock.

\*\* The charges thus noted the Justices & Jury have heard the Deposition of the Evidence against the Accused - & an Examination as to their Lives & Conversation. We have heard no Testimony that may suggest that either the Two be of much previous Character - aside from Events of this May mentioned never have either been before the Law. We have heard all-so most

Extensive of **Mr. Elijah Knole**, well-known to the District as he who does own the Nighthead Factory and its village both; a Factory in which both the Accused have had their most recent Employ. It has been asked of them where they did take their Employment before these past six Years with Mr. Knole - & it was answered that Sarah Marchand did keep House & raise the Son aforementioned - & was **Matthew Marchand** a beater & Woods-man for the **Lord Auburn** (being the Marquis of Nottingham) who did own the Heath upon which the village and Factory were built until that Time, before he did foresake this work.

\*\* Mr. Knole did testify that he did never have any trouble Direct of either by Vow of his Faith (so spake); & that they both were unremarkable, most Consistent & much full of Industry despite their Years. Mr. Knole spake that they worked their Stations with much Resignation & Diligency - & attended each of his Sermons daily with never Shirk nor Weariness. Mr. Knole does yet Profess that he did some-time hear Report that Sarah Marchand did speak Foully of Mr. Awlbatch to the Common Ear upon the working-floor.

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\*\* The Court has heard all-so of the Rector *Whitbread*, who has known all Parties concerned well since he took up the local rectorage - & does he Testify that in the Months before the Accident that the Prosecutor had come to him in his Chambers & spoken of Fears for his Life; & when the Rector had asked Mr. Awlbatch of their nature, had he spake that he had been most affrighted upon the Moor at several Occasions by some unknown Party following him & overlooking him at some Distancse when none did have business There. The Evidence President of the Rector is that upon the Night in question (when out upon his ministrations) did he view the Accused out & close to the Heaths edge. He does spake that they kept upon no Path yet were amongst the wettened brake & without any Lamp. It has been put to him as to how he did Re-call the Pair in the Darkness - & the Rector has spake that upon the Taller of the Figures was spied an Adams Apple alike a beetles Horn for which Matthew Marchand is known well - & is yet plain in the Stand to-day for those Justices who are Strangers to him. The Rector all-so spake that he saw upon that Figures belt a thing shining which did catch the Moon well; & when he was asked whether he could posit a Blade he spake that he did neer veew its Point - yet that it were well-known to him & many others that it was only Matthew Marchand who did yet keep a knife very clean & Sharp still upon his Person - & that it were a skinners knife though he has not been at that Trade these past six Yeers. The Rector did final spake that he did know the Pair by their Voices for did they Sing in Church when did they Attend - though did the Rector spake that they sang no Christian Hymn that Night but instead some Dark Words (so he spake) of which even he did not know the Origin.

\*\* The Accused are afforded the right of Reply to such Details - & thus has Sarah Marchand spake that indeed both were upon the Heath that night - & that they did both have much Dudgeon for the Prosecutor. Mrs. Marchand did spake again that Mr. Awlbatch were a Liar & a Jack Adams since he was a boy, & a bellshine else - & when asked if she wished such Words entered into the Record, she spoke Yea. When Mrs. Marchand was asked of their Purpose when the Rector did view them Abroad did she spake that it were not Wrongly nor Proof of Mischief to come Abroad upon Common Land of an Eve - & did she spake that there were many others Abroad that Night at their own businesses, as always there be when the Moon is out. Their business she spake was to gather posies in memoriam of their son, for was it his birth-night that night (as the Parish records do agree). It is noted by the Clerk that Matthew Marchands knife has been given to the Court willingly, & no Blood be found

upon it - & when it were asked if he did carry it that Night did Mrs.

