

Dispute as to whether the lay rector should pay Church Rates

In 1682 one of the Churchwardens was in dispute with Thomas HODGES, who owned the Rectory of High Littleton. HODGES claimed that as owner of the rectory he was, by tradition, responsible for the maintenance of the chancel of the Church and exempt from the payment of Church Rates. JONES, who lived at Rugbourne and was no stranger to litigation, disagreed and insisted HODGES should pay. JONES' fellow Churchwarden, John HILL, sided with HODGES.

The Vestry is not mentioned by name in the Depositions made by the various witnesses to the Bishop's Court at Wells. However, the Depositions do describe how the business of the Vestry was done, mention many parishioners and provide interesting information of the period. These Depositions may be found at Somerset Record Office under reference D/D/cd 97. A transcription of them follows with the original spelling.

JONES against HODGES

12th December 1682

Depositions on behalf of Samuel JONES, Churchwarden of High Littleton:

Deposition of **Thomas RUDDOCK**, parishioner of High Littleton in the county of Somerset, yeoman, who has lived there for 30 years and is 57 years old or thereabouts.

To the 8th & 9th Articles of the Allegation aforesaid he depones and says that the manner of rateing the Inhabitants of High Littleton towards the Church there is, to the best of his knowledge, as followeth, vizt: Every estate in the said parish [*of*] reputed worth 20s. p. annum is valued towards the Church four pence per annum and soe after the same rate doth this deponent pay for the estate which he hath in the said parish; And sayth that, when the rate now in question was made, he, this deponent, was present and, because there should be noe future difference betweene the Parish and the said Mr HODGES, they finished the rate, only they left out the sum at the end of his name because he was not then present, but they sent two or three tymes for him to come downe to see himselfe rated, but he not coming, Mr JONES, the Producent, did show the book to the said Mr HODGES' Father (he being then present) with the blanke left for a sum to be inserted at the end of his name, whereupon the said Mr JONES went and made out the sum at the end of his name, being one shilling and seaven pence halfe penny, which od halfe penny was for an estate he lately purchased and the other od penny to make up the 19d.; one shilling & eight pence was placed upon one William MAUNDRALL, who holds parte of Mr HODGES' estate by Lease; And he further sayth that whither the estate that Mr HODGES holds in the parish of High Littleton, besides the Tythes, is all of it the Farme or not, he knoweth not. But sayth that, about the yeare 1665, the estate which Mr HODGES doth now enjoy (excepting what he hath since purchased) was his Father's and about that tyme the said Mr HODGES, the Defendant, brought unto this deponent a paper draught of his owne hand writing, being a deed of conveyance, for him to ingrosse it, the purport of which was that thereby his said Father did conveigh to him & his heires for ever, all that estate which he did then live in & which the defendant now lives in, in High Littleton aforesaid, called by the name or names of his Farme, Cappital Messuage or Mansion howse & premises, together with 167 acres of land, meadow & pasture, which were therein particularly named, all or the greatest part thereof in the said grounds; In which deed there was noe mention made of any Rectory or Impropriated Parsonage, but only by the names abovesaid. And sayth that, after this deponent had soe ingrossed the deed aforesaid, he saw Mr HODGES' father did signe & seale the same & delivered it to the use of his son the defendent, in the presence of Mr Simon COTTON, the Minister of the same parish, Mr Peter LOCK & this deponent in the said Mr HODGES's Parlour; by vertue of which deed the said Mr HODGES, the defendant, doth (for ought this deponent knows) enjoy the said Farm house & the 167 acres of land to this day. And he further sayth that Anno 1663 this deponent was one of the Churchwardens of Littleton aforesaid, in which said yeare he collected six rates for the Church, for which Mr Thomas HODGES, Father to the defendant was for his estate in Littleton rated 9s. 3d., out of which sum he, the said Mr HODGES, had four shillings allowed him, as in and by the booke of the Churchwardens accompt for that yeare it doth appeare, but what it was allowed him for, he cannot justly tell, unless it was for what was layd out upon the body of the Church, because for that he was not to pay (as he then pretended) because of a certeyne agreement or contract, which was between the parish and himselfe to that purpose; moreover, one Thomas SMYTH had at that tyme some parte of Mr HODGES' estate in Littleton leased to him, for which he was rated ¾d. p. rate soe & the deponent received six rates after of him, which was 4 ½d., which said estate is since fallen into the said Mr HODGES's hands, all of which estate was formerly rated the Church at 100s. p. annum at 4d. p. pound, the whole amounting to 1s. 8d. p. rate, But whither all the estate or any parte thereof belongeth to the Rectory, he knoweth not, But sayth that the Tythes arriseing and growing in the said Parish and payable to him the Defendant or his Father as impropriator, are worth about 90s. p. annum if all the parishioners for their estates pay proportionable to this deponent, for which he the said defendant and one Joane DANDOE (who hath parte of the Tyth of the said

