

SUMMARY The documents below are the bill of complaint dated 26 April 1615, answer dated 5 May 1615, and order dated 22 May 1615 in a lawsuit brought in the Court of Chancery by Sir Thomas Bendish (d.1636), Edward Newport, William Thursby, Robert Dormer and Mary, his wife, William Shakespeare (1564-1616) of Stratford upon Avon, gentleman, and Richard Bacon against Mathy or Mathias or Matthew Bacon (d.1639) concerning evidences for a message in the Blackfriars.

The lawsuit was discovered by Dr Charles William Wallace, and published, transcribed and discussed by him in 'Newly Discovered Shakespeare Documents', *University Studies of the University of Nebraska*, Vol. V, No. 4 (October 1905), pp. 347-56 at pp. 352-6, available online at:

<http://www.archive.org/details/universitystudie51905univ>

For a facsimile, see the Shakespeare Documented website at:

<http://www.shakespearedocumented.org/exhibition/document/sir-thomas-bendish-william-shakespeare-et-al-v-matthew-bacon-relating-title>

See also FOLGER MS Z.c.22(45) on this website.

PERSONS MENTIONED IN THE LAWSUIT

Sir Thomas Bendish

Sir Thomas Bendish (d.1636) esquire, of Steeple Bumpstead, was the eldest son and heir of Thomas Bendish (d.1603) by Eleanor Ford, daughter and co-heir of John Ford of Hockley, Essex. See Burke, John and John Bernard Burke, *A Genealogical and Heraldic History of the Extinct and Dormant Baronetcies of England, Ireland and Scotland*, 2nd ed. (London: Scott, Webster, and Geary, 1841), p. 56 at:

<http://books.google.ca/books?id=DqkTAAAAYAAJ&pg=PA56>

Robert Dormer and his wife, Mary

Robert Dormer appears to have been related to John Dermer or Dormer, gentleman, of London, who purchased properties in the Blackfriars from Sir George More of Loseley. See the National Archives online catalogue:

Reference: LM/348/294

Title: Bargain and sale 1) Sir George More of Loseley 2) John Dermer, alias Dormer, of London, gent. Two messages in the precinct of Blackfriars, London, occupied by John Robinson and Henry Boice for £130.
Date: 18 Feb 1602

Held by: Surrey History Centre, not available at The National Archives

See also:

<http://www.surreyarchives.org.uk/CalmView/Record.aspx?src=CalmView.Catalog&id=L M%2fSectionG%2f5%2f4%2f1%2f95&pos=28>

In his will, dated 27 August 1609 and proved 9 September 1609, TNA PROB 11/114/315, John Dermer or Dormer leaves to William Dormer, son of his brother, William, ‘the messuages, houses or tenements which I late bought of Sir George More, knight, adjoining to the said message or tenement now in the tenure of the said John Robinson situate and being in the precinct called the Blackfriars’. The testator also mentions Robert Dormer, son of his uncle, John Dormer. This Robert Dormer would appear to be the Robert Dormer mentioned in the lawsuit, although how he acquired the Blackfriars property is unclear. For John Dormer, see also Laoutaris, Chris, *Shakespeare and the Countess*, (London: Fig Tree, 2014), pp. 278-9, 451-2:

An indenture of 18 February 1602 was signed by a John Dermer, who may be the John le Mere (also known as John de Mere or de Mer), who was a Paris-born goldsmith and member of the French Church. Dermer gave George More £130 in hand to purchase several tenements, one of which had been in the tenure of the Dutchman Harman Buckholt, who was also a goldsmith. The document reveals that Buckholt had later passed this property on to John Robinson, a ‘cordwainer’.

William Shakespeare of Stratford upon Avon

For his interest in property in the Blackfriars, see:

<http://www.shakespearedocumented.org/shakespeare-purchases-blackfriars-gatehouse>

William Blackwell the elder and William Blackwell the younger.

For William Blackwell the elder (d.1570?), Town Clerk of London, and William Blackwell the younger, see the will of William Blackwell (d.1570?), TNA PROB 11/52/400.

Anne (nee Blackwell) Bacon

For Anne Blackwell Bacon, see the will of her father, William Blackwell (d.1570), *supra*, the will of her mother, Margaret Campion Blackwell (d.1586), TNA PROB 69/398, and the will of her husband, Thomas Bacon (d.1577) of Lavenham, Suffolk, TNA PROB 11/59/473. Anne Bacon’s husband, Thomas Bacon, was bailiff of the 16th Earl of Oxford’s manor of Lavenham, and according to Machyn, was Serjeant of the Acatry to Queen Mary. See Nichols, John Gough, ed., *The Diary of Henry Machyn*, (London: Camden Society, 1848), pp. 300-1 at:

<https://books.google.ca/books?id=5nZAAQAAMAAJ&pg=PA300>

Modern spelling transcript copyright ©2011 Nina Green All Rights Reserved

<http://www.oxford-shakespeare.com/>

The (blank) day of February was christened at Saint Andrews in the Wardrobe George Bacon, the son of Master Bacon, squire, sometime Serjeant of the Acatry by Queen Mary's days. His godfathers were young Master George Blackwell and Master Walpole, godmother, Mistress Sens Draper of Camberwell beyond Newington, and after, great cheer. . . .