Marchand re-call that he did - for they had gone about to cut crockuses & have their seed, that they may be gotten to sprout into their Yard - & that Mr. Marchand was the only Man who did know where they might be got upon the Heath. Was it asked why they did neither carry a Light to announce them-selves - & did Sarah Marchand answer again that a Light does spoil the Eye against the Stars - &

further that no Lamp had aided her Son one piece & nor should it they. The Justices here Present did re-quest that Sarah Marchand should silence her-self then - & did they turn to her husband who had been with-out Word as yet - to query of him these queer speakings which the Rector professed to hear Incanted. Mr. Marchand did then spake thus that it had been only the old gobbley-cant what old lovers do make, & Petting Words which no other may ken; & that to a Man of God who has neer known Love on Earth it should be alike to the summons of the Defil.

When order re-store the Accused were asked Direct if it was by their hands that the Bullock was destroyed; & they did both answer nay & that they did neer even see it (so they spake).

\*\* The Prosecutor has also made Complaint against Mrs. Latch as an Accessary to the Act - & states that she did command this Beast she keeps to go out upon the Wilds & do whatever is Desired of it. It is well-known in that District that Mrs. Latch has been kept as a daughter by the Accused, since the Misfortune with her Mother well-known to this Court in the Record; & subsequent the Passing of her Father of Sepcis in the Years following (the Magistrate notes that Sarah Marchand did spit upon the Bench at this Mention) - & that untill

two Years before this date to-day had Anne Latch & her Husband Worked alongside the Accused at Mr. Knole's Factory previous Mentioned in the Record. Mrs. Latch has kept very Silent in the Court to-day & her husband is Recorded as refusing to Represent her here - yet has the Court Heard from many of her Neighbours & a Dr. *William Wainscote* (a gentleman & a benefactor) of her goodly Character despite the Troubles of her Youth & the Charges lain against her Father then; and that she has taught him much in her innocence (so the Doctor spakes).

\*\* Of her current Practise has the Court had testimony of Mr. Elijah Knole afresh who did spake that she were a goodly Worker, alike her Father had been, until this Creature

came - when did she quit her Station at the Mill with little Heed nor Graciousness in order to treat with this Animal in place of any Honest Industry - & to erect Figures before it & spake to it in Phrases & make abortives of its Product (so he spake). Mr. Knole did testify that he had witnessed many poor Souls of that District to miss the Luncheon that he does Provide at the Factory, & the schooling he does Provide to the employed youngsters of anie Age - even to miss the Bells that call them to their Labours - & rush to spend their Wage as soon as they may get it & fetch of her Animal some Cure for their ills, even upon the Sabbath (so he spake). He has told of much ungodly bickring & Remonstrance amongst his Workers where none was had before; & spake that even his own daughter, a *Miss Charlotte Knole*, had taken to Visiting with this Woman to ask from her premonitions of her own Future; neglecting then of her studies & her Prayers. The Court has it noted in the Record of several other Cases of complaint, more Frivolous in Nature, in which Mrs. Latch is Recalled; from the Jealousies of Husbands, still-births and the Wrecking of Navies.

\*\* The Court has received only Few who shale admit Direct to having business with Mrs. Latch & the Treatments of her Hound. A *Mr. Johnson* (of that same Place & all-so in Mr. Knoles employ) has testified afore this Court that he is a sober Man of good Scruples & little Enthusiasm - & that Mrs. Latch had never said to him that her Beast (which did he call *Ginny*) was some spirit, or worked Luck or any unnatural thing. He spake that he never had seen any Defil that looked alike (so spake) & that those of Local Habitude were not Fools to heed those Stories that do call this Beast Old Scratch or some Hairy Star fallen to Earth, or that it did shrank from the name of the Holy Mother (in his Words). It was asked of Mr. Johnson what Business he had of Mrs. Latch - & did he spake that he had only come to let the Hound lick his Hand & to spake to it, for he had sore Missed his wife's voice since her Passing, & came Lonesome in some Evenings (so spake), & that he gave his Coyn of Free Mind for the Pleasure. It was asked of him whether he had been led to believe that the Beast gave succour as such, by unearthy Means - & did Mr. Johnson spake that it were no more unearthy than to have succour of the meat & milk of a Cow gladly Given. The Witness was asked final if he had ever viewed this Beast given to viciousness or the rumours of its License Abroad - & he spake that he had not even seen it take of any Meat - only some little Water with a Tonick within it - & had only ever seen it kennelled in Mr. Latchs house. Indeed (so he spake) he did think that it had come even Sickly in recent times, when he had been with it, for it did move very Slow & seeming Wearied; & did he worry some-time for it, for was it kept in a kennel of stone, in a cluttered room with not one Window.

