



For Teachers

ACTIVITY: PIG TRIAL

Public Programs Office



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Preparation

OBJECTIVE:

Using a script based on an actual court case from early Maryland, students will become acquainted with 17th-century "crime and punishment" and the importance of one's reputation in the everyday lives of the colonists.

FOR DISCUSSION:

At some point in their lives, most 17th-century Marylanders would probably have conducted business with the county court. The county courts tried all offenses against the public order, civil cases, actions to collect debts, etc. Major crimes such as murder were sent up for trial to the provincial court.

In the 17th century, neither England nor the colonies had funds to support a police force to investigate illegal activities. Generally, crimes only reached the court if someone reported them to a sheriff. One of the most common complaints was hog stealing or the killing of a hog that bore someone else's mark. Pigs and cattle were not kept in fenced enclosures but were allowed to roam freely, looking for food in the woods. To identify his livestock, a man would cut a series of unique notches in the animals' ears and then register these marks with the clerk of the court, much in the same way cattle brands are registered today. By law, he was required to save the pig's ears for one year after it was butchered (or at least until the entire animal was eaten) as proof that he had killed his own livestock.

Punishments for hog theft varied from place to place and might range from forcing the guilty person to wear a sign around his/her neck to branding the letter "H" (for hog thief) on a person's forehead. In the 17th century, punishments were often designed to leave a lasting physical mark on the offender, making him/her easily recognizable as a convicted criminal. With an economy based almost entirely on tobacco trade and credit, it was important to be able to know who could be trusted. Only in extreme cases, such as major theft or murder, was a sentence of hanging handed down.

ACTIVITY:

Assign students to read the part of a character. The rest of the class can represent the people of the county who are in attendance at the court.

CAST OF CHARACTERS

- Readers (2)
- Sheriff
- Clerk of the Court
- John Salter (the accused)
- Mrs. Farthing (wife of the owner of the ordinary/inn)

PROPS (MATERIALS NEEDED)

- A brown sack containing a "piece of pork"
- The pig thief sign

Script

READER 1: In St. Mary's City, we do not keep our pigs in pens, we let our pigs roam freely in the woods until we are ready to use them for food.

READER 2: We mark the pigs' ears by making cuts in them, and that way we know which pig is ours.

READER 1: When you kill a pig, you must keep the ears as proof of ownership. At least until the pig is eaten.

CLERK: This court is now in session, the sheriff has accused John Salter of stealing a pig, Sheriff, step forward.

SHERIFF: For several months, many of my neighbors have complained of losing their pigs. John Salter has no pigs of his own, yet pork is often seen in his house. I searched his house and found this piece of pork [hold up sack with "pork" inside].

JUDGE: Clerk, record that a thick, fat piece of meat is shown in court. Call John Salter.

CLERK: John Salter, step forward.

JUDGE: John, since you own no pigs, where did you get all the pork that has been seen in your house?

JOHN: Once I helped Mrs. Farthing at the ordinary kill a pig, and she gave me a piece of pork for my work.

MRS. That was two months ago!

FARTHING:

JUDGE: Thank you, Mrs. Farthing. Now John, where did this particular piece of pork come from?

JOHN: That, that's part of a small, wild pig that I killed.

JUDGE: So, where are the ears?

JOHN: I . . . I . . . I . . . saved them, but my dog ate them.

JUDGE: The dog ate them?

JOHN: Yes, every bit of them.

JUDGE: This court does not believe you. Even if you did kill a wild pig, you should have saved the unmarked ears to prove it. This is the law, and you have broken it. As punishment, I order you to have two neighbors with you whenever you kill pigs. You must also wear this sign until the court tells you that you may take it off [clerk fastens sign on John's shirt].

CLERK: This court is over.

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