

17th CENTURY LEGAL MATTERS

John ROGERS steals a sheep from Thomas HODGES

The examination of John SEARNE of Midsomer Norton in the county aforesaid (Somerset), labourer, taken before James BYSSE Esq. one of His Majesty's Justices of the Peace in the County of Somerset, 9 December 1611.

Who saith that yesterday last, being 8th December in the evening, he took a white chilver sheep of one Thomas HODGES of Littleton in Paulton Field and did lead the same by the leg towards Welton, where he dwelleth, thinking it had been his own. By the way, he bound the sheep and laid it under a hedge, thinking to fetch the same the next morning, but it happened that one John ROGERS found him at the place where the sheep was and went along together with him towards his home and by the way found that the sheep was marked with an iron mark, which was none of the examinant's, whereupon the said ROGERS called for a tithingman and stayed this examinant. This examinant saith that he did not see the iron mark till ROGERS found it, but thought the sheep had been his own, and further this examinant saith not. James BYSSE
[SRO QSR 1611, 14 61]

Libel Case – BRYANT versus JONES

29 Nov 1681

Three hundred years ago cases of libel (there was no distinction between libel and scandal in those days) were dealt with at Ecclesiastical Courts. Proceedings were conducted almost entirely in writing and could be spread over many months. First the Plaintiff submitted his or her case, together with witnesses' depositions, which were in the form of answers to specific questions (Articles) and then the Defendant did likewise. Each was entitled to submit further questions (Interrogation) to the other's witnesses and when the president of the court had decided that most of the likely evidence had been forthcoming, he set a time limit for any further submissions and then passed judgment.

Amongst the Deposition Books in the Wells Diocesan Records one can find interesting glimpses of local life. One case involved Grace BRYANT of Timsbury, who claimed that she had been libelled by Samuel JONES of High Littleton. The evidence produced can be described as nothing less than sensational. Unfortunately the record book containing the judgment has not survived. One must assume that Samuel JONES lost as the case subsequently went to the Court of Arches, which was effectively the court of appeal for the Province of Canterbury. Records of Samuel JONES v Grace BRYANT 1682 may be found in the Act Books ref. A16 and Process Books ref. D290 of the court of Arches. This has not been followed up by the writer.

Of the two adversaries, Grace was the wife of the rector of Timsbury, whilst Samuel JONES lived at Rugbourne, the manor house of High Littleton. Samuel, born in 1646 the son of Richard JONES of Stowey, married in 1676 Mary the widow of John BRITTON, who was Lord of the Manor of High Littleton. Samuel's elder brother Sir William JONES was appointed Attorney General and knighted by King Charles II. William built Ramsbury Manor in Wiltshire, where Samuel moved after William's death and he died there in 1687. With such high profile contenders the libel case must have caused a sensation locally.

There was a supporting cast of 21 witnesses and another 8 persons were named. The personal information is of great value at a time when local parish registers were sadly deficient. Original spellings have been retained.

The Plaintiff Grace BRYANT produced six witnesses, whose depositions are set out below:

Statements of witnesses in a libel action on behalf of Grace BRYANT, parishioner of Tymbsbury against Samuel JONES, parishioner of High Littleton.

Deposition of **John HOLBROOKE**, parishioner of Tymbsbury in the county of Somerset, tayler, who is aged 27 or thereabouts and has lived there for 3 years.

To the first Article of Libel aforesaid he deposes and says that if any person shall speake disgracefully or reproachfully of another with a designe to take away such person's good name, credit or reputation, that person ought to be punished, and further he knoweth not.

To the 2nd Article of Libel aforesaid he deposes and says that he, this deponent, being a tayler by his trade, he and his brother, who is his servant, was at worke about two months since, as he believeth, but the day of the

moneth he cannot now call to mind, at Mr Samuell JONES's the Defendant and sayth that the said Mr JONES was at [*the*] tyme at home almost all the day and was oftentimes with and talking to this deponent and amongst other discourse he did talke very abusively of the Producent, telling this deponent, viz't: That Thomas CARTER did lye with Mrs BRYANT (meaning the Producent) at Gurny Slade (thereby meaning he had carnall copulation with her) and that they were caught in the very Action and this deponent sayth that he repeated the same words or the like in effect neere forty tymes the same day, or at least very often, and withall seemed pleased and overjoyed when he spake of it that such a thing should be; then at length this deponent told the said Mr JONES that he beleived that it was not true, to which he the said Mr JONES replied that he beleived in his conscience it was true and withall told this deponent that, if he would, he should tell the said Mrs BRYANT thereof and that he would justify it or words to this effect, and further he knoweth not..

To the 3rd Article of Libel aforesaid he deposes and says that there is a generall discourse in and about Tymbsbury of that which is spoken of in the second Article insomuch that the said Mrs BRYANT is become a comon discourse for all and is poynted at as she goeth in the streats by meanes of the said discourse and this he knowes to be true for that he is the next neighbour to the said Mrs BRYANT, and further he knoweth not.

To the 4th Article of Libel aforesaid he deposes and says that the Producent is, & hath been for the tyme Libellated, reputed to be the wife of Mr John BRYANT, Rector of Tymbsbury, and further he knoweth not.

To the 5th he refers to the law.

To the 6th he deposes and says that the defendent liveth in High Littleton parish.

(Mark of) John HOLBROOKE

The same [**John HOLBROOKE**] upon interrogation:

To the first Question he replies that he favoereth each partie alike and that he is noe more to Mrs BRYANT or her husband than he is to the said Mr JONES, and to the other he answers negative, saving that he was troubled to heare Mrs BRYANT his neighbour spoken soe ill of, seing she is a Minister's wife and lived in good credit and repute till the said same was spread abroad.

To the 2nd question he replies what was reported in his previous statement, saving that this deponent & his brother were at worke in the hall of the said Mr JONES's howse where the discourse happened and that the said Mr JONES spoke the said word[s] oftentimes of the said day, but the very day he cannot remember as he hath before deposed.

