

SUMMARY The documents below are from the lawsuit brought in the Court of Requests on 28 January 1612 by Stephen Belott against his father-in-law, Christopher Mountjoy, for the marriage portion allegedly promised by Mountjoy to Belott when Belott married Mountjoy's daughter, Mary, on 19 November 1604. One of the witnesses deposed in the case was William Shakespeare (1564-1616) of Stratford upon Avon, who had resided with the Mountjoy family for a time and who had allegedly negotiated the marriage at the request of the defendant.

The lawsuit was discovered by Dr Charles William Wallace, and published, transcribed and discussed by him in 'Shakespeare and his London Associates as Revealed in Recently Discovered Documents', *University Studies of the University of Nebraska*, Vol. X, No. 4 (October 1910), pp. 261-360 at pp. 263-304, available online at:

<http://www.archive.org/details/universitystudie101910univ>

For the documents in the lawsuit, see also Lewis, Roland B., *The Shakespeare Documents*, (Stanford: Stanford University Press, 1941), Vol. II, p. 427 at:

<https://archive.org/details/in.ernet.dli.2015.62225/page/n135>

One of the deponents in the lawsuit (see below) was Belott's stepfather, Humphrey Fludd. For a letter dated 6 May 1600 mentioning both Humphrey Fludd and Henry Wriothesley, 3rd Earl of Southampton, see PRO 30/50/2, a letter-book kept by Sir Henry Neville (d.1615):

Sir, I did not a whit mistake what I writ unto you concerning your letters, for proof whereof Humphrey Flood, who hath been here with the commanders of Dieppe, assureth me that he saw my Lord of Southampton's letter to me upon a table in your house, laid down amongst many other letters. And for Mr Secretary's letter, he told me himself at my coming over hither that he had sent it by the post in your packet. But for this, I do think it might very well be a compliment that it pleased Mr Secretary to use to me, and for the other, it might very well be lost, not being cared for by anybody. But Sir, these things are not worth any more the speaking of. I will not be jealous that you would willingly do me any wrong. And so will rest your very loving friend to do you service,

*R. Kelly
London 6 May 1600*

Endorsed: xxviiijo die Ianuarij Anno R{egni} R{egis} Iacobj Angl{ie} &c Nono et Scoti{e} xlvo [=The 28th day of January in the year of the reign of King James of England etc. the ninth and Scotland the 45th]

p{er} warr{antum}

To the King's most excellent Majesty

In all humbleness complaining showeth unto your most excellent Majesty your Highness' poor and faithful and obedient suppliant Stephen Belott of London, tire-maker, that whereas your suppliant about nine years sithence last past, being then a servant unto one Christopher Mountjoy of London, tire-maker, [+did] well carry and behave himself in the time of his said service with the said Christopher, both justly & to the great profit and advantage of the [+said] Christopher, as that thereby your said suppliant in all outward appearance did obtain the goodwill and affection of him, the said Christopher, in such sort as he then offered unto your said suppliant that if he would accept in marriage one Mary Mountjoy, being his daughter and only child, that then he would give in marriage with his said daughter unto your said suppliant the sum of threescore pounds or thereabouts for a portion upon your said suppliant's day of marriage or shortly after, and would likewise at the time of his decease leave unto your said suppliant and his said daughter the sum of two hundred pounds more;

Upon which offers of the said complainant [sic], and upon his persuasions, your said suppliant did shortly after intermarry with the said Mary, and have lived together by the space of these five years, and have had divers children betwixt them, to the great increase of their charge, and are likely to have many more, so that their poor trade is not able to give them maintenance, and your said suppliant lent the said Christopher the sum of forty shillings, which he denies to pay, or to perform his former promise;

But so it is, may it please your most excellent Majesty, that your said suppliant, growing since his said intermarriage with the said Mary into some want and necessity by the reason of the increase of his charge as aforesaid, your said suppliant therefore repaired unto him, the said Christopher, desiring him to satisfy and pay unto your said suppliant the said sum of threescore pounds so promised by him unto your said suppliant, as also to put in sureties to leave your suppliant and his wife two hundred pounds at his death, who altogether forgetting his fatherly promises nor pitying the distressed poor estate of your said poor subject and his great charge, very unnaturally doth not only now deny his said promise and refuse to pay the said sum of threescore pounds, but likewise denieth the payment of the said sum of forty shillings so lent him as aforesaid, and also hath sithence given forth divers times to divers persons that he intendeth not to leave unto your suppliant, his wife nor children, the value of one penny whensoever he shall depart this natural life, being not only to the great [+hurt] and hindrance of your said suppliant, his wife & family, but also to their utter undoing if they be not relieved by the justice of this honourable court, & being a man of good estate & without charge;

In tender consideration whereof, and forasmuch as by the strict course of the common laws of this realm your said poor subject is remediless either to recover the said threescore pounds so promised as aforesaid or to compel him, the said Christopher Mountjoy, to put in sureties to leave two hundred pounds to your Highness' poor subject & his wife at his death, being of late inclined to waste his estate, for that your said subject cannot prove the said promises in so strict manner as by the common law is required, or if

he could, yet hath not your said subject by the said common laws of this realm fit or apt remedy, neither is your said loyal subject able to prove the loan of the said forty shillings to the said Christopher Mountjoy, but persuadeth himself that the said Christopher, either to discharge a good conscience, as knowing perjury is a most damnable sin, or to avoid the punishment inflicted on such as count [sic] the said sin, may it therefore please your Highness, the premises considered, to grant unto your subject your Highness' most gracious writ of privy seal to be directed unto the said Christopher Mountjoy, commanding him thereby at a certain day and under a certain pain therein to be directed personally to appear before your Highness in your Highness' Court of Whitehall commonly called the Court of Requests, then & there to make a direct answer to the premises and to stand to such further order & direction therein as by your Highness or your said Council shall be thought meet to stand with equity & good conscience, and your said loyal subject according to his bounden duty shall heartily pray to God to prolong your Highness' happy reign and life long to continue.