The same day [=8 March 1563] Mistress Bacon was churched at Saint Andrew's in Wardrobe, the wife of Master Bacon, Serjeant of the Acatry unto Queen Mary, and after she went home unto her father's house, Master Blackwell, and so she and a great company of gentlewomen had a great dinner as could be had as for Lent as for fish.

See also Chambers, E.K., *William Shakespeare: A Study of Facts and Problems*, Vol. II, (Oxford: The Clarendon Press, 1930), pp. 165-6 at:

<https://archive.org/stream/in.ernet.dli.2015.182554/2015.182554.William-Shakespeare-Voll-Ii#page/n177>

Mathias or Mathy or Matthew Bacon

For Anne Bacon's son, Mathias Bacon (d.1639) of Gray's Inn, see his will, TNA PROB 11/180/622.

Richard Bacon

For Anne Bacon's son, Richard Bacon (d.1527?), citizen and apothecary of London, see his will, dated 12 June 1527 and proved 25 February 1528, TNA PROB 11/153/264, and the Bacon pedigree, signed by Mathy Bacon, in Howard, Joseph Jackson and Joseph Lemuel Chester, eds., *The Visitation of London, Anno Domini 1633, 1634, and 1635, Vol. I*, (London: Harleian Society, 1880), Vol. XV, p. 38 at:

<https://books.google.ca/books?id=yb7UAAAAMAAJ&pg=PA38>

xxvjto die Aprilis 1615 [=26 April 1615]
Saunders

To the right honourable Sir Thomas Egerton, knight, Lord Ellesmere and Lord
Chancellor of England

Humbly complaining showeth unto your honourable Lordship your daily orators, Sir Thomas Bendish, baronet, Edward Newport and William Thoresbie [=Thursby?], esquire, Robert Dormer, esquire, [INTERLINED: and Mary, his wife, William Shakespeare, gentleman], and Richard Bacon, citizen of London:

That whereas your orators be and are severally lawfully seised in their demesne as of fee of and in one capital messuage or dwelling-house with their appurtenances with two courtyards and one void plot of ground sometimes used for a garden on the east part of the said dwelling-house, and so much of one edifice as now or sometimes served for two stables and two haylofts over the said stables, and one little coal-house adjoining to the said stables lying on the south side of the said dwelling-house, and of another messuage or tenement with th' appurtenances now in the occupation of Anthony Thompson and Thomas Perckes [INTERLINED: and of their assigns, & of a void piece of ground whereupon a stable is builded to the said messuage belonging], and of several other houses divided into several lodgings or dwelling-houses, together with all and singular cellars, sollars, chambers, halls, parlours, yards, backsides, easements, profits and commodities thereunto severally belonging, and of certain void plots of ground adjoining to the said messuages and premises aforesaid or unto some of them, and of a well-house, all which messuages, tenements and premises aforesaid be lying within the precinct of Blackfriars in the city of London or county of Middlesex, late the messuages, tenements and inheritances of William Blackwell th' elder, Henry Blackwell and William Blackwell the younger, and of Anne Bacon, or of some or one of them, unto which foresaid capital messuages, tenements and premises aforesaid several deeds, charters, letters patents, evidences, muniments and writings be and are belonging and appertaining and do belong unto your orators, and do serve for the proving of your orators' lawful right, title, interest and estate in, to and unto the foresaid messuages and premises, all which foresaid letters patents, deeds, evidences, charters, muniments and writings aforesaid were left in trust with Anne Bacon, deceased, for and unto the use and behoof of your orators;

Now so it is, may it please your honourable Lordship, that the said Anne Bacon being lately dead, and Mathye Bacon being her sole executor, the foresaid letters patents, deeds, charters and evidences, muniments and writings aforesaid be since her death come unto and now be in the hands and possession of the foresaid Mathye Bacon, who doth not claim any right, estate or interest at all in or unto the foresaid messuages or tenements, yet nevertheless the said Mathye Bacon, knowing the messuages, tenements, letters patents, deeds, evidences, charters, muniments and writings aforesaid to be belonging and only to belong to your orators, doth nevertheless withhold, keep and detain away from your orators the foresaid letters patents and other deeds, evidences, charters, muniments and writings aforesaid, and will not deliver the same unto your orators, whereby your orators be in great danger for to lose and be disinherited of the messuages, tenements and premises aforesaid;

In tender consideration whereof, and forasmuch as your orators have no remedy at and by the course of the common laws of this realm for to have the said letters patents, deeds, charters, muniments, evidences and writings delivered unto your orators for that your orators do not know the certain dates nor particular contents of them, nor whether they be in box, bag or chest sealed or locked, therefore that the said Mathy Bacon may make direct answer unto the premises and may set down expressly what letters patents, deeds, evidences, charters, muniments or writings he hath in his hands or knoweth where they be which concern your orators or the messuages and premises aforesaid or any of them, and the same may bring into this honorable court to be delivered unto your orators, may it

please your Lordship to grant to your orators his Majesty's most gracious writ of subpoena and also of ducens tecum unto him, the said Matthew Bacon, to be directed, commanding him thereby at a certain day and under a certain pain therein to be limited personally to be and appear before your Lordship in his Majesty's High Court of Chancery then and there for to make answer unto the premises, and also to bring with him the said letters patents, deeds, evidences, charters and writings into this honourable court and to stand to and abide such further order therein as to your honourable Lordship shall be thought fit, and your Lordship's daily orators shall be in all duty bound to pray for your good Lordship in all health and happiness long to continue.