To the 3rd Question he replies that he, the said Mr JONES, did not at all mention that he heard it reported that Mrs BRYANT lay with her man but he absolutely spake the words, neither did he hear, to the best of his remembrance, Mary WHITHEAD say anything of or in the matter and that the said Mr JONES was soe far from being seemingly troubled at the discourse, as he here sett downe, that he rather seemed joyfull thereat, and further he replies he knoweth not.

(Mark of) John HOLBROOKE

Upon the libel aforesaid:

Deposition of **Richard HOLBROOKE**, parishioner of Tymbsbury in the county of Somerset, tayler, who is aged 16 and has lived there for 3 years.

To the 2nd & 3rd Articles of Libel aforesaid he deposes and says that he, this deponent, is a tayler by his trade and liveth with John HOLBROOKE his brother and sayth that, they being at worke at Mr Samuel JONES's at Rogburn in High Littleton parish about two moneths since, as he beleiveth, but the very day of the moneth he cannot now remember, the said Mr JONES was oftentimes with them in the Hall, w[*h*]ere they were at worke and this deponent's brother and the said Mr JONES had severall discourses together and amongst the rest Mr JONES said that Mrs BRYANT lay with her man Thomas CARTER at Gurny Slade and that they were taken together in the very Action and withall spake to this deponent's brother to telle her of it to that effect. And sayth that since that tyme the same report is becom everyone's discorse about Littleton and Tymbsbury, insomuch that Mrs BRYANT is very much troubled at it to see that she is soe greatly abused, and further he replies he knoweth not.

To the 4th Article aforesaid he deposes that the Producent is wife to Mr John BRYANT, clerke, Minister of Tymsbury.

To the 5th he refers to the law.

To the 6th he deposes and says that Mr Samuel JONES the Defendant liveth in High Littleton parish.

And to the others he deposes that he knoweth not.

On the rest he is not examined.

(Mark of) Richard HOLBROOKE

The same [**Richard HOLBROOKE**] on interrogation:

To the first Question he replies negative saying that he favoereth neither one partie nor the other and that he is noe more a servant to the Plaintiffe than to the Defendant.

To the 2nd he replies that he can say noe more than what he hath said in his former deposition.

To the 3rd Question he replies that he doth remember that Mary WHIT[E]HEAD (who liveth in a house of Mr JONES's) was too and againe in the roome as they were at worke but doe[s] not remember that she said any thing of Mrs BRYANT, neither did Mr JONES speake the said words concerning Mrs BRYANT as if he heard them of the said WHITHEAD, but he spake them of himselfe as they are sett downe to the second Article of the Libell, and he was soe far from being troubled at Mrs BRYANT's misfortune in having the said report throwne on her that he rather rejoyced & seem'd to be pleas'd when he spake the words & he repeated the same words or such like over & over about twenty tymes as he beleiveth.

And to the others he deposes that he knoweth not more than he hath before deposed.

(Mark of) Richard HOLBROOKE

Upon the libel aforesaid:

Deposition of **John TEMPLAR**, parishioner of Tymbsbury in the county of Somerset, farmer, who has lived there since infancy and is aged 42.

To the 2nd & 3rd Articles of Libel aforesaid he deposes and says that on Michaelmas day last he, this deponent, goeing to Buckland Faire, John HOLBROOKE, his contest, went with him and by the way the said HOLBROOKE told him that Mr JONES (meaning the Defendant) did say that Mrs BRYANT and Thomas CARTER did lye together at Gurny Slade and that the[y] were taken in the very fact. And sayth that that was the first tyme this deponent did ever heare of any such thing, but sayth that since that tyme the said report is soe spread abroad that it is in every bodye`s mouth now both in & about the parish and that the people doe make game at her for the same as she passeth along the streat and sayth that the said report is very much the lessing of her credit & taking away her good name, seing she had before that tyme had the report of a vertuous woman & lived in credit.

And to the last he deposes and says that, some tyme since, there was a report about Tymbsbury that Mrs BRYANT was drunke at Pentsford as she satt on her horse, but who was the auther of that report he knoweth not.

And further he deposes that he knoweth not.

Upon the rest he is not examined.

(Signed) John TEMPLER

[**John TEMPLER**] is not examined upon interrogation for that he did not heare Mr JONES speake the words, as they are sett downe in the second Article of the Libell.

Deposition of **John BAYLIE**, parishioner of Paulton in the County of Somerset, tayler, who has lived there since infancy and is now 40 years old.

To the 2nd and 3rd Articles of Libel aforesaid he deposes and says that there is a generall report & fame in and about Paulton (being about a mile & halfe from Tymbsbury) & those parts that Mrs BRYANT had been at Bath and burnt herselfe and that she afterwards lay with her man Thomas CARTER & burn'd him & that he afterwards went & lay with his wife & burn'd her & that she dyed thereof and alsoe that the said Mrs BRYANT did lye with the said Thomas CARTER (being her servant) at Gurny Slade & that they were taken in the fact together and sayth that [it] is reported by severell that Mr Samuell JONES of High Littleton was the author of these discourses in the first place, but he further sayth, lett who will be the first reporter of them, the said Mrs BRYANT is extreamey abused & hurt in her reputation by meanes of the same, being alwayes reputed to be an honest woman before the said report, but now she is reproachfully spoaken of, insomuch that the very boyes in the streat make shayes & tricks at her as she passeth by & more particularly at Paulton, some day the last weeke, the boyes cryed out as she came by, there is the gentlewoman that burn'd her man.

And to the last he deposes and says that there was a discourse about the Country that the Producent Mrs BRYANT should be at Pentsford and there should sitt on her horse without dore & that she there drank soe long till she was drunke, but who was the first author of that report he knoweth not. And further he deposes he knoweth not.

To the 4th he deposes and says that the Producent Mrs BRYANT is wife to Mr John BRYANT, the minister of Tysbury. And further he deposes he knoweth not.

Upon the others he is not examined.

(Signed) John BAILY

[**John BAILY**] not examined upon interrogation for that he did not heare Mr JONES speake the words, as they are sett downe in the second Article to the Libell.

Upon the libel aforesaid:

Deposition of **Robert LANSDON**, parishioner of Warminster in the county of Wilts., maulster, who has lived there for 4 years and is 30 years old.