Ralph Wormleighton

Tertio die ffebruarij A{nno} R{egni} R{egis} Iacobi Angl{ie} &c nono et Scot{ie} xlvo
 [=The third day of February in the year of the reign of King James of England etc. the ninth and Scotland the 45th]

The answer of Christopher Mountjoy to the bill of complaint of Stephen Belott,
 complainant

This defendant, all advantages of exception to the insufficiency and uncertainty of the said bill now and at all times saved unto him, for answer thereunto and for the manifest declaration of the truth saith that about ten years last past the defendant was contented [sic] at the entreaty of the said complainant's friends to accept of the complainant to serve him as a prentice to learn his trade, being a tire-maker, his said friends promising to find him convenient apparel while he should so continue in this defendant's service;

And the said complainant did serve this defendant as a prentice to learn his trade the space of six years or thereabouts, but during all the time of his said service neither the complainant nor any of his friends did, according to their promise, find him any apparel at all saving linen, but this defendant was enforced to find him all the residue of his apparel during all the said time, neither had the complainant during all the said time of six years any further or other relief or other maintenance from any of his friends, but was during all the said time wholly and solely maintained by this defendant;

And after the said complainant had served this defendant as aforesaid the said time of six years, then the said complainant was desirous to travel into Spain, and this defendant did furnish him with money and other necessaries for the journey to the value of six pounds or thereabouts, after which time the said complainant returned from his travel unto this defendant again, and was a suitor unto this defendant's daughter to marry her, and to that

purpose did move this defendant and his then wife for their consents for the marriage, which this defendant and his said wife, being poor and able to bestow little or nothing with their said daughter in marriage (save that this defendant had then brought her to a good perfection in his said trade of tire-making), was contented to yield unto, though the said complainant neither then had nor ever sithence to the knowledge of this defendant any money or other valuable goods or lands whatsoever from his said friends nor any other thing whatsoever but what he had gotten in this defendant's service and by the trade that this defendant had learned him;

And afterwards, viz., about five years past, the said complainant was married to the said daughter of this defendant, at which marriage it was agreed between the said complainant and this defendant that if the said complainant with his wife should continue and work in their trade to the benefit of this defendant in the house of this defendant during the space of two years or thereabouts after the said marriage, this defendant giving them convenient house-room and diet convenient for them so that this defendant might only have the benefit of their labours, then this defendant at the end of the said two years would give unto the said complainant fifty pounds or to that effect, as this defendant now remembereth, after which time the said complainant did for a little time remain in the house of this defendant accordingly, but after the said complainant and his wife had stayed in the house of this defendant as aforesaid the space of half a year or thereabouts, he refused to stay there any longer and would needs take other courses for his better preferment, as he then pretended;

And at the end of the said half year when the said complainant did depart from the house of this defendant, out of his love to the said complainant and his wife (being no other way compellable thereunto) did bestow on them a good proportion of household stuff and the things concerning their trade according to this defendant's poor ability, being to the value of twenty pounds or thereabouts, and likewise ten pounds of ready money to put into their purse, and did heartily desire their welfare, and likewise did intend to leave unto the said complainant and his wife, being the only child of this defendant, all or the most part of that estate which God should have blessed them [sic?] with at the time of his death, and also in his fatherly love to have been helpful to them from time to time according to his poor ability;

After which time that the said complainant was gone from the house of this defendant about a year, this defendant's wife died, and then the said complainant and his wife came again and lived with this defendant as partners in their said trade of tiring about the space of half a year, during which time this defendant had in his hands the sum of forty shillings of the complainant's money, and at the end of the said half year & about the time of the said complainant's departure from this defendant's house, the said complainant, being indebted unto a brewer the sum of three pounds, desired this defendant to pay it for him to the said brewer, which said sum of three pounds this defendant paid for the said complainant accordingly, but this defendant was never sithence repaid the said £3 or any part thereof other than the said 40s as aforesaid, and during the said half year that the complainant was with this defendant as aforesaid, this defendant did buy into the shop with his own money silvered wire and other commodities

concerning their trade to the value of ten pounds or thereabouts, for which the said complainant should by agreement have paid half, but did pay never a penny;

And this defendant absolutely denieth that he did ever to his knowledge offer unto the said complainant in marriage with his daughter the sum of threescore pounds or any portion or other sum whatsoever other than the said sum of fifty pounds at the end of the foresaid three years and upon the consideration as before is expressed;

And this defendant likewise denieth that he did ever promise to leave to the said complainant and his wife at his death the sum of two hundred pounds or any other certain sum, but as aforesaid did intend to deal with the complainant and his wife at the time of his death as it is fitting for a father to deal with his only child, but this defendant neither then could not yet can set down any certainty thereof for that this defendant both then was and yet is a poor man, and knows not how it will please God to bless him in his estate at the time of his death, nor how the said complainant and his wife will behave themselves towards this defendant in his lifetime whereby they may deserve this defendant's either more or less affection and love towards them;

And this defendant likewise denieth that he, to his knowledge, doth owe the complainant forty shillings or any other former sum of money whatsoever otherwise than as before is expressed;

And this defendant further saith that he did about a month sithence earnestly request the said complainant in the presence of his neighbours to account with him for the said reckoning between them, at which time the said complainant did give this defendant ill languages, and bid him come by his money how he could;

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

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

George Hartoppe

Quinto die Maij Ann{o} R{egni} R{egis} Iacobi Angl{ie} &c xo et Scot{ie} xlvo [=The fifth day of May in the year of the reign of King James of England etc. the 10th and Scotland the 45th]

The replication of Stephen Belott, complainant, to the answer of Christopher Mountjoy,
defendant

The said complainant, not confessing or acknowledging any matter or thing material or effectual in the said defendant's answer contained to be true in such sort, manner or form as in and by the said bill they are set forth and declared, saith that the said answer is in all or the most part thereof untrue, incertain and insufficient to be replied unto for many imperfections in the same appearing, all the advantages of exception to th' incertainties and insufficiencies whereof now and at all times hereafter to this complainant saved, this complainant for replication saith in all things as in his said bill of complaint he hath said, and doth and will aver, maintain, justify and prove his said bill of complaint and every matter, article and allegation therein contained to be true, certain and sufficient to be answered unto set forth and declared;

Without that that this complainant's friends at the time of his coming to be apprentice with the said defendant did promise to find this complainant convenient apparel while he should continue in the said defendant's service, or that the said defendant at the time of this complainant's travel into Spain did furnish this complainant with six pounds or with any other sum of money, but that this complainant was only therein furnished by himself;