Parish leased to her) are rated to all other taxes and payements over & above the 20d., the sum of five pence farthing p. rate. And further the deponent knoweth not.
[Signed] Thomas RUDDUCKE

The same [*Thomas RUDDUCKE*] on interrogation:

To the first question he replies negative.

To the 2nd Question he replies that the rates heretofore made for the Church of High Littleton were styled Church rates, but sayth there was never any need of confirmation by the Bishopp because they were generally paid without any trouble. And sayth that, excepting that five pence farthing deducted from the Church rate for the Tyth, all the rates in the parish are equall both to Church and poore. And further he replies he knoweth not.

To the 3rd Question he replies that the rate mentioned in this Question written into the book was soe written by Mr Samuel JONES the Producent and the sumes at the end of the names were also made by him before the parishioners met, excepting Thomas EMBLING's name & the 1d. at the end thereof and the sum at the end of Mr HODGES' name, both which were not entered till the rate was allowed of in the Church by all those who were there present, saving the defendants Father, and it was there set downe by their advice & approbation.

To the 4th question he replies that the major part of the Payers to the church, present in the Church where the rate was made, subscribed the rate. And further he replies he knoweth not.

To the 5th Question he replies that John DANDOE, who served Churchwarden Anno 1664 in High Littleton, did soe for part of Mr HODGES' howse, in which he then lived, called the old Kitchen. And further he replies he knoweth not.

To the 6th Question he replies that the deponent doth not know any estate in the parish of High Littleton which hath not served the office of Churchwarden, William MANDRELL's estate only excepted & one Francis JAMES's. And further he replies he knoweth not.

To the 7th he replies that Mr HODGES's predecessors as owners of the Rectory of High Littleton have & still ought to repaire the chancell, but whether it is repaired by them as owners of that howse & estate he knoweth not. And further he replies he knoweth not.

To the 8th he replies that there are two Churchwardens for this yeare sworne for High Littleton and further refers to the law, saving that he doth not know any person that doth joyne with Mr JONES in this cause, but that he doth presente it himselfe as Churchwarden.

To Question 9 he replies that the rate now in question doth for ought he knows agree with the other rates in the parish in all things excepting the 5d. qrs. deducted in the church rate for the Ta/y/th, which 5d. qs. is paid to the poore rate. And further he replies he knoweth not.

To Question 10 he replies that he beleives that there is some Gleabe belonging to the Rectory of High Littleton, but how much it is or where it lyes he knoweth not. And further he replies he knoweth not.

To the last he replies that he can say noe more than what he hath said before.

[Signed] Thomas RUDDUCKE

13 Dec 1682 - Deposition of **Joseph DANDO**, parishioner of High Littleton in the county of Somerset, yeoman, who has lived there since infancy and is now aged 53 or so.

