

C2/JASI/B35/10

CHANCERY PETITION: RICHARD BANCROFT v. BONHAM NORTON,
JOHN BILL, RICHARD TOMES, CHRISTOPHER WILLSON,
WILLIAM HAMOND, JOHN WOLLEY, WILLIAM
WRENCH, AND RICHARD TAYLOR

(1) The Petition of Richard Bancroft (executor to the late Richard Bancroft,
Archbishop of Canterbury)

[Endorsed] 27 January 1615

To the Right Honble S^r Thomas Egerton Knight Baron of
Ellesmere and Lord Chancello^r of England

1. In all Humble manner sheweth vnto yo^r Ho^{ble}: Lo^p: yo^r daylie Orato^r Richard Bancroft of Wilsdon Esquie^r Execto^r of the Last will and Testamen^t of the Reuerend ffather in god Richard late Archbishopp of Canterbury |
2. deceased That whearas the said late Archb^p in his life tyme was a man well knowne throughout the wholl Course of his life by all meanes to eschew and avoid the beinge indebted vnto any person |
3. or persons but most espetialye to any Bookbynders or bookesellers for any bookes whatsoever that he should buy here or reserve from them And that was his daylie Chardge and Comand at all tymes § |
4. (from tyme to tyme duringe the tyme of his beinge Archb^p) to his followers and Servants attendinge vppon and about him or Employed by him that they should not by any meanes fetch take |
5. Buy or receive any bookes for him or to his vse but that forwth vppon the Resceipt therof they should paye for the same, and the bette^r to observe his desire therein the said Arch^b did Contynually |
6. deliuer mony to some or one of his men or followers before him to paye for all such bookes as should at any tyme be brought or deliuered to his vse as aforesaid, for that the said Arch^b did well knowe the |
7. deceit of Book sellers and booke bynd^{rs} in that kynde and how vsually was and had bine wth them to demaunde great Sommes of mony after the death of some of the predecesso^{rs} of the said Arch^b and others |
8. his freinds and acquaintances for bookes w^{ch} they did sometymes give and sometymes were seised by and vnto the said Arch^b Now so yt is maye yt please yo^r Ho^{ble} Lo^p that § § § § § Bonham Norton |
9. and John Bill two book sellers on or about Paulles Church Yeard in London p^{re}tendinge that the said late Arch^b: in his life tyme was indebted vnto the said Norton and Bill have Confederated and § |
10. Combyned wth Richard Tombes Xpofer Wilson Willyam Hamond John Wollye Willyam Wrench and Richard Taylo^r persons vnknowne to yo^r Orato^r and that were neuer servants nor followers of the § |

11. foresaid Arch^b nor Employed by him and they all vppon the Combynacōn aforesaid vntrulie and vnconscionable p^{re}tend and surmise that the foresaid late Arch^b: did owe vnto them the said Bonham |
12. Norton and John Bill the Somme of ffower hundred fferty and eight pounds Tenn shillings and Tenn pence for Bookes whearas in truth as aforesaid the said Arch^b: did not owe vnto them |
13. nor vnto either of them not one peny at all yet neu^{er}theles the said defend^{ts} havinge a wicked intent and purpose for to par^{te} and share the said ffowre hundred fferty eight pownds Tenn § |
14. shillings and Tenn pence amongst themselves They the foresaid Norton and Bill have alreadye Comenced an Accōn at the Commōn Law against yo^r Orato^r for the said ffowre hundred fferty |
15. eight pownds Tenn shillings and Tenn pence wherof before yo^r Orato^r neu^{er} had notice of nor did they eu^{er} Clayme or demande the sume of yo^r Orato^r but yo^r Orato^r hath lately hard that the |
16. said Richard Tombes Xpfer Wilson Willyam Hamond John Wolley Willyam Wrench and Richard Taylo^r be the men that of late have incited the said Norton and Bill <to the said Suite and have and also Offer that they wilbe the witnesses of them the said Norton and Bill> to prove that the said |
17. Arch^b did owe the foresaid ffowre hundred ffertye eight pounds Tenn shillings and Ten pence vnto the said Bill and Norton Now for that yo^r Orato^r hath no waye nor means for to be |
18. releived at or by the Common Lawes of this Realme against the vnconscionable Confederaces and proceedinges aforesaid but hopeth that the foresaid Norton and Bill and other the § |
19. foresaid defendan^{ts} will Confesse there foresaid Confederacies and Combynacōns vppon there Answares in this Honorable Court And that the said defendan^{ts} may set downe vppon |
20. there Oathes by waye of Answer whether that they any or either of them did sell and deliuer vnto the foresaid Lord Arch^b the Bookes for w^{ch} they do demand the ffowre hundred fferty |
21. eight pounds Tenn shillings and Ten pence of yo^r Orato^{rs} and what bookes the same were and for whose vse or for what purpose the said Bookes were and what did become or is |
22. become of the said bookes or of either of them to there or either of the defendan^{ts} knowledge and whither they or either of them did like or demaund the said ffowre hundred fferty and eight § |
23. pounds Tenn shillings and eight pence of the said Lord Archbishop in his lifes tyme and what is the Cause that they have forborne to demand the said ffowre hundred fferty eight poundes Tenn |
24. shillings and Tenn pence of yo^r Orato^r and also set downe the tyme when the said bookes were sould or deliuered to the said Arch^b and the tyme when first the said Norton and Bill or any of the |
25. defendan^{ts} did first demaunde or aske the said ffowre hundred fferty eight poundes Tenn shillings and Tenn pence of yo^r Orato^r and the said Tombes Willson Hamonde Wolley Wrench and Taylo^r maye |
26. further set downe what Bookes they or either of them had or received of the said Norton and Bill or of any other to the vse of the said late Arch^b and what Authority or Comande they had from |