Without that that also this complainant moved the said defendant or his wife for their consents to the marriage of the said Mary, but that this complainant was only drawn thereunto by the said defendant;

And without that that after the marriage of this complaint with the said Mary there was any such conclusion or agreement made betwixt the said defendant and this complainant, [+or that he?] ever received any goods or household stuff of the said defendant or any things concerning their trade, or desired the said defendant to pay the sum of three pounds or any other sum to the brewer, or was so indebted unto the said brewer, as by the said answer also is alleged;

With that that the said defendant did promise unto this complainant the sum of threescore pounds in marriage with the said Mary, his daughter, and did likewise promise to leave unto this complainant and his wife the sum of two hundred pounds or thereabouts after his decease, and that the said defendant is truly indebted unto this complainant in the sum of forty shillings;

Without that that this complainant was desired by the said defendant to come to any account or gave the said defendant any ill languages, as in & by the said answer is also alleged;

And without that that any other matter, thing or things, clause, sentence, article or allegation in the said answer contained material or effectual in the law to be replied unto and not herein sufficiently replied unto, confessed and avoided, denied or traversed, is true;

All and every which matters he, this complainant, is ready to aver, justify, maintain and prove as this honourable court shall award, and humbly prayeth as he before by his said bill of complaint hath already prayed.

Ralph Wormleighton

The rejoinder of Christopher Mountjoy to the replication of Stephen Belott, complainant

The said defendant, not acknowledging anything in the said replication materially alleged to be true in such sort as in and by the said replication is alleged, for rejoinder thereunto saith in all things as in his answer he hath said, and doth and will aver, maintain and prove his said answer and every matter, article and thing therein contained to be true, certain and sufficient to be replied unto in manner and form as therein is set forth, affirmed and declared;

With that that this defendant will maintain and prove that the said complainant's friends did promise to find the said complainant apparel as in and by this defendant's answer is affirmed, and that this defendant did furnish the said complainant with money at the time of his travels into Spain, and that this defendant and his then wife was then moved and earnestly solicited by the said complainant to consent to his marriage of their daughter, and the complainant not drawn thereunto by this defendant, and that this defendant did give unto the said complainant household stuff and other goods, and did make such conclusions and agreements with the said complainant as in and by the said answer is truly affirmed, and this defendant was also desired by the complainant to pay unto the brewer three pounds for the debt of the said complainant, and paid it as in his said defendant's answer is likewise most truly affirmed;

Without that that this defendant did ever promise threescore pounds or any other sums of money unto the said complainant either in marriage with his said daughter or after his death, or is indebted unto the complainant in the sum of forty pounds or any other sum whatsoever, as in and by the said bill and replication is falsely surmised;

All which matters this defendant is ready to aver, maintain and prove as this honourable court shall award, and humbly prayeth as in his said answer he hath prayed.

George Hartoppe

[Process Book, 6-11 James I, Miscellaneous Books, vol. 183, f. 269]

[Summons to Shakespeare and others, Easter Term, 10 James I]

Septimo die Maij

N{i}l paup{er}

A compulsory to William Shakespeare, gentleman, and others ad testificand{um} inter
Stepha{nu}m Bellott q{uerentem} et Xpoferum Mountioy def{endentem}

r Imed

[The note of 'nil pauper' refers to the complainant. The note 'r Imed' means 'returnable immediately'.]

[Witness Book, 44 Elizabeth to 16 James I, Miscellaneous Books, vol. 199]

[Shakespeare and others in the court's list of witnesses examined *ex parte* Belott, Easter term, 1612.]

Stephen Belott, plaintiff, Christopher Mountjoy, defendant

Daniel Nicholas
Joan Johnson vx{or} Thomas Johnson
William Shakespeare, gentleman

[Ex parte Belott, for 11 May 1612.]

Interrogatories to be ministered to witnesses to be produced on the part and behalf of
Stephen Belott, complainant, against Christopher Mountjoy, defendant

1 Imprimis, whether do you know the parties, plaintiff and defendant, and how long have you known them and either of them?

2 Item, whether did you know the complainant when he was servant with the said defendant, how and in what sort did he behave himself in the service of the said defendant, and whether did not the said defendant confess that he had got great profit and commodity by the service of the said complainant?

3 Item, whether did not the said defendant seem to bear great goodwill and affection towards the said complainant during the time of his said service, and what report did he then give of the said complainant touching his said service, and whether did not the said defendant make a motion unto the said complainant of marriage with the said Mary in the bill mentioned, being the said defendant's sole child and daughter, and willingly offer to perform the same if the said complaint should seem to be content and well like thereof, and whether did not he likewise send any person or no to persuade the said complainant to the same? Declare the truth of your knowledge herein.

4 Item, what sum or sums of money did the said defendant promise to give the said complainant for a portion in marriage with the said Mary, his daughter, whether the sum of threescore pounds or what other sum, as you know or have heard, and when was the same to be paid, whether at the day of marriage of the said complainant and the said Mary, or what other time, and what further portion did the said defendant promise to give unto the said complainant with the said Mary at the time of his decease, whether the sum [+of] two hundred pounds or what other sums, and whether upon the said persuasions and promises of the said defendant did not the said complainant shortly after marry with her, the said Mary? Declare the truth herein as you know, verily believe, or have credibly heard.

5 Item, what parcels of goods or household stuff did the defendant promise to give unto the complainant in marriage with his said wife, and what parcels of goods did he give him in marriage with his said wife? Did he not give them these parcels, viz., one old featherbed, one old feather bolster, a flock bolster, a thin green rug, two ordinary blankets woven, two pair sheets, a dozen of napkins of coarse diaper, two short tablecloths, six short towels & one long one, an old drawing-table, two old joined stools, one wainscot cupboard, one twisting wheel of wood, two pair of little scissors, one old trunk, and a like old trunk, one bobbin box, and what do you think in your conscience all these said parcels might be worth at the time when they were delivered by the defendant's appointment unto the plaintiffs? Declare the truth herein at large.