To the 2nd, 3rd & 4th Articles of Libel he deposes and says that he hath been but at Tymbsbury but since fryday last, where when he came he found that there was a report about the Parish that Mrs BRYANT, the Producent, did lye with her man at Gurny Slade & that they were taken in the fact, but who was the first reporter thereof he knoweth not, but sayth that he beleiveth Mrs BRYANT is abused, for she seemes to be a very evill woman, but she is a stranger to this deponent, he not knowing her before the last fryday. And further he deposes he knoweth not.

Upon the others he is not examined.

(Signed) Robert LANSDON

[**Robert LANSDON**] is not examined upon interrogation for that he did not heare Mr JONES speake the words as they are sett downe in the 2nd Article of the Libell.

6 Nov 1681

Upon the libel aforesaid:

Deposition of **Joseph HORSEY**, clerke, Curate of Paulton in the county of Somerset, who has lived there for 3 years and is aged 80.

To the first Article of Libel aforesaid he deposes and says that he beleiveth that whosoever shall malitiously speake ill of any person, thereby designing to take away his good name, ought to be punished. And to the rest of the Article he deposes he knoweth not.

To the 2nd & 3rd Articles of Libel aforesaid he deposes and says that there is a generall report about Palton and soe likewise at Tymbsbury, they being about a mile distant each from other, that Mrs BRYANT, the Producent, did lye with her man servant at Gurny Slade and that they weare taken in the very Act and the report is that this discourse was in the first place spoken of by the Defendant Mr JONES and one WEEKES of Paulton and also sayth that there is an other report about that part of the Country that the said Mrs BRYANT, the Producent, was at Bath and there got a Clapp and, when she came home, she afterwards road abroad with her man & they lay together, soe that she burn'd her said man & he afterwards came home & lay with his wife & burned her, wherof she dyed & alsoe sayth that it is generally reported abroad that the said Mr JONES & WEEKES were the first authors of this discourse likewise. And this deponent further sayth that about a moneth since, but the exact day he cannot remember, one Mr BREWER, who is Lord of the Manor of Paulton, being at Paulton, he, this deponent, went to give him a visit & there he mett with the said Mr JONES and, there being severall discourses arrising betweene them, at length the said Mr JONES told the said Mr BREWER the whole story of what the report was of Mrs BRYANT, namely how that she was at Bath & there got a Clapp and after lay with her manservant & burnt him & then he went & lay with his wife & burnt her, whereof she dyed & that alsoe how she should lay with her servant at Gurny Slade & that they were actually caught in the Act of Copulation, but this deponent, not seeming to take notice of Mr JONES's words, but talking with others who were there in the roome, the said Mr JONES came to him & told him, saying that he was talking to Mr BREWER concerning Mrs BRYANT, then this deponent ask'd him what they were talking about her, then the said Mr JONES replying said that he hearde that Mrs BRYANT was angry with him for reporting the discourse as it is before sett downe, but he said that he did not report it, altho he beleived it to be too true and, that if Mrs BRYANT had any thing to say to him for the same, he said that he would prove it or words to that effect. And, he proseeded, said by way of derition, that she should againe goe into Dorsetshire & there were such & such there (whose names he then named but now are forgotten by this deponent) who could give an accompt how she formerly behaved herselfe. And he further sayth that the said Mr JONES had many other discourses of the said Mrs BRYANT, lending much to her disparagement & disreputation, for which this deponent checked him, telling him that it did not becom him being a Gent. to blast the reputation of a neighbour, who was a stranger to him & one whom he beleived in his conscience to be guiltlesse of any such thing, but the other replied that he doubted it was too true & that he should prove it he did think & that if she did begin with him, he would end with her, for that he would rid the country of her before he had done. And he further sayth that these things are become a comon discourse among the people, soe that she is called by the name of the burnt Gentlewoman, which is to her great disgrace, being a woman of good credit & wife to Mr John BRYANT, who is Rector of Tymbsbury. And further he deposes he knoweth not.

To the 5th he refers to the law.

To the 6th he deposes and says that Mr Samuel JONES, the defendant, liveth in High Littleton parish.

And to the others he deposes what he has before stated.

(Signed) Joseph HORSEY

The Defendant Samuel JONES assembled no less than fifteen witnesses, whose statements follow:

BRYANT v JONES

27 June 1682

Witnesses' statements in support of Samuel JONES.

Deposition of **William BREWER**, parishioner of Trowbridge in the county of Wilts., Gentleman, who has lived there for 30 years and is aged 54.

To the 2nd Article of Allegations aforesaid he deposes and says that he, this deponent, being at (at) the Rose and Crowne in Paulton about the 7th of November last, there were severall persons there with him, amongst whom were Mr JONES, the Producent, and one Mr HORSEY, mentioned in this Article. And amongst other discourse some one or other of the company was telling the host of the Inne, who was alsoe then present, that he would be called in question for what he had said against Mrs BRYANT, meaning the Plaintiffe in this cause (as he beleiveth). And the said Mr HORSEY told the said Mr JONES that he alsoe would be called in question for the like, then Mr JONES did enquire of Mr HORSEY what words it were that he was to be questioned for, to which Mr HORSEY replied that there were witnesses that would swaere to what he had spoken (or somewhat to that effect), to which Mr JONES replied that he had not said any thing but that he had heard that Mrs BRYANT was seen upon bead with a man at Gurny Slade; after this the said Mr JONES & Mr HORSEY had some words relateing to what is before specified; Mr JONES sayd that he had not said any more of the said Mrs BRYANT and it was that which he heard reported before, but Mr HORSEY seemed to urge the contrary; such like discourse there was betweene them but [he] cannot remember the Particulars for that he was busied with his Tennents that were then & there with him. But he further sayth that some one of the Company was telling of a woman at Timbsbury that died in a Foule disease; some said it was reported that she dyed in the Pox but Mr HORSEY said that it was noe such thing and that some woman had seen her and said it was noe such thing, but, of what woman they then spake, this deponent knoweth not wither, to the best of his remembrance, did he heare Mrs BRYANT's name mentioned any way, relateing to the said woman. This to the best of his remembrance was the meaning of what he had then heard. And further he deposes he knoweth not.

Upon the rest he is not examined.