To the 8th & 9th Articles of the Allegation aforesaid he depones and says that before the rate now in question was made, notice was given in the Church upon a certayne Sunday for the parish to meet to make a rate for the Church, which is cal'd the church rate because the Church wardens doe collect the same, but sayth it is not purely a Church rate because the rate for the Hospitall and maimed soldiers is included, and sayth, at the day appoynted, severall of the parishioners mett and the producent Mr JONES brought a rate ready written, And sayth that Mr HODGES, being there present, there were some differences did arise betweene the said Mr JONES & himselfe. And this deponent sayth that the said Mr HODGES has a good estate in the parish of High Littleton, worth as he beleiveth a Hundred pounds a yeare, but whither it be Farme or Impropiation he knoweth not, but sayth that the said Mr HODGES hath been rated heretofore about nineteene pence halfe penny, a rate which was rate gathered [by] the Churchwardens alsoe, but sayth that there was usually an allowance made him for such things as doe concerne the body of the Church and that he payed noe thing therto but what he payed is to the Hospitall, maimed soldiers, Preachers, Bred & wine only, to the best of his knowledge, nor did he ever apprecyate it to be otherwise.

Upon the rest he is not examined.

[Signed] Joseph DANDO

The same [*Joseph DANDO*] on interrogation:

To the first question he replies negative.

To the 2nd Question he replies that the rate is generally called a church rate but the Wardens doe pay the Hospitall money out of the same, and further sayth that he never knew any rate confirmed by the Bishopp or his Chancellor excepting this last.

To the third he replies he does not know, saving that Mr JONES brought a rate ready written into the Church, but whither it is the same now in the booke he knoweth not.

To the 4th Question he replies that at the day appoynted, some of the parishioners of High Littleton did meet to make a rate, but how many exactly he knoweth not, neither doth he remember that any person there present did soe far allow the rate as to signe it because of the difference about Mr HODGES's rate and, excepting that particular, he beleives every man would admit of & allow the rate. And further he replies he knoweth not.

To the 5th he replies that he never knew to his remembrance that either of the estates mentioned in this Question did serve the office of Churchwarden in the parish of High Littleton.

To the 6th Question he replies that he knows not any estate in the parish that pleads an exemption from Churchwardenship in the said parish except those in the precedent Interrogatory. And further he replies he knoweth not.

To the 7th Question he replies that Mr HODGES doth & ought to repaire the chancell of the Church of High Littleton when need requires, as impropiator there. And further he replies he knoweth not.

To the 8th Question he replies that there are two wardens this present yeare in High Littleton and he sayth that he partly knows that the other churchwarden doth not consent to the carrying on of this suite against Mr HODGES. And further he refers to the law.

To the 9th he replies that he refereth himselfe to the rates in the Book mentioned in the Interrogatory.

To 10 he replies he does not know, saving that heretofore he hath heard that there is some Gleabe & some farme, but how to distinguish them he knoweth not.

To the rest he refers to his previous statement.

[*Signed*] Joseph DANDO

Deposition of **Robert LANGFORD** of Hallatrow in the parish of High Littleton in the County of Somerset, yeoman, who has lived there since infancy and is now aged 34 or thereabouts.

To the 7th & 8th Articles of the Allegations aforesaid he depones and says that he, this deponent, was present when notice was given in the Parish Church of High Littleton for the makeing a rate for the Church but, at the day appoynted for the same to be made, he, this deponent, was not there & therefore cannot tell how the businesse was managed but he sayth that, after the day was over, he heard that some of the parish did meet and that a rate was made and that every person then & there present did consent to his owne particular rate, only Mr HODGES the Defendant. And further he depones he knoweth not.

To the 9th & 10th Articles of the Allegations he depones and says that the defendant Mr HODGES hath an estate in the parish of High Littleton worth an hundred & fifty pounds p. annum and upwards, but whither it is farme or Rectory he knoweth not, but sayth that the said Mr HODGES is called by the name of Farmer HODGES and soe was his Father before him, who enjoyed the said estate before him. And further he depones he knoweth not.

On the rest he is not examined.

[*Signed*] Robert LANGFORD

The same [*Robert LANGFORD*] on interrogation:

To the first Question he replies negative.

To the 2nd Question he replies that he never heard or knew any Church rate particularly soe named made for the repaire of the Church of High Littleton, but sayth that the wardens for the tyme being did gather the mony for the Church according to the poore rate and, just as every man was rated to the Poore, soe they paid to the Church, excepting that estate which the said Mr HODGES doth now enjoy & that other part of the same which is leased out, for which there was a deduction made for the repaires of the body of the Church, out of which sum soe gathered the wardens paid the maimed soldiers & Hospitall. And further he depones he knoweth not.

