

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the last will and testament, dated 6 July 1580 and proved 29 October 1580, of Benedict Spinola (1519/20-1580), who forwarded funds to Oxford during his continental tour and from whom Oxford purchased his Great Garden property by indenture dated 15 June 1580.

For letters written by Benedict Spinola and Pasquale Spinola concerning Oxford's travels on the continent, see TNA 70/135, ff. 173-4; TNA 70/136, ff. 113-14; TNA SP 70/137, ff. 251-2; and TNA SP 12/105/50, ff. 121-2.

For Oxford's purchase of the Great Garden property from Benedict Spinola, see TNA C 54/1080.

For the testator's family background and career, see the *ODNB* entry:

Spinola, Benedict (1519/20–1580), merchant, was one of the six children, the second son, of Battista Spinola of Genoa and his wife, Elisabetta, daughter of Giacomo Spinola. The Spinolas had long been prominent in Genoa (in 1556 Battista would decline the dogeship), and Benedict was born there. His early history is unknown but he appears in London in 1541, employed by Bastian Bony, postmaster, as a clerk at £2 a year: working for the postal service of London's foreign merchants gave Spinola ready access to the world of commerce and finance. He resided in St Gabriel Fenchurch parish (where he remained until he died) with his nephews Hannibal and Ascanio Spinola. His property in Shoreditch, Middlesex, was popularly known as 'Spinola's pleasure'. . . .

Unusually, Spinola was granted full denization in 1552, a privilege allowing him to pay taxes and customs dues at the Englishman's rates. By 1559 he was exporting woollen cloth at customs dues up to £200, and importing sweet wines to £40, a year. Illegally, he exported another's goods on his own licence (1561), and his signed confession survives; but his 1566 grant permitted this, and raised his limits to £2000 and £400 over a longer period. He had shipped his full quota of 4800 cloths by the end of 1569 but imported only 3845—out of 5342—butts of wine by Michaelmas 1570. Moreover, important communities of Italian merchants had been established in Antwerp and London, largely because of the luxury textiles and other wares carried from Italy overland to 'Flanders' (mostly Brabant), often for trans-shipment: hence, while his brothers Francisco, Pasquale, and Giacomo resided in Antwerp, Spinola himself lived in London, where he was in the very top rank of merchants. Requiring hangings for the dining chamber at Kenilworth Castle, the earl of Leicester told his man to 'deal with Mr Spinola', who was 'able to get such stuff better cheap than any man' (Jackson, 92). In 1572 Leicester asked Francis Walsingham, then in France, to favour Spinola in his (unspecified) 'great cause', as 'he is my dear friend and the best Italian I know in England' (BL, Harley MS 260, fol. 363). . . .

By virtue of his state and business interests, he often handled immense sums, so that, on 24 June 1574, he was owed amounts totalling £27, 879 9s. 8d. . . .

In 1578 Spinola, with Horatio Palavicino, was an agent for arranging the loan to the Union of Brussels. On his eventual return from the Netherlands he made his Italian will on 6 July 1580. He was then somewhat infirm, alquanto indisposto del corpo: in fact he died of plague, and was buried in the choir—a mark of his high standing locally—of St Gabriel's Church on 15 August 1580. He had never married, and probate was granted to his nephew [sic], Giacomo Spinola, on 29 October.

For the testator's epitaph, see STC 1057.

The testator was left a bequest in the will, TNA PROB 11/58/384, of the London alderman, John Harding (d.1576):

Item, I bequeath to Mr Benedict Spinola one black gown.

John Harding married Christian Shakerley, whose sister, Elizabeth Shakerley (d.1583), was the wife of Sir Ambrose Nicholas (d.1578), Lord Mayor of London, purchaser of Oxford's mansion at London Stone, and the stepmother of Daniel Nicholas, a witness in the Belott v Mountjoy lawsuit who is stated therein to have had a personal conversation with William Shakespeare (1564-1616) of Stratford upon Avon.

OTHER PERSONS MENTIONED IN THE WILL

One of the witnesses to the will was the physician and alleged conspirator Dr Ruy Lopez (c.1517–1594). Another witness was the merchant and diplomat Sir Horatio Palavicino (c.1540–1600), who, like Benedict Spinola, was born in Genoa. Benedict Spinola calls Palavicino his 'very trusted confidant', and the two men may have been related since Sir Horatio Palavicino was the second son of Tobias Palavicino (d. c.1580), a well-connected merchant aristocrat, and his wife, Battina (1522–1607), the daughter of Andrea Spinola. Another of the witnesses was Giovanni Battista Giustiniano, who was for many years a 'trusted agent' of Palavicino. See the *ODNB* entry.