(Signed) Wm. BREWER

Upon the Allegations aforesaid:

Deposition of **Ferdinando POW**, parishioner of Paulton in the county of Somerset, farmer, who has lived there for 1 year and around the parish of Midsomer Norton since infancy and is now 60 years old.

To the 2nd Article of Allegations aforesaid he deposes and says that on or about the 7th day of November last he, this deponent, went to wait on his landlord Mr BREWER, his contest, at the Rose & Crowne in Paulton & when he came there he found with him the Producent, Mr JONES, and John TITHER, his contest, and in a short tyme in came Mr HORSEY, mentioned in this Article, and he went to the said Mr BREWER & Mr JONES as they sat at the board and as they enter'd into discourse in a short tyme Mr JONES & Mr HORSEY had some lowd words insomuch that Mr HORSEY told Mr JONES that he had scandelized Mrs BRYANT in raisinge storyes of her about Bath and many things more which this deponent cannot remember, neither did he much take notice of them, for that he sat discourseing at a distance from the said Mr BREWER & Mr JONES with an other who was then with him, but he saith that he doth very well remember that he, the said Mr JONES, told Mr HORSEY that he denied what he said & he asked the said Mr HORSEY whither he was come to be a wittnesse against him. There was alsoe other discourse about a woman that was poxt or had a clap and that she dyed in a sad condition and that it was said that the woman that did strip her did say soe much when she was dead; all this (to the best of this deponent's remembrance). Mr HORSEY did then say that Mr JONES should report about his mistress, by whom he ment Mrs BRYANT, as he beleiveth, but the said Mr JONES did deny it, but he cannot tell what occationed this discourse or whither it did really any concerne Mrs BRYANT, for that he cannot remember that he heard her named. But he further sayth that, as to what Mr JONES should say as 'tis set downe in the begining of this Article, he doth not remember that Mr JONES did mention any such a thing.

And further to the said Article he deposes he knoweth not.

(Mark of) Ferdinando POW

Upon the Allegation aforesaid:

Deposition of **John TUTHER**, parishioner of Paulton in the county of Somerset, yeoman, who has lived there since infancy and is aged 64.

To the 2nd Article of Allegations aforesaid he deposes and says that about the tyme mentioned in this Article, viz't the 7th day of November last, Mr BREWER his contest, Mr JONES the Producent, and Fardinando POW his contest, and Mr HORSEY mentioned in this Article, were at the Rose & Crowne in Paulton together and one WEEKES, the man of the house, did alsoe come in & out to them and there happened some words between Mr JONES and the said Mr HORSEY and this deponent, not being concerned therewith, went & sat down by the

fyer to take a pipe of tobacco, but sayth that he did not heare the said Mr JONES either declare of himself or that he heard it reported as it is set down in this Article, as sworne by Mr HORSEY, which he heard now read to him at the tyme of his examination and he alsoe beleiveth that Mr JONES did not say of himself or spake by way of report as the said Mr HORSEY hath deposed of him, as is mentioned in the said Article. And futher he deposes he knoweth not.

Upon the rest he is not examined.

(Mark of) John TUTHER

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BRYANT v JONES

4 July 1682

Upon the Allegations aforesaid:

Deposition of **Robert JAMES**, parishioner of Paulton in the county of Somerset, farmer, who has lived there since infancy and is 34 years old.

To the 6th Article of Allegations aforesaid he deposes and says that he, this deponent, being at Paulton with one William CARTER his contest, they went to one Abraham BAYLIE's howse, who sells Ale & there they mett one James CARTER who lives at High Littleton; And they (after they had been there a small tyme) entered into a discourse about Mrs BRYANT & Mr JONES the Producent, but in the first place they began to discourse of Thomas CARTER, who is the said James CARTER's brother & was heretofore Mrs BRYANT's servant, and in presenteing the discourse the said James CARTER did say that Mr JONES & Mr WEEKES did ill to raise such a discourse about Mrs BRYANT and speaking to this deponent sayd that he did beleive, for that he was often in Mr JONES's & Mr WEEKES's company, he might heare them speake words concerning the said report and if he could he should have tenn shillings in hand and that, if he was called to any place to give his testimony, he should have eighteen pence a day besides his expences & that Mrs BRYANT should pay him, to which this deponent replied that at the present he could not remember that he had heard any thing, but when he had better bethought himselfe if he could say any thing, he would give him an Accompt thereof & soe for that tyme they said noe more of the matter. But further sayth that he cannot tell whither the said CARTER did speake this to this deponent by Mrs BRYANT's order or noe, neither at the tyme aforesaid did the said CARTER mention any thinge of the Particulars of the report. And further he deposes he knoweth not.

Upon the rest he is not examined without the agreement of the Producent.

(Signed) Robert JAMES

Robert JAMES upon interrogation:

To the 1st question and to the first part thereof he replies negative and to the other he replies that he favoereth each partie alike.

To the 2nd question he replies that Mrs BRYANT lyes under a scandall by meanes of the report, which there is now of her, but excepting that he knows noe ill of her, neither hath he heard any. And further he replies he knoweth not.

To the 3rd he replies what is referred to in his previous statement.

To the 4th he replies he knoweth not.

To the 5th question he replies that it is reported in & about Timbsbury that Mr JONES was the reporter of the diffamatory words, but whither he was realy soe he knoweth not, but sayth that he hath heard the Articulate WEEKES speake some words relateing therewith, but whether he spake it as reported or of himselfe he cannot remember. And further he replies he knoweth not.

To the 6th question he replies that the diffamatory words are publickly discourst of in and about Timbsbury, insomuch that she hath not the good name and reputation as she might have had if such a report had not been.

To the 7th question he replies that he never heard but that Mr HORSEY, Richard HOLBROOK & John HOLBROOK were honest persons.

To the 8th question he replies that before our Lady day last, but the very day he cannot remember, this respondent was sent for to come to Mr HORSYEs for that there was one that would speake with him and, being come, he there met Mrs BRYANT, who asked him whither she had offered him any mony at any tyme to testify any thing against Mr JONES, to which this deponent replied that she never did profer him any mony for any such thing. And further he replies he knoweth not.