To the 3rd Question he replies that he hath seen the rate written into the Church book & now in question & beleives the same to be written by Mr JONES the Producent. And further he replies he knoweth not.

To the 4th Question he replies he does not know, saving that he hath not heard that any of the parish hath refused to allowe of his particular rate as he is rated, saving the defendant.

To the 5th Question he replies that he never knew any person occupiere of the estate wherein the defendant now liveth serve the office of Churchwarden, or of that estate that W'm MANDRELL now liveth, being parte of the said Mr HODGES's estate, but only that one John DANDOE, as he hath heard, did serve the office of Churchwarden for High Littleton, who liveth in parte of Mr HODGES' howse which he now enjoyeth. And further he depones he knoweth not.

To the 6th Question he replies that he beleiveth there are some estates in the parish that hath not served the office of Churchwarden, namely such as have been newly divided & being one formerly are now leased out to two or three, but sayth that he beleiveth that all aunsient estates in the Parish have served the said office. And further he replies he knoweth not.

To the 7th Question he replies that the owners of the estate which Mr HODGES doth now enjoy have, for as long as this deponent can remember, repaired the Chancell, saving that he don't know that the said John DANDOE, who lived in parte of the said Mr HODGES' howse & had a lease thereof, ever repaired the said Chancell or any parte thereof. And further he replies he knoweth not.

To the 8th Question he replies that there are two wardens chosen yearly for High Littleton, whereof one is of Hallatrow & the other of Littleton & soe there are this yeare, namely Mr JONES and one John HILL, but whether Mr JONES hath the said HILL's consent or the major parte of the parish for the carrying on this suit, he knoweth not. And further he replies he knoweth not.

To Question 9 he replies that he believeth that the rate now in question & shewn to him at the time of his Examination is proportionable to the rest of the rates made in the parish, saving that in things concerning the body of the Church, Mr HODGES had heretofore a deduction usually made, because of his repaireing the Chancell. And further he replies he knoweth not.

To the 10th & 11th Questions he replies that there are certainly gleabe lands belonging to the Rectory of Littleton but, how to distinguish the same, he knoweth not. And further he depones he knoweth not.

[Signed] Robert LANGFORD

Deposition of **John HARRIS** of Hallitrow in the parish of High Littleton in the County of Somerset, farmer, who has lived there since infancy and is 44 years old or thereabouts.

To the 7th & 8th Articles of the Allegations aforesaid he depones and says that he hath heard that notice was given in the parish Church of High Littleton for the makeing a rate for the Church for this yeare but, whether he was then at church, he knoweth not but sayth that he was not there at the day when the said rate was made & therefore cannot tell how every man was rated. And further he replies he knoweth not.

To the 9th Article of the Allegations aforesaid he depones and says that the defendant Mr HODGES hath an estate in the parish of High Littleton which is commonly called the Farme and the said Mr HODGES and his Father before him are called Farmers; But, whither the said estate be Farme or noe, he knoweth not, but sayth that the whole estate, if it was all in hand, would be worth, as he beleiveth, an hundred & fifty pounds p. annum. And further he replies he knoweth not

To the 10th he says he does not know.

On the rest he is not examined.

[Signed] John HARRIS

The same *[John HARRIS]* on interrogation:

To the first Question he replies negative.

To the 2nd Question he replies that he never knew any rate heretofore made particularly for the Church of High Littleton but sayth that, when there was an occation to gather mony for the repaire of the Church, the wardens applyed themselves to the Poore rate and, just as every one was rated to the Poore, soe they paid to the Church, only Mr HODGES excepted, for that he was usually allowed or he declyned his proportion of such mony as was laid out in repairing the body of the Church, but sayth that the wardens did usually, out of the same, pay the Maimed soldiers & Hospitall mony. And further he replies he knoweth not.

