

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 26 and 30 December 1580 and proved 31 January 1581, of Julio Borgarucci, referred to in Oxford's allegations against Leicester (see TNA SP 12/151/51, f. 110):

*6 That Julio should complain to the said Oxford of Leicester's coldness in friendship towards him, though he saved both his life and his honour when, with weeping tears, he made his moan unto him at my Lord of Essex's coming over.*

The background to this allegation is Leicester's affair with Lettice (nee Knollys), the wife of Walter Devereux (1539-1576), 1<sup>st</sup> Earl of Essex. Essex learned of the affair, and intended to revenge himself against Leicester. However before he could do so, he died suddenly in Dublin on 22 September 1576.

From the entry for Essex in the *ODNB*:

*A rumour that the earl had been poisoned proved groundless, as attested by the post-mortem examination ordered by Sir Henry Sidney. Sidney's report to Walsingham gives a detailed description of Essex's last days, and likewise his secretary, Edward Waterhouse, wrote a sad account, printed in William Camden's *Annales* (as edited by Thomas Hearne, 1717). A manuscript copy of the latter, erroneously attributed to Thomas Churchyard's hand and once belonging to William Cole, the Cambridge antiquary, is now in the British Library (BL, Add. MS 5845, fols. 337–49). Leicester's *Commonwealth*, an attack on Leicester's character written in 1584, wrongly ascribes to Robert Parsons the allegation that Leicester was responsible for Essex's death, motivated, as he may well have been, by his adulterous relations with Essex's wife. A contemporary ballad, 'Leicester's Ghost', repeats the story, but it was not published until 1641. Certainly Lady Essex did not accompany her husband to Ireland. In 1575 she was at Kenilworth when Leicester entertained the queen there, and on 6 August the countess of Essex received the queen at Chartley Hall in the absence of the earl. We know that Leicester was anxious in March 1576 to have Essex return to Ireland, and there is no proof that the countess intrigued with Leicester in her husband's lifetime. She married Leicester on 21 September 1578.*

From the entry for Lettice (nee Knollys) in the *ODNB*:

*In May 1572 Hereford was created earl of Essex and he resided at court until summer 1573, when his proposal for a plantation in Ulster was accepted. He departed for Ireland in the autumn, not to return until November 1575. He then appears to have remained at court until summer 1576, when he went back to Ireland via Chartley, only to die of dysentery in Dublin on 22 September. In December 1575 the resident Spanish agent, Antonio de Guaras, reported London gossip that Essex had discovered that his wife had given birth to two children by Leicester in his absence. Almost two years to the day after Essex died, his widow and Leicester married discreetly at Wanstead House in Essex on the morning of 21 September 1578, and their marriage gave retrospective credibility to both the earlier alleged adultery and rumours that Essex had been poisoned. Leicester's *Commonwealth* (1584) claimed that Essex was murdered because he was about to return*

*to England to revenge himself on Leicester for having fathered a daughter by the countess. A later version ('The letter of estate') has Leicester encouraging Essex's Ulster expedition in order to separate him from his wife, like King David and Uriah the Hittite. Leicester was certainly among the initial supporters of the Ulster enterprise, but by 1576 Essex appears to have believed that he was trying to block his return to Ireland. The difficulties of reconciling adultery with the known political tensions are well illustrated by William Camden's account. Although Camden denied that Essex was poisoned, he saw his return to Ireland in 1576 as engineered 'by the court subteltie of Leicester, who was afraid of him, and by the peculiar mysteries of the Court' (Camden, 2.366).*

It appears from the allegation against Leicester quoted above that Oxford was of the view that Essex had in fact been poisoned, and that Oxford based that view at least partly on the fact that Borgarucci himself had told him that he had saved Leicester's life and honour 'at my Lord of Essex's coming over'.