To the last he replies that he hath been in company with Mrs BRYANT two or three tymes & that he hath not much acquaintance with her. And further he replies he knoweth not.

(Signed) Robert JAMES

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Upon the Allegations aforesaid:

Deposition of **William CARTER**, parishioner of Paulton in the county of Somerset, sheerman, who has lived there for 5 years and is 32 years old.

To the 6th Article of the Allegations he deposes and says that upon a certeyne day the last winter, but the very day he cannot remember, but sayth it was since the difference between Mr JONES and Mrs BRYANT, he, this deponent & Robert JAMES, his contest, with one James CARTER were at the howse of one Abraham BAYLIE in Paulton, who sels Ale, where were severall others besides them in the same roome and the said James CARTER and this deponent & the said Rob't JAMES sat at the board talking by themselves and, amongst other things, they discoursed about James CARTER's brother, whose name is Thomas CARTER & was Mrs BRYANT's servant, how that the said Thomas was churlish to his wife and that she dyed of an ill disease and how alsoe 'twas reported that Mrs BRYANT should ly with the said Thomas at Gurney Slade and a great many more things to this purpose; then the said James CARTER did there confesse that if his brother was guilty of what was reported of him, it was pittie but that he should be hanged. But he said that he beleived that Mrs BRYANT and he too (meaning the said Thomas) was abeus'd and that Mr JONES and Mr WEEKES had done ill to raise such a report, and then speaking oute the said Robert JAMES told him that he beleived, for that he was soe often in Mr JONES's & Mr WEEKES's company, he migh[t] heare them say or speake something of it &, if he had heard them, if he would but testify against them he should have 5s. or 10s. (he cannot tell exactly which) for his paines, more over he should have (if he was called to give his testimony either at Wells, London, Bristol or elsewhere) 18d. a day for his paines, besides his expenses should be borne. To which the said JAMES replied that if he had heard any thing he had forgott it and that at present he could not call to mind anything. But sayth that whither Mrs BRYANT did imploy the said CARTER to speake to the said JAMES about it he knoweth not. And further he deposes he knoweth not.

Upon the rest he is not examined without the agreement of the Producent.

Mark of [*started to sign*] William CARTER

The same [**William CARTER**] upon interrogation:

To the 1t question he replies negative saving that he favoreth each partie alike.

To the 2nd question he replies that he only knows Mrs BRYANT by sight, having noe acquaintance with her.

And further he deposes he knoweth not, saving that he never knew any thing amiss by her.

To the 3rd he refers to his previous statement and furthermore deposes he knoweth not.

To the 4th he replies he knoweth not.

To the 5th he replies he knoweth not.

To the 6th he replies that there is an ill report rais'd upon Mrs BRYANT about the country but whither Mrs BRYANT doth suffer in her reputation by meanes of the same he knoweth [*not*]. And further he replies he knoweth not.

To the 7th he replies that neither the persons mentioned in this interrogation are persons of noe good report, namely Richard HOLEBROOKE and John HOLEBROOK and, as for Mr HORSEY, he is a troublesome man amongst his neighbours.

To the 8th he is not examined.

Signed William CARTER

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Upon the Allegations aforesaid:

Deposition of **Mary WHITEHEAD**, parishioner of High Littleton in the county of Somerset, widow, who has lived there for 8 years and is aged 60.

To the 7th Article of Allegation aforesaid she deposes and says that she, this deponent, being at one YOUNG's howse at High Littleton upon a certeyne day about [*a*] fortnight before Michaelmas last, but the exact day she cannot remember, she there met Miles WEEKES of Paulton and there the said WEEKES did tell this deponent that Mrs BRYANT (meaning the Plaintiffe) was at Gurney Slade with her man servant and that the maid of the howse where they were did say that they were upon the bead together and that William VOULES could justify the same, & sayd that it was true by the same token that he spent 6d. or 1s. (one of the two) there, by which meanes he came to heare of it; now, this deponent, after she came home sometyme the same day, went to Mr JONES's, the Producent's, and told him what Mr WEEKES had told her of Mrs BRYANT. Soe the next day Mr JONES sent for this deponent to come to him &, when she came, the said Mr JONES was with John HOLBROOKE & Richard HOLBROOKE, who are taylers working there in the howse &, when she came in, the said Mr JONES spake to the said John HOLBROOKE, telling him that she (meaning this deponent) had told her thereof, but of what they talk'd of before she came in she knoweth not, but noe body makeing a reply, she this deponent went her way. But sayth that some tyme afterward this deponent, going to HOLBROOK 's howse there, she mett his wife and they two faleing into a discourse about what Miles WEEKES had told her, the said HOLBROOKE's wife did then declare to this deponent that there was a report of it about a weeke or fortnight before her husband did tell Mrs BRYANT of it. And further she deposes she knoweth not.

Upon the rest she is not examined.

(Mark of) Mary WHITEHEAD

The same [**Mary WHITEHEAD**] upon interrogation:

To the first question she replies negative saving that she favoereth each partie alike.

To the 2nd she replies that she, this deponent, hath noe acquaintance with Mrs BRYANT, but she never knew or saw but that she behav'd her selfe very modestly & soberly. And further she replies she knoweth not.

To the 3rd she is not examined.

To the 4th she replies she knoweth not.

To the 5th she refers to her previous statement and further deposes she knoweth not for that she liveth a mile from Tymbsbury.

To the 6th she replies that, excepting the tyme before mentioned, she never heard any report of the said Mrs BRYANT from any person in relation to her disparagement & therefore cannot say that she doth any suffer in her reputation.

To the 7th question she replies that she can say nothing for or against any of the persons mentioned in this interrogation.

To the 8th & 9th questions she is not examined.

(Mark of) Mary WHITE[HEAD]

Upon the Allegations aforesaid:

Deposition of **William TYLER**, parishioner of High Littleton in the county of Somerset, joyner, who has lived there 14 years and is aged about 40.