To the 3rd he replies he does not know, for that he was not present when the said rate was made.

To the 4th Question he replies that he was not present when the rate was made & therefore cannot answeare any thing to this interrogatory.

To the 5th Question he replies that he hath heard that one John DANDOE, who lived in parte of the howse that Mr HODGES doth now live in, did serve the office of Churchwarden in the said parish but, whither it was for that parte of the howse that he then lived in or any other estate, he knoweth not. And further he replies negative.

To the 6th Question he replies that he knoweth not but that all the estates in the Parish of Littleton have served the office of wardens. And further he replies he knoweth not.

To the 7th Question he replies that Mr HODGES & his predecessors in the howse he now dwelleth have repaired the Chancell for as long as he can remember, as Rectors of the Parsonage of Littleton, at their owne cost & charge. And further he replies he knoweth not.

To the 8th Question he replies that there are usually two wardens chosen for the Parish of High Littleton and are for this yeare Mr JONES being one and one John HILL the other but, whither Mr JONES hath the consent of the said HILL for the carrying on this suit, he knoweth not, neither doth he know whither any or how many of the parishioners doe consent thereto. And further he replies he knoweth not.

To Question 9 he replies that he knoweth not but that the rate now shewn to him at the tyme of his examination is a just rate, proportionable with all other rates in the parish. And further he replies he knoweth not.

To the 10th & 11th Questions he replies that he knoweth not any particular Gleabe lands belonging to the Parsonage of High Littleton. And further he replies he knoweth not.

[Signed] John HARRIS

Deposition of **Jacob CARTER** of High Littleton in Somerset, spinster, who has lived there for 38 years.

To the 7th & 8th Articles of the Allegation aforesaid he depones and says that sometime this last yeare notice was given in the parish Church of High Littleton for makeing a rate for the Church and at the day appoynted, when severall of the parishioners mett, this deponent was there alsoe & there sayth that the maine body of the rate was brought ready made to the Church and when the same was so so and to be confirmed, some differences did arrise betweene Mr JONES the warden & Mr HODGES the defendant, who was then present, concerning the said Rate, whereupon this deponent, se[e]ing the same, went his way and did not heare the finall determination of the business, neither doe he know at what proportion the rate was made, for that he could not read it, but when it was read he heard that the said Mr HODGES was charged at 19d. towards the said rate, which he refused to allow, alleading that he never paid any thing towards the said Church before & to it's reparations and at the beginning of the said differences he, this deponent, left them, as before is explainned.

To the 9th Article of Allegation aforesaid he depones and says that Mr HODGES the defendant liveth in a howse in the Parish of High Littleton called the farme howse & soe t'was called in the said Mr HODGES's Father's tyme, but what it is worth yearly he cannot judge, nor how much thereof is Farme or whither is any soe, he cannot tell. And further he depones he knoweth not.

To the 10th he replies he doesn't know.

To the last he depones that the aforesaid is true etc. And further he depones he knoweth not.

[Mark] Jacobe CARTER

The same [**Jacob CARTER**] on interrogation:

To the first Question he replies negative.

To the 2nd Question he replies that he never knew any rate made for the Church within the parish of High Littleton before the rate now in question & sayth that heretofore, when they gathered any mony for the Church, the Wardens applyed themselves to the Poore rate, by which they gathered the mony for the repaire of the Church. And further he replies he knoweth not.

To the 3rd question he replies that he doesn't know, for that he cannot read writen hand.

To the 4th Question he replies that at the day appoynted of beforehand, there was but few of the parish that did meet in the said parish Church to make the said rate and he heard noe body except against the said rate but the said Mr HODGES. And further he replies he knoweth not.

To the 5th he replies that he cannot remember that ever any of the occupiers of Mr HODGES's estate, or that estate that W'm MANDRELL doth now enjoy, did ever serve the office of Churchwarden. And further he replies he knoweth not.

To the 6th he replies that he cannot at present remember but that every estate (except before excepted) in the said parish hath served the office of Churchwarden. And further he replies he knoweth not.