27. the said Arch^b so to doe, or whither they had there Aucthoritye from any others and what others and what is or did become of the said bookes and whether they the defendan^{ts} or any of them have themselves or had § |
28. themselves any or either of the <said Bookes> And that also the said Norton and Bill maye Answere directly yf they have not sayd and Confessed that yo^r Orato^r ought not to be Chardged in Conscience wth the said |
29. ffoure hundred fforty eight powndes Tenn shillinges and Tenn pence nor wth any par^{te} therof or what words they have vsed to that effect And whither they have not demanded the foresaid ffoure hundred fforty and |
30. eight powndes Tenn shillinges and Tenn pence of some other person and persons and of what other person and persons and also sett down how much of the said ffoure hundred ffortye eight pounds Tenn shillinges and Tenn |
31. pence is in truthe behinde and vnpaid and that the said defendan^{ts} maye be Ordered in the p^{re}misse and the foresaid vniust Anon at the Common Law against yo^r Orato^r Commenced maye be stayed Maye yt |
32. please yo^r hono^r to grante vnto yo^r said Orato^r his Ma^{ties} most gracious writt of Subpena to be directed to the said Bonham Norton and John Bill Richard Tombes Xpofer wilson Willyam Hamonde John Wolley |
33. Willyam Wrench and Richard Taylo^r and either of them Commandinge them therby at a Certayne daye and vnder a Certeyne parlynce therin to be Lymitted personally to be and appeare before yo^r Honorable Lo^p : |
34. Lo^p: in his Ma^{tes} High Court of Chancery then and there to Answere to the p^{re}mises and to stand vnto and abide such further Order [2 words illegible] yo^r Honorable Lo^p: shalbe thought meete for to Order in the §§ |
35. p^{re}mises and yo^r Orato^r accordinge to his Bounden dewty will daylie praye for yo^r Hono^r in health and happie longe to Contynue.

[FINIS]

(2) The reply of Bonham Norton, John Bill and others

For Bonham Norton et Johes Bill 16 Aprilis 1616

The ioynt and seuerall answeres of Bonham Norton John Bill
Richard Tombes Xpofer Willson | William Hamond John Wolley
William Wrench and Richard Taylor *defendants* to the Bill of |
complaint of Richard Bancroft Esquier Complaynant |

1. The sayd *defendants* saving vnto themselves all advantages of dycepcōn to the vncerteinty and insufficiency of the sayd Bill of *complaint* for direct answer therewith say as followeth And first the sayd § |
2. Bonham Norton and John Bill say That they these *defendants* and John Norton deceased were partners together in the Trade of Stacioners in the City of London And that the sayd *defendant* Bonham