[Ex parte Belott, 11 May 1612]

Deposition{es} Capt{e} ap{u}d Westm{onasterium} vndecimo die maij A{nno} Regni Iacobi R{egis} Angl{ie} &c decimo et Scot{ie} xlvto ex p{ar}te Steph{a}nei Bellott q{ue}r{en}t{is} v{er}s{us} Christopheru{m} Mountioye def{endentem}

Joan Johnson, the wife of Thomas Johnson, of the parish of Ealing in the county of Middlesex, basket-maker, of the age of forty years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith she knoweth the plaintiff and [+hath] known him about eight years, and the defendant about eight years.

2 To the second interrogatory this deponent saith she did know the plaintiff when he served the defendant, and saith he behaved himself well and in good sort when he served the defendant, for she was servant to the defendant at the time, but she never heard the defendant confess and say that he had great profit and commodity by the plaintiff's service, and more she cannot depose.

3 To the third interrogatory this deponent saith that the defendant seemed to bear great goodwill and affection towards the plaintiff when he served him, giving him report to be a very good servant for pl[] his service, but that the defendant moved the plaintiff to

marry with his daughter, Mary, she knoweth not, but saith that there was a show of goodwill between the plaintiff and the defendant's daughter, Mary, which the defendant's wife did give countenance unto and think well of, and as she remembereth the defendant did send and persuade one Mr Shakespeare that lay in the house to persuade the plaintiff to the same marriage, and more she cannot depose.

4 To the 4th interrogatory this deponent saith she never heard her [+master], the defendant, proffer the plaintiff any sum of money in marriage [+with] his daughter, Mary, but it was reported in the house that the plaintiff was to have with her in marriage the sum of fifty pounds, but what time of payment was thereof appointed or agreed upon she knoweth not, nor of any promise of any other or further portion to be paid the plaintiff either at the time of marriage between them or at the time of the defendant's decease, but they after married together, and more she cannot depose.

5 To the 5th interrogatory this deponent saith she knoweth not what parcels of goods and household stuff the defendant promised to give unto the plaintiff in marriage with his wife, but saith the defendant gave in marriage with her to the defendant [sic] the several parcels [+of] goods in the interrogatory mentioned, but the value of them she certainly knoweth not, but thinketh they were worth some eight pounds or thereabouts, and more she cannot depose.

X [her mark]

Daniel Nicholas of the parish of St Alphage within Cripplegate, London, gentleman, of the age of fifty-two years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith he hath known the plaintiff about twenty years and defendant about twelve years.

2 To the second interrogatory this deponent saith he knew the plaintiff, servant unto the defendant, who behaved himself very well in the defendant's service for anything he ever heard to the contrary, and hath heard that the defendant profited well by the plaintiff's service with him, and more he cannot depose.

3 To the third interrogatory this deponent saith he heard one William Shakespeare say that the defendant did bear a good opinion of the plaintiff, and affected him well when he served him, and did move the plaintiff by him, the said Shakespeare, to have [+a] marriage between his daughter, Mary Mountjoy, [+and] the plaintiff, and for that purpose sent him, the said Shakespeare, to the plaintiff to persuade the plaintiff to the same, as Shakespeare told him, this deponent, which was effected and solemnized upon promise of a portion with her, and more he cannot depose.

4 To the 4th interrogatory this deponent saith that the plaintiff did request him, this deponent, to go with his wife to Shakespeare to understand the truth how much and what the defendant did promise [+to] bestow on his daughter in marriage with him, the plaintiff, who did so, and asking Shakespeare thereof, he answered that he promised if the plaintiff would marry with Mary, his, the defendant's only daughter, he, the defendant, would by his promise, as he remembered, give the plaintiff with her in marriage about the sum of fifty pounds in money and certain household stuff, and more he cannot depose touching the said interrogatory to his remembrance, for he remembereth not any day set down for payment of the portion or delivery of the household stuff, but only that he would give her so much at the time of her marriage.

5 To the 5th interrogatory this deponent can say nothing more than he hath already deposed.

Daniel Nicholas

William Shakespeare of Stratford upon Avon in the county of Warwick, gentleman, of the age of 48 years or thereabouts, sworn and examined the day and year abovesaid, deposeth & saith:

1 To the first interrogatory this deponent saith he knoweth the parties, plaintiff and defendant, and hath know[n] them both, as he now remembereth, for the space of ten years or thereabouts.

2 To the second interrogatory this deponent saith he did know the complainant when he was servant with the defendant, and that during the time of his, the complainant's, service with the said defendant he, the said complainant, to this deponent's knowledge did well and honestly behave himself, but to this deponent's remembrance he hath not heard the defendant confess that he had got any great profit and commodity by the service of the said complainant, but this deponent saith he verily thinketh that the said complainant was a very good and industrious servant in his said service, and more he cannot depose to the said interrogatory.

3 To the third interrogatory this deponent saith that it did evidently appear that the said defendant did all the time of the said complainant's service with him bear and show great goodwill and affection towards the said complainant, and that he hath heard the defendant and his wife divers and sundry times say and report that the said complainant was a very honest fellow, and this deponent saith that the said defendant did make a motion unto the complainant of marriage with the said Mary in the bill mentioned, being the said defendant's sole child and daughter, and willingly offered to perform the same if the said complainant should seem to be content and well like thereof, and further this deponent saith that the said defendant's wife did solicit and entreat this deponent to move and persuade the said complainant to effect the said marriage, and accordingly this deponent

did move and persuade the complainant thereunto, and more to this interrogatory he cannot depose.

4 To the fourth interrogatory this deponent saith that the defendant promised to give the said complainant a portion [CROSSED OUT: of money and goods] in marriage with Mary, his daughter, but what certain portion he remembereth not, nor when to be paid [CROSSED OUT: if any sum were promised], nor knoweth that the defendant promised the [CROSSED OUT: defendant] plaintiff two hundred pounds with his daughter, Mary, at the time of his decease, but saith that the plaintiff was dwelling with the defendant in his house, and they had amongst themselves many conferences about their marriage, which [+afterwards] was consummated and solemnized, and more he can[+not depose].

5 To the 5th interrogatory this deponent saith he can say noth[ing] touching any part or point of the same interrogatory, for he knoweth not what implements and necessities of household stuff the defendant gave the plaintiff in marriage with his daughter, Mary.