To the 7th Question he replies that Mr HODGES now doth, & his Father before him & soe his predecessors for as long as he doth remember, hath repaired the Chancell of the parish Church of High Littleton when occasion did serve. And further he replies he knoweth not.

To the 8th Question he replies that there are usually two Churchwardens chosen for High Littleton & soe there are for this yeare and this deponent beleiveth that Mr JONES the Producent hath not the consent of the major part of the parish or of his fellow Churchwarden for the carrying on of this suite.

To the 9th Question he replies that he beleiveth that the rate now read to him & entered in the Church booke of High Littleton, being the same confirmed by the Bishop of Bath and Wells and his Chancellor, is charged proportionably with the rest of the rates of the said parish, but sayth that he cannot depose that it was accordingly soe gathered, for that there was usually an allowance made to Mr HODGES for such things as did concerne the reparation of the body of the said Church. And further he replies he knoweth not.

To 10 he replies he does not know.

To 11 he replies that he refers to his previous statement. And further he replies he knoweth not.

[Mark] Jacobe CARTER

Deposition of **Edward JONES**, parishioner of High Littleton in the County of Somerset, who has lived there for 24 years and is 57 years old or thereabouts.

To the 8th & 9th Articles of the Allegation he depones and says that when the Church rate now in question was made and agreed upon he, this deponent, was present with several others of the Parish and sayth that, upon

consideration that the said Parish Church of High Littleton was much out of repaire, they then concluded to make a rate and did then agree that every parishioner of the said parish should be rated to the Church according as they were rated to the Poor, excepting the parsonage, which is not rated to the Church & other rates in the said parish. And sayth that the usuall method of rateing in the said parish is to charge every inhabitant with about four pence p. annum for every twenty pounds [*? shillings intended*] p. annum which he enjoyes in the said parish and, according to that proportion as nigh as possibly they could, the rate now in question was made. And farther sayth that the Defendant Mr HODGES hath an estate in the said Parish of High Littleton called the farme & has been soe called soe long as he can remember or ever heard, worth as he beleiveth about an hundred pounds a yeare, for which he was rated proportionable to what he was rated to other rates, viz't 4d. p. ann. for every 20s. per ann. or thereabout, but whither the said estate, which he now doth enjoy, is all of it Farme, he knoweth not but he hath heard it said by one John HEDGES, who was son to the man that first did purchase the said estate, and is great uncle to the Defendant, that the Parsonage alone as to the Gleabe was very small besides the Tyths, which Tyth is worth neere four score pounds per annum, for which the said Mr HEDGES is not any wayes rated to the said Church; Moreover he, this deponent, sayth that Anno 1662 he was Churchwarden of High Littleton and demanding mony for the repaire of the said Church of Mr Thomas HEDGES, father to the said Defendant, who then enjoyed the same estate that the defendant now doth enjoy, he the said Mr HEDGES did then tell this Deponent that the farme was payable to the Church, but that there was some lands intermet therewith that was Parsonage, for which he was not to pay, in which this deponent could not contradict him because he was a new comer to the Parish, soe he made him some allowance as by his accompt in the booke, now shew to him for the yeare 1662, in which he was warden as aforesaid, it may appeare. And further he depones he knoweth not.

Upon the last he is not examined.

[*Signed*] Edward JONES

The same [*Edward JONES*] upon interrogation:

To the 1st Question he replies that he is not any way related in blood to either of the parties litigant but sayth he is related to both by marriage, and to the other things he replies negative, saving that he is very well satisfied of the danger of taking a false Oath.

To the 2nd Question he replies that he don't remember that there was evere a Church rate made & confirmed by the Bishopp or his Chancellor before this for the parish of High Littleton, but sayth that the Wardens of the parish for the tyme being did usually gather a rate for the Church by that for the Poore, only the Parsonage excepted, for which there was not any thing demanded and further he replies he knoweth not.

To the 3rd Question he replies that he cannot positively tell who did write the rate now shew unto him in the said Church booke, but sayth it was made according to the Poore rate excepting in that of the Parsonage and that in confirmation of the same this deponent did subscribe his name thereto and further he replies he knoweth not.