\*\* It was then asked to Mrs. Latch

if she did ever send her Beast to worry Mr. Awlbatches bull. Mrs. Latch was seen to Tremble then, even though were she wreathed in Blankets, scarves, many gloves and such - & this were the only thing she spake in the Trial entire, being as quiet as a finch elsewhere (so said the Justice); did Mrs. Latch spake that she had never sent it to do such a thing.

\*\*\* Were it final asked of the Accused if Mrs. Latch had ever sold any Promise or Papers to them - & did they spake that the Truth was that Mrs. Latch were only a simple Girl (so the Accused spake), and scared even of her own hiccough, and that when she took up with this Beast did she seem verie Gay; & so to satisfy her had commisioned of her a blessing for their dead Son, & of which they had insisted to Fee a Guinea.

\*\*\* The Jury finally heard all-so from Parties several of the Prosecutor & his own Character - both the Rector

Whitbread & Mr. Elijah Knole had been Keen to stand for Mr. Awlbatch of whom they did claim Friendship & Stewardship. Both spake with Eloquence & Lyrics as to the Dignity of the Man.

Of Mr Knole was it heard that the Prosecutor is as Honest as Endymion (so spake) & a Paragon

Authentick to all Present in the Art of living Plainly & by the truest Industry that God might in-tend. The Rector did spake that the Prosecutor has alike to all herdsmen a Soul Incorruptible & keeps both of Gods churches; being one of the few Men of this County still Fear-full of the Lord (in his very Words). Both did make Testimony as to Mr. Awlbatches Charity & Purity - & how it was sore-tested by the Travails & Avarice of Current Times. Mr. Knole did spake of the many inclosures about the Heath that do impede the Prosecutor's Anient businesses & Rights - & the Rector did spake of meetings he had taken with the Prosecutor in which the man spoke his fear of theft & poaching each day Afresh, for there be few who

remain that do respect those Trades closest to God (so spake). Mr.

Knole was afforded the final Matters - & did he take this time to avail the Court of a Motto Of God, which did he learn in his youth & has now painted upon the walls of his Factory - OUT THERE IS THE

METHOD OF THE LORD (he spake). Mr. Knole then spake that he saw Gods Method most keenly in Mr. Awlbatch, most diligent and Stoick - & how that Method might be stalled in the loss of his Crude Materials - & did the Witness fear that such a Loss may mark the Fall of the last true Operator of this Land.

\*\*\* The Justices & Jury thus heard these Indictments against the Accused, & the Depositions about this Matter & all the Views Various - & it is the Justice Preston who did rise to Present the final Statement. The Justice spake sternly of the number of Incidents

to which he has been called to Preside in this Districke in the Year past - as he spake, mayhap it is vengeance & spookings & thieving the only crops that will take in these Hills. Then the Justice spake well to state, that alyke to the Night in Question that there be many shadows & darknesses about the business & the Central Act of this Case unseen - & yet even wthy the Prosecutors idiot superstitions (so the Justice spake), by the

Presentation of

Reasonable Fact in the Truest Process of the Kings Court - & by Deduction Inescapable - the missing Taper may be Applied.

\*\*\* It is known that the Bullock did die by a Frightful & most Precise manner; of the Accessary of Mrs.