William Shak {sper}

[Decrees and Orders, Miscellaneous Books, vol. 26, p. 270]

[An order for publication of the preceding depositions and for hearing the case, dated 15 May 1612]

Decimo quinto die Maij A {nno} R {egni} R {egis} Iacobi Angl {ie} ffranc {ie} et hib {er} n {ie} decimo et Scot {ie} xlvtto [=On the fifteenth day of May in the year of the reign of King James of England, France and Ireland the tenth and Scotland the 45th]

LM: Belott, Mountjoy

In the cause at the suit of Stephen Belott, complainant, against Christopher Mountjoy, defendant, upon the motion of Mr Wormleighton, of counsel with the said complainant, it is ordered that the same matter shall be published upon Wednesday next if then or in the meantime no matter sufficient shall be showed in this court to stay thereof, and it shall be heard in this court upon the second day of the next term, (the defendant having convenient notice of this order before the said day of hearing).

[Decrees and Orders, Miscellaneous Books, vol. 26, p. 343]

[An order for examining further witnesses and for postponing publication and hearing, dated 15 June 1612]

15o Iunij A {nn} o 10o et 45o

LM: Belott, Mountjoy

In the cause at the suit of Stephen Belott, complainant, against Christopher Mountjoy, defendant, upon the motion of Mr Wormleighton, of counsel with the said complainant, it is ordered (any former order notwithstanding) that both the said parties shall have further day to examine all such witnesses as they intend to use in this cause until Saturday next, and then the same matter shall be published, and not before, & it shall be heard in this court upon the Saturday next before th' end of this present term peremptorily.

[Witness Book, 44 Elizabeth to 16 James I, Miscellaneous Books, vol. 199]

[The court's list of witnesses examined *ex parte* Belott, Trinity term, 1612]

Stephen Belott, plaintiff, Christopher Mountjoy, defendant

Humphrey Fludd
Daniel Nicholas
George Wilkins
William Eaton
Christopher Weaver
Nowell Mountjoy

[Ex parte Belott for 19 June 1612]

Interrogatories to be ministered to witnesses to be produced on the part and behalf of
Stephen Belott, complainant, against Christopher Mountjoy, defendant

1 Inprimis, whether do you know the parties, plaintiff and defendant, and how long have you known them and either of them?

2 Item, of what estate or ability is the said defendant accounted to be of, and what lease or leases of houses or tenements hath he, and where do the said houses or tenements lie, and what is the yearly value thereof, and what time or times are to come in the said leases, and whether do you not think that the said defendant receiveth forty pounds per annum de claro by his said leases, or how much doth he receive by the same as you have credibly heard or verily believe in your conscience to be true, and whether hath not the said defendant given forth speeches that he will rot in prison before he will give anything unto the said complainant if the cause should be decreed against him in this honourable court? Declare the truth of your knowledge herein as you know, verily believe, or have credibly heard.

3 Item, who appareled the said complainant during the time of his service with the said defendant, whether not the friends of the said complainant, and for how long time did the said complainant's friends so find him with apparel, whether not during the term of two years, or how much longer? Declare the truth of your knowledge therein.

4 Item, whether did not the said defendant or some other by his appointment send you or any other person to your knowledge unto the said complainant to make a motion of marriage betwixt the said complainant and the said Mary Mountjoy, being the defendant's sole child and daughter, and what words did the defendant use unto you or to any other to your knowledge touching the marriage of the said complainant with the said Mary? Whether did not the defendant then say that if she, the said Mary, did not marry the said complainant, that [LM: William Shakespeare] she, the said Mary, should not cost him nor have a groat from him, and whether did not the said defendant likewise promise that if the complainant and the said Mary did marry together then he would give a portion with the said Mary unto the said complainant? How much was the said portion that he then promised, whether not the sum of threescore pounds, or what other sum, as you think in your conscience to be true? And before whom did the said defendant so promise the same, whether before you or any other to your knowledge, and whether upon the said promises and persuasions did not the said complainant contract himself with the said Mary?

5 [LM: George Wilkins] Item, whether after the marriage betwixt the said complainant and the said Mary did the said defendant give any goods or household stuff to the said complainant and his wife? If yea, to what value did the said goods or household stuff amount unto, whether unto the sum of five pounds, or to what other sum? Declare the truth of your knowledge herein.

[Ex parte Belott, 19 June 1612]

Deposition{es} Capt{e} ap{u}d Westm{onasterium} decimo nono die Iunij A{nn}o
Regni Iacobi R{egis} Angl{ie} &c decimo et Scot{ie} xlvto ex p{ar}te Stephani Bellott
q{ue}r{en}t{is} v{e}rs{us} Christopheru{m} Mountioy e def{enden}t{is}

Daniel Nicholas of the parish of St Alphage within Cripplegate, London, gentleman, of the age of threescore and two years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith he hath known the plaintiff twelve years and the defendant about twenty years.

2 To the second interrogatory this deponent saith that the defendant is amongst his neighbours thought to be a sufficient man in estate and ability, and report is amongst the neighbours that he hath divers leases near about where he dwelleth and at Brainford worth by report thirty pounds per annum or thereabouts, and by report he hath lately

taken new leases of them, but what years are yet to come in them, his leases, this deponent knoweth not, and saith he thinketh in his conscience the defendant receiveth about thirty pounds yearly rent de claro for the same houses, and saith he heard one Christopher Weaver say that the defendant had a good estate to pay every man his own and to give the plaintiff his portion if he pleased but the defendant had made an oath that although the law gave him, the plaintiff, his portion, he, the defendant, would rot in prison before he would give the plaintiff any one groat thereof, and more he cannot depose.

3 To the third interrogatory this deponent saith that the plaintiff's father-in-law, Humphrey Fludd, reported in this deponent's presence & the presence of others that he, the plaintiff, was often and several times appaeled by him, the said Humphrey Fludd, and the plaintiff's mother and others of the plaintiff's friends during the most part of the time of his service with the defendant, and more he cannot depose touching the same interrogatory.