A detailed allegation that Essex died of poison provided by an Italian doctor in *Leicester's Commonwealth* suggests that Borgarucci was the link between Leicester and the Italian surgeon who supplied the poison:

*The like good chance had he in the death of my Lord of Essex (as I have said before), and that at a time most fortunate for his purpose, for when he was coming home from Ireland with intent to revenge himself upon my Lord of Leicester for begetting his wife with child in his absence (the child was a daughter, and brought up by the Lady Chandos, W. Knollys his wife), my Lord of Leicester hearing thereof, wanted not a friend or two to accompany the deputy, as among other, a couple of the Earl's own servants, Crompton (if I miss not his name, yeoman of his bottles, and Lloyd, his secretary, entertained afterward by my Lord of Leicester. And so he died in the way of an extreme flux caused by an Italian recipe, as all his friends are well assured, the maker whereof was a surgeon (as is believed) that then was newly come to my Lord from Italy. A cunning man & sure in operation, with whom, if the good lady had been sooner acquainted & used his help, she should not have need to have sitten so pensive at home & fearful of her husband's former return out of the same country, but might have spared the young child in her belly which she was enforced to make away, cruelly & unnaturally, for clearing the house against the goodman's arrival.*

*Neither must you marvel though all these died in divers manners of outward diseases, for this is the excellency of the Italian art for which this surgeon and Dr. Julio were entertained so carefully, who can make a man die in what manner or show of sickness you will, by whose instructions no doubt but his Lordship is now cunning, especially adding also to these the counsel of his Doctor Bayley, a man also not a little studied, as he seemeth, in this art, for I heard him once myself in a public act in Oxford (and that in presence of my Lord of Leicester, if I be not deceived) maintain that poison might be so tempered and given as it should not appear presently, and yet should kill the party afterward at what time should be appointed. Which argument belike pleased well his Lordship, and therefore was chosen to be discussed in his audience, if I be not deceived of his being that day present. So though one die of a flux & another of a catarrh, yet this*

*importeth little to the matter, but showeth rather the great cunning and skill of the artificer.*

*So Cardinal Chatillon (as I have said before), having accused my Lord of Leicester to the Queen's Majesty, and after that passing from London towards France about the marriage, died by the way at Canterbury of a burning fever, & so proved Dr. Bayley's assertion true, that poison may be given to kill at a day.*

*At this the lawyer cast up his eyes to heaven, & I stood somewhat musing and thinking of that which had been spoken of the Earl of Essex, whose case indeed moved me more than all the rest for that he was a very noble gentleman, a great advancer of true religion, a patron to many preachers and students, and towards me and some of my friends in particular he had been in some things very beneficial, & therefore I said that it grieved me extremely to hear or think of so unworthy a death contrived by such means to so worthy a peer, and so much the more for that it was my chance to come to the understanding of divers particulars concerning that thing, both from one Lee, and Irishman, Robin Hunnis, and other that were present at Penteneis the merchant's house in Dublin upon the quay where the murder was committed. The matter was wrought especially by Crompton, yeoman of the bottles, by the procurement of Lloyd, as you have noted before, and there was poisoned at the same time and with the same cup (as given of courtesy by the Earl) one Mistress Alice Draycot, a goodly gentlewoman whom the Earl affectioned much, who departing thence towards her own house (which was 18 miles off), the foresaid Lee accompanying her and waiting upon her, she began to fall sick very grievously upon the way, & continued with increase of pains & excessive torments by vomiting until she died, which was the Sunday before the Earl's death ensuing the Friday after, & when she was dead, her body was swollen unto a monstrous bigness and deformity, whereof the good Earl hearing the day following, lamented the case greatly, & said in the presence of his servants, Ah, poor Alice, the cup was not prepared for thee, albeit it were thy hard destiny to taste thereof.*

*Young Hunnis also, whose father is Master of the Children of her Majesty's Chapel, being at that time page to the said Earl, and accustomed to take the taste of his drink (though since entertained also among other by my Lord of Leicester for better covering of matter), by his taste that he then took of the compound cup (though in very small quantity, as you know the fashion is), yet was he like to have lost his life, but escaped in the end (being young) with the loss only of his hair, which the Earl perceiving, and taking compassion of the youth, called for a cup of drink a little before his death, and drank a cup to Hunnis, saying, I drink to thee, my Robin, and be not afeard, for this is a better cup of drink than that whereof thou tookest the taste when we were both poisoned, & whereby thou hast lost thy hair, & I must leese my life. This hath young Hunnis reported openly in divers places and before divers gentlemen of worship sithence his coming into England, & the foresaid Lee, Irishman, at his passage this way towards France, after he had been present at the forenamed Mistress Draycot's death, with some other of the Earl's servants, have & do most constantly report the same, where they may do it without the terror of my Lord of Leicester's revenge. Wherefore in this matter there is no doubt at all, though most extreme vile and intolerable indignity that such a man should be so*