To the 3rd Article of Allegation aforesaid he deposes and says that some tyme before the begining of this suite, being about Michaelmas last, but the exact day he cannot remember, he, this deponent, being at Mr JONES's, the Producent, in the morning early, there was alsoe John HOLEBROOKE, mention'd in this Article, with the said Mr JONES and being there all together the said Mr JONES told the said John HOLEBROOKE that he had heard that Mrs BRYANT and her man were caught upon the bedd together at Gurny Slade & said that he was sorry to heare it and this deponent sayth that Richard HOLEBROOK was not then present, but sayth that as he, this deponent, was goeing home he mett the [*said*] Richard HOLBROOKE goeing towards the said Mr JOANES's howse. And further he deposes he knoweth not.

Upon the rest he is not examined.

(Mark of) William TILER

The same [**William TYLER**] upon interrogation:

To the first question he replies negative saving that he would have right take place.

To the 2nd question he replies he knoweth not (for).

To the 3rd he replies he knoweth not.

To the 4th he replies he knoweth not.

To the 5th he replies he knoweth not.

To the 6th question he replies that there is an ill report in thecCountry concerning Mrs BRYANT but whither it is to her prejudice he knoweth not.

To the 7th question he replies that he hath little acquaintance or knowledge of the conversations of the parties mentioned in this Interrogation, therefore he replies he knoweth not.

To the 8th he is not examined.

To the 9th question he replies that he was with Mrs BRYANT in Mr SAMBOURN's kitching and that there they had some hard words, but he denyes that he said to her that Mr JONES should not want a wittnesse for his businesse or that he would swear to the purpose for him or any thing tending to that effect.

(Mark of) William TYLER

5 July [1682]

Upon the Allegations aforesaid:

Deposition of **George JAMES**, parishioner of Tymbsbury in the county of Somerset, coleminer, who has lived there since infancy and is 52 years old.

To the 3rd Article of the Allegations aforesaid he deposes and says that he, this deponent, being at the howse of the Producent Mr Samuel JONES the 9th day of November last, to the best of his remembrance, he there mett with Richard HOLBROOK, mention'd in this Article, and in the evening they two went home to Tymbsbury together and by the way this deponent told him that he saw that he was Mr JONES 's tayler still, altho' his brother John was not, to which he replyed that his brother John thought noe harme when he said what he did of Mr JONES concerning Mrs BRYANT; then this deponent said that they two were the only wittneses that Mrs BRYANT had, then the other imediatly replyed that he could not take the oath as his brother John could, for that the words were spoken at two severalle tymes; then this deponent did aske the said Richard what he could say, to which he replyed that he did heare Mr JONES say that he was informed that Mrs BRYANT was seen upon the bead at Gurney Slade with her man servant. And he further sayeth that he this deponent in about 4 or 5 days

afterward, having some businesse with MR JONES, he went to his howse & there, againe talking of the said Mrs BRYANT, he, this deponent, told the said Mr JONES what the said Richard HOLBROOKE had told him. Upon that, the said Mr JONES did sett the day downe in his booke, being as he beleiveth the 9 of November. And he further sayth that, when this deponent had told the said Mr JONES what the said Richard had told him as aforesaid, he the said Mr JONES and this deponent went to Timbsbury to the howse of one W'm COLLINS and Mr JONES sent for the said Richard HOLBROOKE to come to him, who accordingly came; & then the said Mr JONES, in the presence of this deponent and one George COLLINS & Joane COLLINS, his contests, did aske of the said Richard HOLBROOKE what that was that he could testify against him what he should say of Mrs BRYANT & desired him to speake the truth; then the said Richard replyed that alle that he could say was that he (meaning the said Mr JONES) did say that he was told that Mrs BRYANT was seen upon bead with her man at Gurney Slade, and then said that that was all which he could testify in the businesse. Furthermore he depones he knoweth not. Upon the rest he is not examined. (Mark of) George JAMES

The same [**George JAMES**] upon interrogation:

To the first question he replies negative saving that he favoreth each partie alike.

To the 2nd question he replies that he, this deponent, is neighbour to the said Mrs BRYANT & that [he] never knew but that the said Mrs BRYANT behaved herselfe soberly & modestly. And further he replies he knoweth not.

To 3 he replies he knoweth not.

To 4 he deposes he knoweth not

To 5 he deposes he knoweth not

To the 6th question he replies that he cannot tell whither Mrs BRYANT is any waies hurt in reputation by the meanes of any report, which is alle that he can answere to this Interrogation.

To the 7th question he replies that, for John HOLBROOKE, this deponent never heard but that he is an honest man in his dealing, & for Richard HOLEBROOKE, he doth question whither he doth understand what an oath is, & as for Mr HORSEY, he hath noe acquaintance with him. And furthe he replies he knoweth not.

To the 8th & 9th questions he is not examined.

(Mark of) George JAMES

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Upon the Allegations aforesaid:

Deposition of **George COLLINS**, parishioner of Timbsbury in the county of Somerset, carpenter, who has lived there for 7 years and is aged 22.

To the 3rd Article of Allegation aforesaid he deposes and says that some tyme the last Winter, but the very day he cannot remember, he, this deponent, being in the streat at Timbsbury, Mr JONES, the Producent, and George JAMES, his contest, came to him & they three went into Wm. COLLENS's howse & Mr JONES did send to Richard HOLBROOKE to come to him, And when the said Richard was come, he, the said Mr JONES, told him that he had sent for him to aske him what it was that he could testify that he did say of Mrs BRYANT and desir'd him to speake the truth, to which the said Richard replyed that he, the said Mr JONES, did say that he was told that Mrs BRYANT was seen at Gurney Slade upon bead with her man. Then Mr JONES agen & agen did urge him to tell the truth & the whole truth, to which he replyed that he could say noe more. And he sayth that there were then & there present the said George JAMES and one Jone COLLINS, his contests. And further he deposes he knoweth not.

Upon the rest he is not examined.

(Signed) George COLLINS

The same [**George COLLINS**] upon interrogation:

To the first question he replies negative saving that he favoreth neither parties in this cause the one more than the other.

To the 2nd question he replies that he never knew but that Mrs BRYANT behaved herselfe soberly, gravely & modestly. And further he replies he knoweth not.

To the 3rd & 4th he is not examined.

To the 5th he replies he knoweth not.

To the 6th he replies that he cannot tell whither the report concerning Mrs BRYANT doth any way injure her good name or reputation or whither it is prejudicall to her. And further he replies he knoweth not.