1580 the 6 day of July in London

I invoke the name of God. So it is that I, Benedetto Spinola, finding myself at this present somewhat indisposed in body, but by the grace of God sound of mind, and for that in my indisposition it will perhaps be the will of God to call me to him, may His will be done, I have determined to put in this writing my last will concerning my affairs, which I intend shall stand settled and firm before all those to whom it may appertain;

When it shall serve Our Lord God that I go to a better life in this city of London, I humbly pray him that through his goodness and mercy and through the merits of our Redeemer he will accept my soul in his arms in the place of salvation;

And I entrust the burial of my body to my heirs or to those who will be sent here by them, and if by chance they are not yet come I entrust it to those of my nation, that it may please them to bury it in the parish church of my house with sparing and moderate expense at the discretion of my said heirs or their appointees, and in their absence of three of my said nation to be deputed for that [+purpose] by the Lord Mayor of this city;

I direct that my heirs, hereafter declared, distribute the sum of fifty pounds sterling of my first goods to the hospitals and other charitable institutions of this city of London according to what shall seem best to them;

I also direct that my said heirs distribute likewise of my first goods the sum of five hundred scudi of gold in gold of Italy to the charitable institutions of my native country and the city of Genoa, that is to say, to the almshouse, to the hospitals and other [+institutions] at their discretion;

I declare and leave as my joint(?) heirs two of my brothers, the one Mr Pasquale and the other Mr Giacomo Spinola, and their heirs and successors, of all my properties, moveable and immovable, present and future, they to possess and have them by equal shares;

And because my brother, Mr Pasquale, is a debtor to me of a certain sum of money, I acquit and release him of it in all due form, being unwilling that such my credit be accounted part of my estate, and being also unwilling that the other brother, Mr Giacomo, should be able to demand of him either an account of it or payment for it. On the contrary, my principal intention being to avoid any difference which could arise between them because of this my estate, I wish to say(?) further that they must not have other judge of any difference which might arise [+between them] except those living and more able of our nearest in blood;

And whereas Mr Giacomo, my brother, might have a claim against the other brother, Mr Pasquale, for old accounts of business in Flanders and other [+matters], I pray the said Mr Giacomo to refrain from [+making any such claims], and to impose an eternal silence [+on those matters]. But when he or his heirs, contrary to the example which I give them, do not do that, I, wishing with all my power to prevent the said claim and lawsuit, do make over to my brother, Mr Pasquale, all my rights of my credits and particulars(?) which remain to me towards the said Mr Giacomo, my brother, and I will that in such case he fully succeed in my place and be able to restrain the said Mr Giacomo, his heirs and successors, [+thus?] counter-balancing(?) the said claim. But if they both do love me they will calm themselves [=be satisfied?] with this settlement I place [=make?] between them;

[+I appoint] the said Mr Pasquale and Giacomo, my brothers, to be joint executors to take in all my properties, moveable and immovable, and for that [+purpose?] [+I grant] them all sufficient and valid authority in court and without, and also they to have authority to substitute [=exchange?] for that purpose one or more [+properties?] as to them proves convenient;

And when Hannibal Spinola, my nephew, comes into this realm, I give him authority to supervise the said taking in of my properties, moveable and immovable, with power to collect(?) and claim(?) in justice in whatever court of law all my effects and credits which for any account, so of exchange in this realm as in markets outside [+the realm] which may belong to me, and to give an acquittance for the same and come to an agreement as seems best to him, but with his obligation to give an account of it in due form to my above-mentioned two brothers, their heirs and successors, with satisfaction for the rest;

Agostino Graffigna having left my service and remaining debtor to me for some 120 pounds sterling, as appears in my book, I, wishing to use liberality towards him, acquit him of such his debt, and I intend that he not remain obligated to give an account to my heirs, their successors and administrators, for anything by him administered for me. Undersigned.

I, Benedetto Spinola, son(?) of the late Mr Battista, affirm that the whole contents of this writing are my true testament and last will, and that I requested Mr Horatio Pallavicino, my most trusted confidant, to write it with his own hand this 6 day of July 1580, I being seated in my bed.