3. Norton making his cheif abode in the County of Salop committed the trust and care of manageing the sayd Trade and ordering the ioynt stock belonging to the sayd trade vnto the sayd John |
4. Bill and John Norton And the sayd John Bill further for his part sayth that during the tyme of the sayd ioynt *partnership* and tradeing betwene him and the sayd John Norton and Bonham |
5. Norton the Right Reuerend father in god Richard late Archbishopp of Canterbury in the sayd bill of *complaint* named sent for this *defendant* John Bill wherevpon this *defendant* attending the sayd |
6. Lord Archbishopp he the sayd Lord Archbishopp acquainted this *defendant* John Bill that he the sayd Lord Archbishopp had occasion to vse diuers books for the furnishing of a Library and willed
7. this *defendant* to provide the same books in quiers or sheets vnbound and deliuered the same vnto the sayd other *defendants* Richard Tombes Christopher Willson William Hamond John Wolley William |
8. Wrench and Richard Tailor all of them being booke binders and appointed by the sayd Lord Archbishopp for the bindeing vp of the sayd books for the vse of the sayd Lord Archbishopp And |
9. the sayd Lord Archbishopp *promised* and vndertooke to make satisfaccōn and due payment for the sayd books so to be deliuered by this *defendant* wherevpon this *defendant* at seuerall tymes betwene |
10. the fift day of August in the yere of o^f Lord god one thousand six hundred and Ten and the fourth day of October then next following did deliuer vnto the sayd Tombes Willson Hamond Wolley |
11. Wrench and Tailor according to the aforesayd direccōns and appointments and to the vse of the sayd Lord Archbishopp diuers books in quiers belonging to the *partible* stock of this *defendant* and his sayd |
12. other Copartners All w:^{ch} books together w:th the prices thereof this *defendant* did from tyme to tyme as the same books were deliuered to the sayd bookebinders Cause to be sett downe in a shopp bookes kept by |
13. this *defendant* for that purpose and the same books so deliuered vnto the sayd bookebinders at easy and reasonable prices amounted vnto the somme of fouer hundred forty eight pounds Ten shillings and Ten |
14. pence (as by the sayd shopp booke (wherevnto for more certeinty (the *particulars* of the sayd books and prices being to long to be inserted into this answeare he this *defendant* referres himself may appeare w:^{ch} shopp |
15. booke this *defendant* hath bene allwayes ready to show vnto the sayd Complaynant Or to give vnto him a true copy or note of the sayd books and the prices of them And this *defendant* sayeth that |
16. he this *defendant* at the deliuey of the sayd books vnto the sayd Lord Archbishopp or to such as he appointed to receyve them ~~he this def~~ did deliuer vnto the sayd Lord Archishopp as aforesayd a note of |
17. all the sayd books reasonably prized and as aforesaid sett downe in this *defendants* shoppe booke Whereat the sayd Lord Archbishopp tooke no dislike or excepcōn But did sundry tymes *promise* vnto |
18. this *defendant* satisfaccōn of all the sayd sommes of mony But before payment made of any *part* of the sayd mony the sayd Lord Archbishopp dyed After Whose death this *defendant* did offentimes sollicite |

19. the sayd Complainant being execut^{rs} to the sayd Lord Archbishopp and did likewise sollicite diuers of the principall agents attendants and servants of the sayd Lord Archbishopp for satisfaccōn of the sayd mony |

20. and in the end vpon much importunity by this *defendant* and by the meanes and procurement of the most reuerend father in god the now Lord Archbishopp of Canterbury who well knew of the sayd |

21. debt owing for the same books by the sayd late Lord Archbishopp deceased he this *defendant* did receyve of one maister John Willson one of the Secretaryes of the sayd Late Lord Archbishopp (who was |

22. well acquainted wth the deliury of the sayd books by this *defendant* and wth the sayd debt) at Two seuerall tymes the somme of fifty pounds and Ten shillings and likewise by the appointmen^t of the sayd most Reuerend father |

23. the Lord Archbishopp that now is at two seuerall payments the somme of one hundred threescore and nine pounds thirtene shillings and fouer pence in part of satisfaccon of the sayd principall somme of |

24. fouer hundred forty eight pounds Ten shillings and Ten And this *defendant* having afterwards much importances the sayd Complaynant to satisfie the residue of the sayd principall debt |

25. being the somme of Two hundred Twenty eight pounds <seaven shillings six pence> did vtterly deny and refuse to pay the same albeit he receyved a very greate estate and advancement from the sayd Lord Archbishop deceased Wherevpon |

26. both these *defendants* Bonham Norton and John Bill say that they these *defendants* by the death of the sayd John Norton being solely intituled to the remaynder of the sayd debt have commenced suit at the |

27. Common Law against the sayd Complainant for the remayne of the sayd principall somme and do by their sayd suit seeke to recouer no more than the sayd iust remaynder and dammages of forbearance w^{ch} if the |

28. sayd Complainant will satisfie together wth the Costs of suit these *defendants* will surcease their sayd suit at the Common Law or otherwise by the favo^r of this hono^rable Court they hope they shall and may be |

29. permitted to proceed therein Wthout that that it is or ever Was vsuall wth these *defendants* or either of them or any other bookebinders or bookesellers to these *defendants* knowledges to make any such uniust |