Lock

Iur{atus} 5 Maij 1615 Mat{thew} Carew
Pennyman

The answer of Mathye Bacon, gentleman, defendant, to the bill of complaint of Sir Thomas Bendish, baronet, Edward Newport, esquire, William Thursby, esquire, Robert Dormer, esquire, and Mary, his wife, William Shakespeare, gentleman, and Richard Bacon, citizen of London, complainants

The said defendant, saving to himself now and all times hereafter all advantages and benefit of exception to all and every the incertainties & insufficiencies of the said bill of complaint, saith that he thinketh it to be true that the said complainants are lawfully severally seised in their demesne as of fee of and in one capital messuage or dwelling-house with th' appurtenances and other the tenements, stables, edifices and void grounds mentioned in the said bill of complaint;

And likewise thinketh it to be true that the same were late the messuages, tenements and inheritances of William Blackwell the elder, deceased, Henry Blackwell and William Blackwell the younger, and of Anne Bacon, deceased, mother of the said defendant, or of some of them;

And this defendant further saith that he doth not now claim to have any estate, right, title or interest of, in or to the said premises or any part or parcel thereof;

And he also saith that one letters patents and certain deeds, evidences, writings and muniments concerning the said messuages, tenements and other the premises mentioned in the said bill of complaint or some of them are come to the custody & possession of this defendant as executor unto the said Anne Bacon, his mother, but this defendant denieth that the said letters patents, evidences, writings and muniments or any of them were left in trust with the said Anne Bacon for and to the use and behoof of the said complainants or any of them, to the knowledge of this defendant, in any such manner as in the said complainants' bill is set forth and alleged;

And this defendant further saith that he doth not certainly know whether the said letters patents, evidences, writings and muniments do only belong unto the said complainants or any of them, or to any other person or persons as well as to the said complainants, and therefore he, this defendant, hath detained the same until such time as he may be lawfully and orderly discharged thereof upon his delivery of the same;

Ands so as he may be discharged and saved harmless from all further trouble, charge and damage which may hereafter happen unto him for or concerning his possession of the said letters patents, deeds, evidences, writings and muniments he, this defendant, is and will be ready to deliver all such letters patents, evidences, writings and muniments concerning the premises as came to the custody and possession of this defendant to his knowledge and do of right belong unto the said complainants or any of them unto such person or persons and in such sort as this honourable court shall order and think meet;

Without that that any other matter or thing in the said bill of complaint mentioned material or effectual in law to be answered unto and hereinbefore not sufficiently answered unto, confessed and avoided, traversed or denied, is true;

All which this defendant is and will be ready to aver, maintain and prove as this most honourable court shall award, and humbly prayeth to be dismissed forth of the same with his reasonable costs and charges in this behalf most wrongfully sustained.

Blakwell

Sa(?) hec

TNA C 33-127, f. 1074

xxijdo die maij [=22nd day of May]

Thomas Bendish, knight & baronet, Edward Newport et al{ij} plaintiffs, Mathias Bacon, gentleman, defendant

Whereas this court was this present day informed by Mr Richard Moore, being of the plaintiffs' counsel, that the said plaintiffs, being seised in fee of and in one capital messuage with the appurtenances situate in Blackfriars, and that divers the letters patents, deeds, evidences, charters, muniments and writings concerning the same did heretofore come unto the custody of Anne Bacon, the defendant's mother, as executrix to her mother, who lately died and made the defendant her executor, and that by means hereof the said letters patents, deeds, evidences and charters, muniments & writings are now come unto his hands, for obtaining whereof the said plaintiffs have exhibited their bill into this court, whereunto the defendant, having answered, doth by his said answer confess that one letters patents and certain deeds, evidences & writings & muniments concerning the said messuages and premises in the bill mentioned are come into his

hands and possession, the said defendant, not making any title thereunto, but desiring that he may be orderly discharged thereof upon delivery of the same as this court should think fit, and therefore it was desired that the said letters patents and other the deeds, evidences and writings so confessed might be brought into this court upon the defendant's oath;

It is thereupon ordered that the said defendant shall bring into this court all the said letters patents, deeds, evidences, writings & muniments so by him confessed to be in his custody or possession upon his oath, here to remain to be disposed of as shall be meet, and for that purpose the plaintiffs may take process against the defendant if they will.