*openly murdered without punishment. What nobleman within the realm may be safe if this be suffered? Or what worthy personage will adventure his life in her Majesty's service if this shall be his reward?*

An admission that he was responsible for the poisoning of the Earl of Essex is put into Leicester's mouth in *Leicester's Ghost*:

***The death of the renowned Earl of Essex***

*The valiant Earl whom, absent, I did wrong  
In breaking Hymenaeus' holy band,  
In Ireland did protract the time too long,  
Whilst some in England ingled underhand,  
And at his coming homeward to this land,  
He died with poison, as they say, infected,  
Not without cause (for vengeance) I suspected.*

***A contract***

*This fact notorious scandal bred,  
And for I did his gallant wife abuse,  
To salve the sore, when this brave Lord was dead,  
I for my wife did his fair Lady choose;  
All flesh is frail! Dear Lady, me excuse;  
It was pure love that made me undertake  
This hapless recontract with thee to make.*

*Now in Jove's palace that good lord doth sup  
And drink full bowls of nectar in the sky;  
Hunnis, his page, that tasted of the cup,  
Did only lose his hair, but did not die.  
True noble Earl, thy fame to heaven doth fly;  
He doth repent his fault, and pardon crave,  
That marred thy bed, and too soon made thy grave.*

According to the *ODNB*, the testator was from Urbino, one of the four sons of Carlo Borgarucci, and his wife, Caliope. He came to England as a Protestant refugee, obtained denization in 1562, and in the following year was sent to 'Newhaven' (Le Havre), to aid Ambrose Dudley's besieged garrison.

From the entry for the testator in the *ODNB*:

*His chief patron was the Earl of Leicester (presumably, on his brother Ambrose's recommendation), who was alleged (Peck, 116) to have made malevolent use of Borgarucci's knowledge of poisons: hence, John Webster's *White Devil* (1612) has a poisoner named 'Julio, a doctor'. By patent of 21 September 1573 he was made physician to the royal household for life, replacing the deceased Dr Bentley, with a fee of £50 per annum.*

The testator's first wife was Alice, the daughter of Thomas Nosworthy, of Chichester. By 1576 the testator had married a second wife named Eleanor. In *Leicester's Commonwealth*, the second marriage is said to have been bigamous.

Borgarucci died on 7 January 1581, and was buried that day at St Botolph without Bishopsgate. His wife, Eleanor, died on 10 August, and as 'Mrs Elinor Julie' was buried with her late husband on 11 August 1581.

Another link between Oxford and the testator is the bill of complaint filed in Chancery by the testator against Benedict Spinola claiming a commission from Spinola in connection with the sale of the Great Garden property which Oxford had purchased from Spinola by indenture dated 15 June 1580 (see TNA REQ 2/178/60).

RM: T{estamentum} Iulij Burga{r}utij

In the name of God, Amen. The twenty and six day of December 1580 and in the three and twentieth year of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc., I, Julio Borgarucci of London, esquire, Doctor of Physic, being sick in body by the visitation of Almighty God, but yet of perfect mind and memory (immortal thanks and praise be therefore given to him), considering with myself that man's life on earth is momentary, and the continuance thereof most uncertain, do therefore make and declare this my present testament and last will in manner and form following, that is to say:

First and principally I commend myself, both body and soul, to the blessed tuition of the most Holy Trinity, the Father, the Son and the Holy Ghost, three Persons and one eternal God of almighty majesty, believing most steadfastly that the same God of his abundant love, mere goodness and infinite mercy hath created and chosen me to everlasting life, and that the anger and wrath of God which for my manifold sins and offences I have most worthily deserved is fully pacified, and all my sins and transgressions fully and freely pardoned and forgiven, not by any other means or merits but only by the blessed oblation and sacrifice of the most precious body and blood of Our Lord and only Saviour, Jesus Christ, once and only offered up for the redemption of me and all other the elect people and children of God, and I verily believe that in the last day my body and soul through his grace shall be clothed with immortality, and then I shall not only with unspeakable joy see the same my Redeemer, Jesus Christ, in his most glorious majesty, but also rest amongst the saints of God forever in the kingdom of heaven;