To the 7th he replies that he never heard but that the persons mentioned in this Interrogation are honest men. And further he replies he knoweth not.

Upon the rest he is not examined.

Signed George COLLINS

Upon the Allegations aforesaid:

Deposition of **Joan COLLINS** parishioner of Timbsbury, wife of William COLLINS, carryer, who has lived there since infancy and is aged 50.

To the 3rd Article of Allegation she deposes and says that upon a certeyne day sometyme since, but the very day she cannot remember, there came to this deponent's howse Mr JONES, the Producent, & George JAMES & George COLLINS, her contests; And Mr JONES did then imediatly send for Richard HOLBROOKE to come to him &, he being come, the said Mr JONES told him that he had sent for him that he would tell him what he did heare him (the said Mr JONES) say of Mrs BRYANT & desir'd him to speake the truth without either favor or affection; then the said Richard replyed, all that he heard him say was that he did say that it was reported that Mrs BRYANT was seen with her man upon a bead at Gurny Slade And that he was sorry to heare it; this, the said Richard did declare, was all that he heard the said Mr JONES say, and altho' Mr JONES prest him severall tymes to declare what he heard him say, the said Richard did declare that was all. And further she deposes she knoweth not.

Upon the rest she is not examined without the agreement of the producent.

(Mark of) Joan COLLINS

[**Joan COLLINS** on interrogation]:

To the 1st Question she replies negative saving that she wisheth that right may take place.

To the 2nd question she replies that she can say noething for or against Mrs BRYANT, for that she hath knowed noe good or harm by her.

To the 3rd she is not examined.

To the 4th she replies she knoweth not.

To the 5th she replies she knoweth not.

To the 6th question she replies she knoweth not.

To the 7th question she replies that Mr HORSEY may be an honest man soe far as she knowes &, for John HOLBROOKE & Richard, she hath not any thing to say of them but sayth that she beleiveth that Richard HOLEBROOKE doth scarce understand what an oath meanes.

Upon the rest she is not examined.

(Mark of) Joan COLLINS

BRYANT against JONES

[11 July 1682]

Deposition of **Henry COMBE**, parishioner of Camerton in the county of Somerset, blacksmith, who has lived there for 17 years and is 46 years old.

To the 5th Article of Allegation aforesaid he deposes and says that about 3 weekes or a moneth after Michaelmas last, but the very day of the moneth he cannot remember, but sayth it was upon a Saturday, Mrs BRYANT, mentioned in this Article, goeing to Bath marktett, she called at this deponent's shopp & spake to him to come over to Tymbsbury to her howse, for that she had somewhat to say to him, soe the next day, being Sondag, he went to Tymbsbury, being about halfe a mile from his howse and then they did not much discourse of any thing, only Mrs BRYANT told him that she had heard that he was the author of a report which was then about the country concerning her, which was that she should lye with her man at Gurney Slade, which this deponent denyed; then Mrs BRYANT told this deponent she had some pease to sell & they having agreed on a price for them, he was to fetch them the Tuesday then next following, on which day he, this deponent, did goe to the said Mrs BRYANT's howse, where againe they fell into a discourse of the aforesaid report; then the said Mrs BRYANT said that she had heard that Miles WEEKES of Paulton had raised that report, which, if she could prove against, she would spend a hundred pounds, but that she would be rited; then she spake to this deponent to goe down to Paulton to the said Miles's howse, he keeping a Publick howse, & to carry his man with him & there to drinke with the said Miles and when they had dranke pretty hard to enter into a discourse about her and withall spake to this deponent, to call her where or say any thing of her before the said Miles, to heare what he would say of her, and that if he did spend two or three shillings there, she would repay him; then this deponent told her that if tyme would give him leave he would soe doe, but withall told her that she was better be at quiet and not to take notice of what the said WEEKES did say, for that his words were noe slander, but she said that she would be revenged against him or JONES, meaning the Producent. But this deponent sayth that he never went to the said WICKES's nor has he been there since but once coming from Binegar faire & then he tooke noe notice to the said WEEKES of anything relateing to what Mrs BRYANT had told him of. And further he deposes he knoweth not.

Upon the rest he is not examined.

(Mark of) Henry COMBE

The same [**Henry COMBE**] on interrogation:

To the 2nd question he replies that he never knew but that the said Mrs BRIANT behaved her selfe modestly & soberly. And further he replies he knoweth not.

To the 6th question he replies that there is a report in the country concerning the said Mrs BRYANT, which is to her great disparagment if it be not true. And further he replies he knoweth not.

Upon the rest he is not examined.

(Mark of) Henry COMBE

Upon the Allegations aforesaid:

Deposition of **Roger CONDUIT**, parishioner of Paulton in the county of Somerset, blacksmith, who has lived there for 36 years and is aged 60.

To the 8th Article of Allegation aforesaid he deposes and says that on this day seavenight, being the fourth day of this instant July, Mrs BRYANT came to Paulton and came to Miles WEEKES's howse & called at the dore three or fower tymes, but noe body came to the dore or made answeare, whereupon she turn'd about her horse and as she was goeing from the dore she said, vizt. Plague dam yee, are you asham'd to shew your face now Miles? & soe she road away after her servant man, he being on a horse rideing before her and he sayth, when he first saw the said Mrs BRYANT come to the dore, he left of[/] blowing the billowes & went & stood at his dore to heare what the event would be, because he knew there was some difference between them. And further he deposes he knoweth not.

Upon the rest he is not examined without the agreement of the producent.

(Mark of) Roger CONDUIT

[**Roger CONDUIT**] is not examined upon interrogation.

Upon the Allegations aforesaid:

Deposition of **Geoffrey COX**, parishioner of Tymbsbury in the county of Somerset, cole driver, who has lived there for 18 years and is aged 40.