30. demands as by the sayd bill is pretended Or that the sayd late Archbishopp had any cause so to conceive of these *defendants* as by the sayd Bill is sclannderrously surmised Wthout that that ?these |

31. *defendants* have combined or confederated wth any other of the sayd *defendants* vpon any such wicked and evill intent and purpose as is pretended by the sayd bill to share any mony amongst ?them |

32. or to have any thing but what is iustly and truly due vnto them Or that these *defendants* do pretend any more mony to be owing vnto them by the sayd Complainant then is in truth due [2 words illegible] |

33. it is true that the sayd Complainant had no notice of the sayd debt owing to these *defendants* Or that these *defendants* did not retayne or demand the same of the sayd Complainant before the sayd suit at the |

34. Common Law beganne But these *defendants* did oftentimes demand the sayd whole mony of the sayd Complainant shortly after the death of the sayd Lord Archbishopp and after satisfaccon of the aforesaid |

35. part thereof these *defendant* did likewise demand of the sayd *Complainant* the sayd remaynder of the sayd debt But the sayd *Complainant* did still refuse to pay any part thereof w:thout that that the *said* |
36. *defendants* have <bene> incited to the sayd suit at the Common Law by any other of the *defendants* as by the sayd Bill of complaint is vntruly surmised But these *defendants* say that the sayd other *defendants* do [2 words illegible] of |
37. the deliuery of the sayd books to the sayd Lord Archbishopp deceased or to his vse and that the sayd Lord Archbishop deceased was indebted vnto these *defendants* for the same and therefore [word illegible] |
38. *defendants* conceyve that the sayd *Complainant* hath cunningly made the sayd other *defendants* parties to this his suit in this ho: Co^t of purpose as these *defendants* conceyve to leave these *defendants* w:thout [word illegible] |
39. or witnesses for their sayd debt And both these *defendants* do seuerally for themselves deny that they these *defendants* did demand and the sayd somme of mony of any other person or persons more then of the [word illegible] |
40. sayd Testator in his lief tyme and since his death of the sayd *Complainant* and of some of the Testators agents and followers who were reported to have had in their hands part of the mony |
41. w:^{ch} the sayd Testator meant should goe to satisfie these *defendants* And both the sayd *defendant* Bonham Norton and John Bill do likewise seuerally for themselves deny that they have confessed that the |
42. sayd *Complainant* ought not to be charged w:th any part of the sayd debt Or that these *defendant* have vttered any speches to the same effect But these *defendants* say that they are verily perswaded in |
43. a good Conscience that the sayd *Complainant* alone ought to be charged w:th the sayd remayning somme for that the sayd debt was and is a iust debt owing to these *defendants* by the occasions aforesaid § |
44. and for that allso the sayd *Complainant* by his executorshipp [word illegible] <vnto> the sayd testato^{rs} hath receyved a very ample estate of the sayd testato^{rs} farre exceeding all debts owing or legacyes given by the sayd |
45. Testato^{rs}. And the sayd *defendants* Richard Tombes Christopher Willson William Hamond John Wolley William Wrench and Richard Taylo^r for themselves do seuerally answeere and say That the |
46. right reverend father in god the Lord Archbishopp of Canterbury deceased in the sayd bill named did make choise of these *defendant* for the bindeing vp of diuers books for his vse and did direct and appoint |
47. those *defendants* to fetch from one other of the sayd *defendants* John Bill the same books in quiers or sheets w:^{ch} books these *defendant* did seuerally at seuerall tymes betweene the sayd fyft day of August in the yere |
48. of o^r Lord God one Thousand six hundred and Ten and the sayd fourth day of October then next following fetch and receyve from the sayd John Bill for the vse and according to the direccōn [word illegible] |
49. appointments of the sayd Lord Archbishopp deceased And these *defendant* did see the same books so seuerally and respectively receyved by these *defendants* sett downe and inserted in a shoppe booke kept by the ?said |
50. John Bill vnto w:^{ch} shopp booke for more certainty what books were seuerally and respectively deliuered vnto these *defendants* they these *defendants* referre themselves to the sayd shopp booke And [2 words illegible] |