4 To the 4th interrogatory this deponent saith that the defendant did never send him, this deponent, unto the complainant to make motion of marriage betwixt the complainant and the said Mary Mountjoy, being the defendant's sole daughter and child, but Mr William Shakespeare told him, this deponent, that the defendant sent him, the said Mr Shakespeare, to the plaintiff about such a marriage to be had between them, and Shakespeare told this deponent that the defendant told him that if the plaintiff would marry the said Mary, his daughter, he would give him, the plaintiff, a sum of money with her for a portion in marriage with her, and that if he, the plaintiff did not marry with her, the said Mary, and she with the plaintiff, she should never cost him, the defendant, her father, a groat, whereupon, and in regard Mr Shakespeare had told them that they should have a sum of money for a portion from the father, they were made sure by Mr Shakespeare by giving their consent, and agreed to marry [CROSSED OUT: giving each other's hand to the hand], but what sum it was that Mr [CROSSED OUT: Shake] Mountjoy promised to give them, he, the said Mr Shakespeare, could not remember, but said it was fifty pounds or thereabouts to his best remembrance, and as he remembereth, Mr Shakespeare said he promised to give them a portion of his goods, but what or to what value he remembereth not, and more he cannot depose.

5 To the 5th interrogatory this deponent saith that after the marriage solemnized between the plaintiff and Mary, one George Wilkins told him, this deponent, that the defendant gave them some implements belonging to household, which goods were in his, the said Wilkins', custody, which goods the said Wilkins reported he would not have given five pounds for, and more he cannot depose.

Daniel Nicholas

William Eaton, apprentice with the complainant, of the age of nineteen years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith he hath known the plaintiff five years or thereabouts and the defendant about four years and a half.

2 To the second interrogatory this deponent saith he cannot certainly depose anything touching the defendant's estate or ability, only saith he knoweth the defendant hath a house in Mugwell Street & in Silver Street, London, and another at Brainford [=Brentford], but what they are worth by the year he knoweth not, nor hath heard the defendant use any such speeches as in the interrogatory is urged, and more he cannot depose.

3 To the third interrogatory this deponent can say nothing.

4 To the 4th interrogatory this deponent saith he hath heard one Mr Shakespeare say that he was sent by the defendant to the plaintiff to move the plaintiff to have a marriage between them, the plaintiff, and the defendant's daughter, Mary Mountjoy, and heard Mr Shakespeare say that he was wished by the defendant to make proffer of a certain sum that the defendant said he would give the plaintiff with his daughter, Mary Mountjoy, in marriage, but he had forgot the sum, and [CROSSED OUT: Mr Shakespeare told the plaintiff], more he cannot depose touching the same interrogatory.

5 To the 5th interrogatory this deponent can say nothing of his own knowledge nor by credible report.

William Eyton

George Wilkins of the parish of St Sepulchre's, London, victualler, of the age of thirty-six years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith he hath known the plaintiff about seven years and the defendant as long.

2, 3, 4 To the second, third and fourth interrogatories this deponent is not examined at the request of the plaintiff.

5 To the 5th interrogatory this deponent saith that after the plaintiff was married with Mary, the defendant's daughter, he, the plaintiff, and his wife came to dwell in this deponent's house in one of his chambers, and brought with them a few goods or household stuff which by report the defendant, her father, gave them, for which this deponent would not have given above five pounds if he had been to have bought the same, and more he cannot depose touching the same interrogatory.

George Wilkins

Humphrey Fludd of the parish of St Giles without Cripplegate, one of his Majesty's trumpeters, of the age of fifty-three years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith he hath known the plaintiff about eighteen years, for he married his mother in France, and the defendant he hath known about eighteen years, for he put the plaintiff to be the defendant's apprentice.

2 To the second interrogatory this deponent is not examined at the request of the plaintiff.

3 To the third interrogatory this deponent saith that whilst the plaintiff was in service with the defendant this deponent gave the plaintiff three suits of apparel, viz., two cloaks and three suits of apparel, and his mother gave him good store of linen, which apparel and linen could not serve him less than three years, besides the defendant was so strict unto him that he, this deponent, and the plaintiff's mother were fain many times to give him money and to pay the barber for cutting the hair of his head, and more he cannot depose.

4, 5 To the 4th and 5th interrogatories this deponent is not examined at the request of the plaintiff.

Humphrey Fludd

Christopher Weaver of the parish of St Olave's in Silver Street, London, mercer, of the age of thirty-eight years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith he hath known the plaintiff about twelve years and the defendant about sixteen years.

2 To the second interrogatory this deponent saith he knoweth not the defendant's estate, but saith he hath the lease of his house wherein he dwelleth and a lease of a house in Brainford in the county of Middlesex, but he knoweth the defendant hath lien at interest these three or four years for twenty pounds in one place and hath neither paid the principal nor interest money due for the same, and likewise hath taken up other money, and sold his plate and some household stuff, and further saith that he heard that the defendant payeth yearly rent for those leases some seventeen pounds per annum, and saith that he thinketh the defendant receiveth some eighteen pounds per annum de claro besides his own dwelling, and hath a sojourner in his house with him, but what profit he maketh thereby he knoweth not, and saith the said defendant hath said in this deponent's hearing that in regard the plaintiff and his daughter had used him so unkindly, and in

regard he promised them nothing, he would rather rot in prison than give them anything more than he had given them before, and more he cannot depose.

3 To the third interrogatory this deponent saith he hath heard the defendant say that after the plaintiff came to be his apprentice he found the plaintiff all his wearing apparel, and otherwise he cannot depose touching the same interrogatory.

4 To the 4th interrogatory this deponent saith he was never made an instrument between the plaintiff and the defendant by the defendant's appointment for the moving of a marriage between the plaintiff and defendant's daughter, and more he cannot depose touching any part of the same interrogatory for that he never heard the defendant promise the plaintiff any sum of money or other thing with his daughter, Mary, in marriage with the plaintiff, nor say that if she married not the plaintiff she should not cost him a groat.

5 To the 5th interrogatory this deponent saith he hath heard the defendant and his wife say that they gave the plaintiff with their daughter, Mary, in marriage the sum of ten pounds in money, and household stuff of most sorts something, viz., in money and goods to the value of thirty pounds, and more he cannot depose to his remembrance.

Christopher Weaver

Nowell Mountjoy of the parish of St Olave's in Silver Street, London, tire-maker, of the age of thirty years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith he hath known the plaintiff about fifteen years and the defendant longer, for he is this deponent's brother.