I, Horatio Pallavicino, bear witness that I saw Mr Benedetto Spinola, who is sound in mind and memory, sign [+this] his present testament with his own hand the day and year abovementioned.

I, Pierro de Marini, bear witness to the above, called by the aforesaid Mr Benedetto Spinola to witness that this is his last will.

I, Matteo Raffo, bear witness that this is the testament and last will of Mr Benedetto Spinola, and that I saw him sign with his own hand.

I, Giovanni Battista Giustiniano, bear witness that this is the testament and last will of Mr Benedetto Spinola, and that I saw him sign it with his own hand.

And I, Henry Lempereur, bear witness that this is the testament and last will of Mr Benedetto Spinola, and that I saw him sign with his own hand.

I, Doctor Ruy Lopez, bear witness that this is the testament and last will of Mr Benedetto Spinola, and that I saw him sign it with his own hand the day given above.

I, Giulio Bonanome, bear witness that this is the testament and last will of Mr Benedetto Spinola, and that I saw him sign it with his own hand the day and year above.

[f. 294r]

1580 A di 6 di Luglio In Londra

INVOCATO IL NOME D'IDDIO Con cio sia che io Benedetto Spinola mi troui al presente alquanto indisposto del corpo, ma per gratia di Dio, sano della mente, et che per la mia indispositione sara forse voler di Dio chiamarmi a se, in che sia fatta la sua volunta, ho deliberato di mettere in questo scritto quale sia l'ultima mia volunta delle cose mie, laquale intendo che sia stabile e ferma appresso tutti quelli a cui possa appartenere. Quando sia n{ost}ro S{ign}or Iddio seruito ch'io passi a miglior vita in questa citta di Londra, humilmente lo prego che per sua bonta, e misericordia, e per li meriti del nostro Redentore accetti l'anima mia fra le sue braccia in lugo di salute, e raccomando la sepultura del corpo mio alli miei heredi o a quelli che da loro sarano qui mandati, e in caso non fussero ancora arriuati la raccomando a quelli della natione mia, che piaccia loro farlo interrare nella chiesa della parrochia di mia casa con parca e moderata spesa al arbitrio di essi heredi o loro comessi, e in loro absentia, di tre di essa mia natione da esser a cio deputati del s{ign}or Maggiore di questa citta. Ordino a miei heredi, qui appresso dichiarandi, che delli miei primi effetti distribuiscano la somma di lire cinquanta sterlini alli ospitali et altre oppere pie di questa citta di Londra, secondo che meglio loro parera Ordino anche a detti miei heredi che parimente delli miei primi effetti distribuiscano la somma di scudi cinquecento d'oro in oro D'Italia alle oppere pie della mia patria e citta di Genoua cioe al offitio de poueri, alli ospitali, et altre conforme che a loro parera. Dichiaro e lascio miei heredi per meta doi miei fratelli l'uno M{esser} Pasquale e l'altro M{esser} Giacomo Spinoli, e loro Heredi e successori, di tutti i miei

beni cosi stabili come mobili presenti, e futuri, che li possedano, et habbino per eguale

portione. E perche mio fratello M{esser} Pasquale mi e debitore di qualche som{m}e de danari Io nelo absoluo e libero in ogni miglior forma: non volendo che tale mio credito si conti per parte della mia heredita. E non volendo ancora che l'altro fratello M{esser} Giacomo, possi ne debba dimandargline conto ne pagamento anzi essendo mia principale intentione di euitare fra loro ogni differenza che potesci nascere per questa mia heredita, voglio oltre ildetto che non debbino hauere altro giudice di qualsiuogli differenza che nascesse, se non quelli che si troueranno viuenti, e piu habili delli piu prossimi del nostro sangue: Et atteso che M{esser} Giacomo mio fratello potria hauere pretensione contro l'altro fratello M{esser} Pasquale di conti vechi delli negotij di fiandra et altro, Io prego esso M{esser} Giacomo di astenersene, e di imporui perpetuo silentio. Ma quando egli o suoi heredi co{n}tro l'esempio che ne do loro, non lo facessero, volendo io impedire con tutto il poter mio detta pretensione e lite, Cedo a mio fratello M{esser} Pasquale tutte le mie ragioni di crediti miei e particolari che mi restano verso detto M{esser} Giacomo mio fratello

[f. 294v]

e voglio che egli in tal caso subentri pianamente in mio luogho e possa tener a freno esso M{esser} Giacomo suoi heredi e successori bilanciando detta pretensione: Ma se ambi mi amano si quieterano di questo accomodamento che pongo fra loro.