51. Richard Tombes Christopher Willson William Hamond John Wolley William Wrench and Richard Tailor : do seuerally and respectively for themselves further answere and say that all the sayd books [word illegible] |
52. or sheets so seuerally and respectively receyved by these *defendants* of the sayd *defendant* John Bill as aforesaid and w^{ch} were sett downe in the sayd shopp booke of the sayd John Bill were bound vp [2 word illegible] |
53. seuerally and respectively according to the dirrecōns and for the vse of the sayd Lord Archbishopp deceased and after the same books were so bound vp by these *defendants* seuerally and respectively they these *defendants* |
54. did carry and deliuer some of the sayd books so seuerally and respectively bound vp by these *defendants* vnto the sayd Lord Archbishopp deceased and the rest of the same books vnto some of the followers of the sayd ?Lord |
55. Archbishopp for the vse of the sayd Archbishopp And these *defendants* did from tyme to tyme as they so deliuered vp the sayd books bound vp receyve of the sayd Lord Archbishopp or his followers or servants ?the |
56. mony and wages due vnto these *defendants* for the <binding vp of the same books> same. And these *defendants* do further seuerally and respectively for themselves answere and say W:thout that that these *defendants* or any of them have plotted or ?combyned |
57. or confederated w:th any other of the *defendants* to charge the sayd Complainant as by the sayd Bill is suggested w:thout that that these *defendants* have any intent or purpose to share any mony in the sayd Bill of Complaint |
58. mencōned betweene these *defendant* or the other *defendants* But these *defendants* do seuerally for themselves say that they do not clayme nor any expect any part of the sayd mony to be vnto them yeelded W:thout that |
59. these *defendants* have incited the sayd other *defendants* or either of them to sue the sayd Compainant for any part of the sayd monny Or that these *defendants* have offered themselves to be wittnesses for the said other |
60. *defendants* And all these *defendants* for themselves seuerally say without that that any other matter or thing in the sayd Bill of complaint contened materiall to be answered vnto and therein not sufficently |
61. answered confessed and avoyded trauersed or denied is true All w^{ch} matters these *defendants* are ready to averre and prove as this ho: Co^t shall award And pray to be dismissed [word illegible] of the |
62. same Co^t w:th theyr reasonable Costs and Charges by them in this behalf most Wrongfully susteyned:

[Endorsed: words illegible]

[FINIS]

(3) The Replication of Richard Bancroft

The Replicacōn of Richard Bancroft Comp^{laint} to the Ioint and severall answeares of Bonham Norton John Bill | Richard Tomes Christopher Wilson William Hamond John Wolley William Wrench and others *defendan*^{ts} |

1. The said Comp^{lainant} savinge and reserving vnto himselfe nowe and at all times hereafter all advantages of excepcōns to the [word illegible] § |
2. Incertainties and insufficiencies of the defendan^{ts} Answeres the same beinge very insufficient and soe Certified by one of the § |
3. Maisters of this hono^{ble}: Court, Neverthesse for the speedinge of this Comp^{lainants} suite and that the same may the spedier § |
4. and sooner receive and come vnto an open and publique hearinge in this hono^{ble}: Court this Comp^{lainant} doth and will averr maintaine |
5. and Iustifye his foresaid Bill of Comp^{laint} and all the matters and thinges therein conteyned to be Iust and true in such manner and § |
6. forme as the same be and are in the Comp^{lainants} said Bill alleadged and declared And for further matter of Replicacōn sayth that |
7. his foresaid Bill is exhibited vpon good and iust ground And that the defendan^{ts} nor eyther of them ought not neyther in Lawe nor |
8. equitye for to haue Challenge or demaund of this Comp^{lainant} any debt at all And further sayth that the defendan^{ts} and eyther of them |
9. be satisfied and payed all such somme and sommes of money w^{ch} at any time was due to them for any the booke or bookes § |
10. mencōned by the defendan^{ts} or eyther of them or for w^{ch} the defendan^{ts} or eyther of them doe demaund or Challenge any somme of § |
11. money for Without that that this Comp^{lainant} doth owe or ought to paye vnto the defendan^{ts} or any of them the somme of two hundred |
12. twentye and eight pounds od money in the defendan^{ts} answeres mencōned or any other somme or sommes of money whatsoever And |
13. without that that the foresaid somme of 228^{li} od money or any parte thereof is vnpayed to the defendan^{ts} or any of them, And |
14. without that that any other matter or thing in the defendan^{ts} answeres or in eyther of the defendan^{ts} answeres mencōned or conteyned |
15. contrary against or repugnant to any the matters or allegacōns in the Comp^{lainants} Bill alleadged be true All w^{ch} this Comp^{lainant} |
16. will averr Iustifye and prove as this hono^{ble} Court shall award And therefore he this Comp^{lainant} doth humblie pray as in |
17. and by his said Bill of Comp^{laint} he hath prayed:

[Endorsed:] Lock

[FINIS]