2 To the second interrogatory this deponent saith that his brother, the defendant's, estate is not much, for he hath but the lease of two houses, one lease of the house wherein he dwelleth, divided into two tenements, and a lease of a house in Brainford, by which leases he gaineth an overplus of rent more than he payeth to the value of about nineteen or seventeen pounds per annum, and hath a time in his lease of the house wherein he dwelleth of some thirty years to come which he renewed but lately, but how long time he hath to come in the house he hath at Brainford he knoweth not, albeit the defendant is much in debt, and sold or pawned his plate a great whilst since, so that his estate cannot be very great, and saith that he heard his brother, the defendant, say that if he were condemned in this suit undeserved, he would lie in prison before he would give the plaintiff anything, and more he cannot depose.

3 To the third interrogatory this deponent saith that the plaintiff was a year a boarder in the defendant's house before he became the defendant's apprentice, during which time he believeth the defendant did not apparel the plaintiff, but after the plaintiff became the defendant's servant, the defendant appareled him, albeit his friends might send him

sometimes a cloak or pair of stockings or such a thing, which he knoweth to be true for the he did serve the defendant when the plaintiff served him and knew the truth thereof, and more he cannot depose.

4 To the 4th interrogatory this deponent saith he was never sent by the defendant unto the complainant to make a motion to him of a marriage to be had betwixt the complainant and Mary Mountjoy, the defendant's sole child and daughter, nor knoweth of any other that was by the defendant sent unto the plaintiff upon that message, but the plaintiff told this deponent that one Mr Shakespeare was employed by the defendant about that business, in what manner or to what effect he knoweth not, and saith he never heard the defendant say that if his daughter, Mary, married not with the plaintiff she should never have groat from him, nor knoweth that the defendant promised to give the plaintiff any portion of money with his daughter, Mary, in marriage, nor how much he promised, if he promised any, nor knoweth upon what promise the complainant contracted himself with the said Mary, and more he cannot depose.

5 To the fifth interrogatory this deponent saith that after the plaintiff's marriage with the said Mary he, this deponent, went to see them, and the plaintiff, upon some speeches between this deponent and the plaintiff, the plaintiff told him that the defendant had given him with his daughter in marriage the sum of ten pounds and certain household stuff, but the value of the household stuff he knoweth not, and more he cannot depose.

Nouel Montioi

[Witness Book, 44 Elizabeth to 16 James I, Miscellaneous Books, vol. 199]

[The court's list of witnesses examined ex parte Mountjoy, Trinity term 1612]

Christopher Mountjoy, defendant, Stephen Belott, plaintiff

Christopher Weaver
Nowell Mountjoy
Thomas Flower

[Ex parte Mountjoy for 23 June 1612]

Interrogatories to be ministered unto witnesses produced on the part and behalf of Christopher Mountjoy, defendant, to the bill of complaint of Stephen Belott, complainant

1 Inprimis, whether do you know the parties, plaintiffs [sic] and defendant?

2 Item, whether did you not hear or know that Mary, the late wife of Christopher Mountjoy, the defendant, did in her lifetime urge the said defendant to give something more unto Belott, the plaintiff, and his wife than he had done, and did not the said Mountjoy, the defendant, answer her that he would never promise them anything because he knew not what he should need himself, or what other speeches to that purpose did you hear her or any other speak, and when were they spoken? Declare the whole truth therein according to your remembrance.

3 Item, have you not heard the late wife of Christopher Mountjoy, the defendant, declare what her then husband, the said Christopher Mountjoy, and she had given the said complainant and his wife after their marriage, and that she would have had the said Christopher Mountjoy, her then husband, to have given them more, but he utterly refused and would not, or what other speeches have you heard her say touching that matter? Declare the whole truth in particular as you remember.

4 Item, do you know or have you heard of any money or other goods which the said complainant Belott hath received of the said Christopher Mountjoy, the defendant, or his late wife, and whether were those sums of money or other goods delivered to them, and what was the value of them? Declare your whole knowledge herein.

5 Item, hath not the complainant, Stephen Belott, urged or persuaded you to conceal your knowledge or otherwise to depose or speak something concerning the matter now in question between him and the said Mountjoy, the defendant, which you know not to be true, and what speeches hath he lately used or spoken unto you to that or any such purpose, and when did he speak them? Declare the premises hereof according to your knowledge.

6 Item, whether did you hear or know that the said Christopher Mountjoy, the defendant, did by himself or any from him desire the said Stephen Belott, the complainant, to reckon with him about the money and other things due between them, and what answer did the said Belott make thereunto, and whether do you know or have heard that the said Belott hath confessed that he did owe the said Mountjoy any money or other things, and what was that money and other things, and when did he confess it, and what speeches have you heard the said Belott speak concerning the reckoning or difference between the said Mountjoy and him, and when did he speak them? Declare your whole truth herein.

7 Item, did not you of your voluntary will and disposition to make the plaintiff and defendant friends go to the plaintiff about three weeks since, and told the plaintiff that he took a wrong course to sue his father-in-law, and that it were better they were kind and loving friends, and what answer made the plaintiff upon your conference with him thereabout? Declare your knowledge.

[Ex parte Mountjoy 23 June 1612]

Deposition{es} Capt{e} ap{u}d Westm{onasterium} xxiiijto die Iunij A{nn}o Regni Iac{obi} R{egis} Angl{ie} &c decimo et Scot{ie} xlvto ex p{ar}te Christopheri Mountioy def{endentis} v{e}r s{us} Stephanu{m} Bellott q{ue}r{en}t{em}

Christopher Weaver of the parish of St Olave's in Silver Street, London, mercer, of the age of thirty-six years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory, this deponent saith he knoweth the plaintiff and defendant.

2, 3, 4, 5 To the 2nd, 3rd, 4th, 5th and 6th interrogatory this deponent is not examined at the request of the defendant.

7 To the 7th interrogatory this deponent saith that about three weeks since he, this deponent, wishing well to both the plaintiff and defendant, went of his own voluntary will and disposition to talk with the plaintiff and to see if he could bring them to be friends, and questioning with the plaintiff about the same unkindness, and showing him that he took a wrong course to sue his father-in-law, the plaintiff answered him, this deponent, that he would never have sued his father-in-law if his father-in-law would have been willing to have had his company in familiar manner, as at his table, and said further he could be contented the matter should be ended betwixt them, so that his father would let him dwell in one of his houses which was next to his own dwelling-house, paying some rent for it, and further said he could leave his wife in better estate than he found her whensoever God should be pleased to call him, unto which this deponent said he was glad of it, and said he, this deponent would make it known to the defendant, his father, and do what he could to make them friends, or words to that effect, and so did, but the defendant it seemed had taken such an unkindness at his son-in-law's usage towards him that he said he would never give him any more, as before he hath deposed in his answer to the plaintiff's interrogatories, and more he cannot depose.