To the 4th he replies that, when the said rate was made, he don't remember that any person, except Mr HEDGES the defendant & his Father excepted, did disallow of the said rate. And further he replies he knoweth not.

To the 5th Question he replies that one John DANDOE, who did live in parte of the Farme house now in question, did formerly serve the office of Churchwarden, who had noe other estate in hand in Littleton at that tyme. And further he replies he knoweth not.

To the 6th he replies he knoweth not.

To the 7th Question he replies that the owners of the estate the defendant now liveth in and soe likewise the said defendant, as they had the Parsonage of Littleton, did & doe repaire the Chancell of the Church there.

To the 8th Question he replies that there have been usually two wardens chosen yearly for Littleton parish & is soe this yeare, but wither the other warden, whose name is HILL, doe consent to the carrying on this suite, he knoweth not, but sayth that he heard the said HILL say that he would joyne with Mr JONES to present Mr HODGES for not paying the Church rate. And further he replies he knoweth not.

To 9 he replies that the rate now in question, to the best of his knowledge, agrees with the rest of the rates in the Parish, excepting that the Parsonage is not rated to the Church. And further he replies he knoweth not

To 10 he replies that he can say noe more than what he hath said before.

To the rest he refers to what he stated before & to the causes deponed aforesaid.

[*Signed*] Edward JONES

Deposition of **Richard CHALLONER**, parishioner of Clutton in the county of Somerset, gentleman, who has lived there for 30 yeares and is 71 yeares old or thereabouts.

Upon the aforesaid Allegations & exhibits he depones and says that the memorandum on the backside of the second Exhibit mentioned in this Allegation is of this deponent's owne handwriting and, when the same was soe written, Thomas MILLARD als. HODGES the elder and John BRITTEN (the two persons mentioned in the said Exhibit) were present, to the best of his remembrance, & that the same was soe written by the consent of each of them. And he further deposes and sayth that the last or 4th Exhibit mentioned in this Allegation is alsoe of this

deponent's own hand writing and that he did write the same out of a Court Roll at the request of John BRITTEN the younger, who brought the said Court Roll to this deponent and, when this deponent had written the same, he delivered it to the said John BRITTEN, who carried it as also the roll away with him, and sayth that the same is a true Copy of the said Court Roll, to the best of his knowledge, for that he examined the same & hath subscribed his name thereto in Testimony of the truth thereof. And further to the said mentioned Allegation & Exhibit he depones he knoweth not.

[Signed] Rich. CHALONER

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

To 2,3,4,5,6,7,8,9 and 10 Questions he depones he knoweth not.

To 12 he replies that, when the said second Exhibit came to be signed & sealed by the parties therein mentioned, he, this deponent, did write the said Memorandum as one Mr Thomas HYPPESELY, a witness thereto, did dictate, he the said Mr HYPPESELY being a Barrister at Law and sayth, that when the same was soe written & the said deed soe signed & sealed by the said parties, the said Mr HYPPESELY, one Peter LOCK & this deponent did subscribe their names thereto as witnesses. And further he replies he knoweth not

To the 13th he replies that, to the best of this deponent's remembrance or knowledge, the said 4th Exhibit is the whole of that Roll from which it was transcribed, there being noe mention made of any other Lands than what is mentioned in the said Copy and sayth that the Originall Roll was parchment but, whither he received any thing for transcribing the same, he cannot now remember. And further he replies he knoweth not

[Signed] Rich. CHALONER

The Act Book, in which one would have expected to find the verdict, has been lost. However, it is noted in "Cases in the Court of Arches 1660-1913" by Jane HOWTON (Phillimore BRS 85) that John HILL, Churchwarden of High Littleton, brought a case against Samuel JONES, concerning the assessment of Church Rates, at the Court of Arches, the ecclesiastical court of appeal, in 1684. This probably relates to the same matter.

The documents relating to the latter case have not been studied but JONES must surely have lost the argument about HODGES paying Church Rates because it became an established principle that, because the rector bore the expense of maintaining the chancel, he should be exempt from Church Rates.