Item, I will that my body be buried in Christian burial in such convenient place and manner as it shall please God to provide and ordain for by the discretion of my executrix and overseers hereafter named;

And I will and charge Eleanor, my well-beloved wife, whom I hereafter in these presents have named my executrix, to provide and foresee that all such debts and duties as I owe of right or conscience to any person or persons be well and truly satisfied and paid without contradiction;

Item, I will that some learned and godly preacher be by her discretion requested to preach a sermon on the day of my burial at the parish church or other place where my corpse shall be buried, and for his pains in that behalf to be taken I bequeath to the same preacher twenty shillings;

Item, I give and bequeath to Alicia Borgarucci and Isabella Borgarucci, daughters of my brother Bernardino Borgarucci, Doctor of the Civil Law and one of the principal advocates of the city of Venetia, the sum of one hundred pounds of lawful money of England, that is to say, to each of them, the said Alicia and Isabella, fifty pounds, and I will that the said sum of one hundred pounds shall be paid and delivered at the said city of Venetia within six months next after my decease by way of exchange or otherwise by my executrix or her assigns to the hands of my said brother, Bernardino Borgarucci, or his executors to th' uses of the said Alicia and Isabella, his daughters, he or they making or delivering to my said executrix and her assigns at and upon the payment made of the said sum of one hundred pounds a sufficient acquittance or other discharge for the same;

Item, I give and bequeath to the poor prisoners of every several prison within the city of London and the suburbs of the same city and in Southwark in the county of Surrey the sum of forty shillings, to be bestowed upon and amongst the said poor prisoners at the discretion of my said executrix within six months next after my decease;

The residue of all and singular my jewels, goods, chattels and credits, interests and trusts and other benefits and commodities whatsoever, as well movable as unmovable, after my body buried, my debts paid, my funerals discharged, and the gifts and legacies contained and mentioned in this my present last will and testament in all things satisfied, performed and fulfilled, I wholly give and bequeath to the said Eleanor, my well-beloved wife, whom I make, ordain and constitute my sole and only executrix of this my present last will and testament, and of the execution thereof I ordain, constitute and appoint John Baptiste Castilian [=Giovanni Battista Castiglione], esquire, one of her Majesty's Privy Chamber, my overseer, and for their pains and travail in that behalf to be taken, I give and bequeath to either of them a ring of gold of the value of forty shillings of lawful money of England;

And I utterly revoke, repeal & annul all and singular former wills and testaments heretofore by me made or declared, together with all and singular the legacies, gifts, bequests, devises, executors and overseers by me in the same former wills and testaments and every of them given, bequeathed, devised, named, ordained or appointed in any manner wise, and my very will, mind and intent is that only this my present testament and last will shall stand, remain and perpetually abide for my very last will and testament, together with all and singular the legacies, gifts, bequests, devises and with the same and

no other executrix and overseers by me herein given, bequeathed, devised, named, ordained, constituted and appointed and none other or otherwise;

In witness whereof to this my present testament and last will I, the said Julio Borgarucci, have set my seal and subscribed my name the said thirtieth of December in the said three and twenty year of her Highness' said reign, these persons hereafter named especially required to testify the same. Per me Juliu{m} Borgaruciu{m}. Roger Townshend, John Wolley, John Field io iaco nerzellin(?)

Probatum fuit suprascriptum testamentum apud London Coram venerabili viro M{agist}ro Will{el}mo Drury legum doctore Curie prerogatiue Cantuarien{sis} commissario etc vltimo die mens{is} Ianuarij Anno Domini iuxt{a} cursum et computacionem Eccl{es}ie anglicane mill{es}imo quingentesimo octogesimo Iuram{en}to mag{ist}ri ffrancisci Clerke notarij publici procuratoris Elionore relicte et executricis etc Cui commissa fuit administracio bonoru{m} etc de bene etc Iurat{i}

[=The above-written testament was proved at London before the worshipful Master William Drury, Doctor of the Laws, Commissary of the Prerogative Court of Canterbury etc., on the last day of the month of January in the year of the Lord according to the course and reckoning of the English Church the thousand five hundred eightieth by the oath of Master Francis Clerke, notary public, proctor of Eleanor, relict and executrix etc., to whom administration was granted of the goods etc., sworn to well etc.]