To the 8th Article he deposes and says that some tyme the last winter, but the day he cannot remember, he this deponent with John COX and James WHITEHEAD, his contests, went to one William YOUNG's howse at High Littleton, who sells Brandy & other sorts of strong water and there they mett with Miles WEEKES, mention'd in this Article, and they all sat downe together and amongst other discourse they did talke of Mrs BRYANT and the report that was in the country about her; then the said Miles WEEKES said that, because he would know the truth of it, he went to Gurney Slade to the Alehouse there and enquired whithere any such people as Mrs BRYANT and her servant had been there, to which the woman of the howse replied that such people had been there and that they were in the Chamber and that her daughter (who tended upon them) came downe and told her that she beleived that the gentlewoman & her man would lye together, for that they were on the bead together. Now, after the said Miles had thus said, he spak to them to goe & tell the said Mrs BRYANT what he said, but this deponent replied that he would not any way [*be*] concerned or speake a word of it, then he spake to John COX to doe it. And further he deposes he knoweth not.

Upon the rest he is not examined without the agreement of the producent.

(Mark of) Geoffrey COX

[**Geoffrey COX**] is not examined upon interrogation without the agreement of the party against whom he gave evidence.

Upon the Allegations aforesaid:

Deposition of John COX, parishioner of Timbsbury in the county of Somerset, coleminer, who has lived there for 14 years and is aged 30.

To the 8th Article of Allegation aforesaid he deposes and says that sometyme this last winter, but the exact day he cannot remember, he, this deponent and Jeffery COX and James WHITHEAD, his contests, meeting together and being frozen cold, they agreed to goe to one William YOUNG's howse in High Littleton, who sells strong waters, to spend a 1d. or 2d. a peice & to warm themselves & there they met the Articulate Miles WEEKES and, they siting and talking together, he, the said Miles, asked whether there was noe newes at Timbsbury, to which they replied they knew none or words to that purpose; then the said Miles answering said that he would telle them some; whereupon he told them that he road a mile or 2 out of his way on purpose to Gurney Slade to the Alehowse there, to enquire of the truth of the report about Mrs BRYANT & her man and coming to the howse & enquireing of the woman of the howse concerning the said report, she said that they had been there & that her daughter came downe to her from the chamber where they were & told her that she beleived that Mrs and her man would lye together, for that she said they were on the bead together, and when the said WEEKES had told

this story he spake to this deponent to goe & tell her what he said, but he refused soe to doe, saying that he would not be anyways concerned in or about it. And further he deposes he knoweth not.

Upon the rest he is not examined.

(Mark of) John COX

The same [John COX] upon interrogation:

To the 2nd question he replies that he never knew or saw but that Mrs BRYANT was a sober, modest woman. And further he deposes he knoweth not.

To the 6th question he replies that there is an ill report about the country concerning the said Mrs BRYANT, which is prejudicall to her credit & good name & he beleiveth that [*she*] (h)is wronged in the said report. And further he replies he knoweth not.

Upon the rest he is not examined.

Mark of John COX

[Upon the Allegations aforesaid]

Deposition of **James WHITEHEAD**, parishioner of High Littleton in the county of Somerset, coedriver, who has lived there for 9 years and is aged 24.

To the 8th Article of Allegation aforesaid he deposes and says that he, this deponent, and John COX and Jeffery COX, his contests, meeting each other at High Littleton Colepitt, they there agreed to goe to William YOUNG's howse to spend a penny or two pence a peice & there they mett with Miles WEEKES, the Articulate, and there they fell into a discourse of Mrs BRYANT & the said Miles WEEKES told them that, some tyme before, he road 2 or 3 miles out of his way to goe to Gurney Slade to enquire whither the discourse of Mrs BRYANT and her man was true. And that the woman of the howse told him that they were there & that her daughter came downe to her & told her that she beleived that Mrs and her man would lye together, for that they were on the bead together & when he had soe ended his discourse, he told the said John COX that he should goe and tell the said Mrs BRYANT thereof. And further he deposes he knoweth not.

Upon the rest he is not examined without the agreement of the producent.

(Mark of) James WHITEHEAD

[James WHITEHEAD] is not examined under interrogation without the agreement of the party against whom he gives evidence.

[SRO D/D/cd 97]

Disagreement over liability for Church Rates – JONES versus HEDGES

12 December 1682.

Several depositions, which name a good number of High Littleton parishioners. [SRO D/D/Cd. 97].

Transcribed as a separate file in Church section of this website.

Thomas HODGES makes intemperate remarks about Chewton Mendip Church

The information of George PALMER of Chewton Mendip on oath, Saturday 9 June 1683, before the Bishop of Bath & Wells, one of His Majesty's Justices of the Peace.

At Binegar Fair on Thursday in Whitsun week last past, in one tent, booth or bower there, in which there were several persons drinking, especially one Thomas HODGES of High Littleton; and there being a discourse covering a great damage which had happened on Chewton Church by a late tempest of thunder and lightning, informant did then hear the said HODGES, in a base deriding manner, speak these word or words, to the same effect, vid: That the devil had broken down part of Chewton Tower and had thrown the stones thereof towards Holymarsh (being a common within the parish of Chewton) and he did not know how soon he would throw down the rest of the Tower the same way. George PALMER

Taken at Wells by Peter, Lord Bishop of Bath & Wells.

[SRO QSR, 1683, 22.]

John TUTHER loses a plough chain, believed stolen.

Somerset. The information of John TUTHER of Pallton in this County, yeoman, taken upon oath before Francis POULETT Esq. (one of His Majesty's Justices of the Peace of this said County), the 19th day of December AD 1683.

Who saith that about a yeare and half since he lost a plow chaine of the value of three shillings or more, being taken (as he believeth) feloniously out of his ground and that about a month since he found the same plow chaine in one Gabriel MARCHANT's custody in High Littleton, who told him (this informant) that he borrowed the same plow chaine of one Charles BRITTEN of Midsummer Norton.
(Sgd.) John TUTHER. Fra. POULETT.

20th of December 1683.

John HAYWARD of Midsummer norton aforesaid, being examined before the said Francis POULETT Esq., saith that he found the plow chaine above mentioned at a place in Midsummer norton aforesaid, where one Robert JAMES of Pallton used to yoake his beasts and that he (this examinant) took the same to Gabriel MARCHANT aforesaid.

(Sgd) John HAYWARD. Fra. POULETT.
[*SRO QSR 151/1*].

Similar statements (unsigned) dated 21 December 1683.
[*SRO QSR 156/1*].