Latch & her Hound has there been much Doubt - the Justice did spake

then that he had expected a bent crone to his courthouse, full of Scryings, for all the talk of her. Is it plain

established that had Mrs. Latch been not Abroad that night yet was seen keeping to her Husbands house; indeed did Mr. Johnson spake that she is rare seen Beyond it. The Justice spake that he should not credit a syphilitic Dog (nor anie Great Bird) with Victory over an ungelded Bullock - & were it plainly viewed that only much & Skilled application by a Blade might manufacture such Wounds.

\*\*\* A Disruption of some Minutes proceeded thence by which the Prosecutor did make

many Dangerous & Superstitious

Ejaculations upon such Matters, so Vexed was he - & which Pertained not to any of the charges at Hand, but matters of Vengeance some years before - talk of Poison - & did the Justice dismiss them & arraign the Prosecutor

to Quiet lest they be entered in Record against him.

\*\*\* The Justice then spake that it was also known that the Accused had openly caused the small Matters of Mr. Awlbatch's transgression (long since settled) to Grow within their Minds before that day - & had made Publick Designs upon him & open wished him Ruin - While

words may have no Agency upon their own (so the Justice spake) the out-bursts & scolding Insolence of Mrs. Marchand this day has been no Friend to her - & it is had by the faithful View of a Man of God that she & her husband were upon the Heath disguised by an absence of Light that Night where none of their Sort had a busyness to be - & is it all-so known that Marthew Marchand did always carry with him a Knife of which he has much Historic & sole skill & Practise. There remained (so the Justice spake) also the small matter that the bullock was found Dead upon that highest Point of the Moor, where

it had little cause to be, yet where Robin Marchand had been caught trespassing lately & had lost his Life.

\*\*\* The Jury then did render their Verdict that the Accused did do this Thing - & did Justice Preston thus make the Sentence. Under Statutes current, the Condemned shall be processed to the gaol at Nighchester Town, & from that gaol upon the 30<sup>t</sup>. of this month to a place of Execution - where shall they be hung the both by the necks until they are dead. Of Mrs. Latch it is required that she does repay

to the Accused afore this date the fee of one Guinea, which did they pay to bless of their Son - for so spake the Justice that it may be plainly viewed that she had made false Advertisement of its Abilities, & is the Law plain upon such Matters. Mrs. Latch shall then be left to the mercy of the County, and (spake the Justice) that this had best be the end of such foolish Matres in the Nighchester District.

As witnessed & transcribed  
by the Magistrate Wandley  
August 1<sup>st</sup>.

[ 47 ]

Here indicted before this Assizes sat upon the nineteenth day of August in this year seventeen hundred & sixty comes one Father - namely James Mockett of the village of Dunsley in the District of Lincoln Town - accused of the Rape by Negligence of his daughter Sally Mockett of that same place.

\*\*\* The Justices & men of the Jury here Circuited have heard of William Tenter (a physician of that District) - who did spake that the Prosecutor is

grave with Child which has quickened this month gone, though she is but a Maid not fifteen years of Age - & that all who have Witnessed her spake that she has never been wanton & has kept herself to the House chaste & has never had any Man upon her. The Prosecutor did spake that one Month before she did view her Father plainly coming from his Work mining of

ironstone in Nettleton - which does lie beyond the hillock standing behind the House in which they both Dwell. The Prosecutor testified that the Accused was most drunken with Ale & standing atop the hillock's Peak & making his raw Water upon the Slope & singing much. All-so did she re-call that it did rain much in the days that Followed & much Liquid did come down off the hillock by way of Nature. The Prosecutor then did spake that her Chamber did lie upon the Backmost walls of the house which do about the foot of that Hillock - & that for some Month had there been a great Hole in the plaster which did admit the Damp. She did profess that she had asked her Father to repair the hole many Times for she oft woke surrounded by soiled Watre - yet lately had he still not. It was viewed that upon that Week & some days afre her Fathre had made his Watre thus the Weather had been very hot & Muggish in that Place & had the Prosecutor been drove to sleep upon the bare floor of the Chamber that Night to cool her Flesh &