Christopher Weaver

Nowell Mountjoy of the parish of St Olave's in Silver Street, London, tire-maker, of the age of thirty years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith he knoweth the plaintiff and defendant.

2, 3 To the second and third interrogatory this deponent can say nothing touching any part of the same interrogatory.

4 To the 4th interrogatory this deponent saith that the plaintiff, since his marriage with the defendant's daughter, Mary, told this deponent that the defendant had given them, the plaintiff and his wife, the sum of ten pounds in money and certain household stuff, but

the value of the household stuff he cannot declare for that he did not see the household stuff delivered, and more he cannot depose.

5 To the fifth interrogatory this deponent saith that the plaintiff sent for him, this deponent, about a year since, which he thinketh is nearabout or since this suit began, and asked this deponent if he knew of the ten pounds the defendant, his father-in-law, gave him and his wife since their marriage, and this deponent told the plaintiff he did know of it, whereupon the plaintiff told him, this deponent, that if, when he was called to answer wherefore it was given them, he, this deponent, might do him, the plaintiff, good if he, this deponent, would answer that he, the plaintiff, received it of the defendant for work done for him, saying to this deponent that he, the plaintiff, was likely to be a better friend to this deponent than the defendant would be, urging that the defendant was all for himself, and further that since that time the plaintiff's maid likewise urged this deponent that she heard him say that he heard the defendant say that he gave the plaintiff that ten pounds aforesaid for work, which was false, for which this deponent rebuked the maid, and more he cannot depose.

6 To the 6th interrogatory this deponent saith that the plaintiff told him that the defendant came unto him and desired to reckon with him about money and other things between them, and the plaintiff told this deponent that he answered him, the defendant, that he would not reckon with him anything, saying he was sorry he had not more in his hands to reckon with him for than he had, saying, 'He says I owe him three pounds & he oweth me forty shillings; if all come to all, 'tis but twenty shillings difference', and more he cannot depose touching the said interrogatory to his remembrance.

7 To the 7th interrogatory this deponent is not examined at the request of the defendant.

Noel Montioi

Thomas Flower of the parish of St Albans in Wood Street, London, merchant tailor, of the age of thirty-eight years or thereabouts, sworn and examined the day and year abovesaid, deposeth and saith:

1 To the first interrogatory this deponent saith he knoweth the plaintiff and defendant.

2 To the second interrogatory this deponent saith that he hath often heard Mary, the defendant's wife, did often in her lifetime urge her husband, the defendant, to give something more unto the plaintiff and his wife than he had done before, whereunto the defendant Mountjoy would commonly answer her that he would not promise them anything because he knew not what he should need himself, and so he hath heard the defendant often say he would promise nothing for fear of wanting himself, or words to the like effect, and more he cannot depose.

3 To the third interrogatory this deponent saith he hath heard the defendant's wife in her lifetime say that her husband and she had given her daughter, Mary, and her husband, the plaintiff, since their marriage together the sum of ten pounds in money and certain implements of household stuff, and that she would have had her husband, Mountjoy, have given them more, but he would not, saying he knew not what he himself might want, or words to the like effect, and more he cannot depose.

4 To the 4th interrogatory this deponent saith that he heard as aforesaid that the plaintiff received of the defendant ten pounds in money and certain household stuff, but the value of the household stuff he knoweth not, and further saith that since the plaintiff's going from the defendant the defendant sent this deponent to the plaintiff to desire him to reckon with him for some money and other things which he had taken with him when he went away, and the plaintiff did answer this deponent that he had but some few trifles of his which he would not confess in particular nor deliver, and more he cannot depose.

5 To the 5th interrogatory this deponent saith the plaintiff hath not at any time urged nor persuaded this deponent to conceal his knowledge nor otherwise to depose and speak anything concerning the mater now in question between them, and more he cannot depose.

6 To the 6th interrogatory this deponent saith that by him, this deponent, the defendant did long since desire the plaintiff to reckon with him, the defendant, about money and other things due between them, whereupon this deponent moved him to a reckoning, who answered in manner following, viz., 'Where I have a pennyworth of anything, I would I had more of his; I have nothing but that which I will keep, and if I owe him any money, let him come by it as he can', which answer this deponent returned the defendant, and more he cannot depose.

7 To the 7th interrogatory this deponent is not examined at the request of the defendant.

Thomas Flowers

[Decrees and Orders, Miscellaneous Books, vol. 26, p. 421]

[An order referring the matter at variance to the French Church in London for hearing, ordering and final determination dated 30 June 1612]

Tricesimo die Iunij A{nno} p{re}d{i}c{t}o

In the matter of variance brought before the King's Majesty's and his Highness' Council in his Majesty's honourable Court of Whitehall by Stephen Belott, complainant, against Christopher Mountjoy, defendant, the said complainant by his bill seeking to be relieved touching a promise supposed by the said bill to be by him, the said defendant Mountjoy, made for the payment unto the said complainant of the sum of threescore pounds or

thereabouts upon the day of the said complainant's marriage with Mary Mountjoy, daughter of the said defendant & now wife of the complainant, and for the leaving to the said complainant & Mary, his wife, the sum of £200 more at the time of his, the said defendant's, decease, as in & by the said bill of complaint more at large appeareth, unto which bill the said defendant appeared & answered, witnesses on both parts were examined, and a day of hearing appointed, upon opening whereof it is by his Majesty's said Council of this Court, in presence of the said parties and of counsel learned on both sides, ordered by and with the full consent of the said parties that the same matter shall be referred to the hearing, ordering & final determination of the reverend & grave overseers and elders of the French Church in London, authorizing them hereby to call before them both the said parties, and upon consideration had of the state of the same cause & of the circumstances of the same, to hear, order & finally determine the said matter touching the promise as to their discretions & wisdoms shall seem convenient, and such order as shall be herein determined by the said committees this court will confirm, establish & decree.