Che siano essecutori a restringere tutti li miei beni mobili e immobili essi M{esser} Pasquale e Giacomo miei fratelli congiunti, e per questo de loro ogni sufficiente e valida auttorita in giuditio e fuori, habbino etiandio auttorita di subituire a tale effetto uno o piu come a loro tornera comodo. E quando venghi Anni-

bale Spinola mio nipote in questo regno, Io li do autorita di soprauisore alla detta restrintione de miei beni mobili et immobili, con faccolta di poter scodere e chiedere in guistitia in qualsiuogli foro, tutti li effetti e crediti miei che per qualsiuogli conto cosi de cambij in questo regno come nelle piazze di fuori da chi sia mi potessero appartenere: e del scosso dar quittance et accordare come meglio li parera, con obligo pero suo in buona forma di darne conto alli sudetti doi miei fratelli heredi e loro successori con satisfatione del reliquato. Essendo si partito da miei seruitij Agostino Graffigna, e rimanendomi debitore di Lire 120-st{erli}ni incirca come al mio libro appare, Volendo io vsare di liberalita verso di lui, l'absoluo di tale suo debito, et intendo che egli non resto obligato di dar conto a miei heredi, loro successori et amministratori di alcuna cosa da lui per me amministrata. Sottoscritto.

Io Benedetto Spinola, fu del q{uondam} M{esser} B{attis}ta afermo che tutto il contenuto in

questa scritta fia il mio vero testamento et vltima volonta et hauere richiesto

il S{ign}or Or{az}io Pallauicino mio confide{n}tissimo a scriuerlo di sua mano questo di. 6. di Luglio. 1580. sendo io al mio letto/

Io Horatio Pallauicino faccio fede di hauer visto il S{ign}or Benedetto

Spinola che e in buon stato di mente, e memoria hauer sottoscritto il presente suo testamento di sua propria mano il giorno e anno sudetti/

Io Pierro de Marini facio fede di quanto sopra, chiamatto dal sopradetto

S{ign}or Benedetto Spinola di essere testimonio come questa e la volonta sua

et vltima/

Io Mateo Raffo faccio fede esser questo il testamento et l'ultima volonta del S{igno}r Benedetto Spinola et di hauerlo visto sottoscriuere di sua propria mano/

[f. 295r]

Io Gio{vanni} Bat{tis}ta Giust{inia}no faccio fede esser questo il testamento et l'ultima volonta del S{igno}r Ben{edet}to Spinola, et di hauerlo visto sottoscriuere di sua propria mano/

E moy Henry Lempereur faict foy estre cestuysy le testament et derriere voullonte du seigneur Benedite Spinolle, et de lauoir veu soubzsigner de sa propre main/

Io el Dottor Ruy Loppez faccio fede essere questo il testamento el vltima volonta del s{ign}or Benedetto Spinola, et io l'ho visto sottoscriuere di sua propria mano il giorno datto disopra/

Io Giu{li}o Bonanome faccio fede esser q{ues}to el testamento et l'ult{im}a volonta del s{ign}or Bened{ett}o Spinola, et auerlo ved{ut}o sottoscriuer di sua p{ropri}a mano, el giorno et anno di s{opr}a/

Prefatus Mag{nifi}cus D{omin}us Benedictus Spinola presentes manu sua propria subscripsit sigilloq{ue} suo corroborauit in p{rese}ntia mei Notarij infrascripti ac testium suprascriptorum Declarauitq{ue} hoc esse suum testamentum ac Vltimam Voluntatem Actum sexto die Iulij anno D{omi}ni millesimo quingentesimo octuagesimo Signatum Paulus Typoots Not{ariu}s pub{li}cus

[=The forenamed most distinguished(?) Benedict Spinola subscribed these presents with his own hand and confirmed(?) [+them] with his seal in the presence of me, the within-written notary, and the above-written witnesses, and declared it to be his testament and last will made(?) on the sixth day of July in the year of the Lord the thousand five hundred eightieth. Signed, Paulus Typoots, notary public.]

Probatum fuit h{uius}mo{d}i Testamentum coram mag{ist}ro Will{el}mo Drury legum doctore Curie prerogative Cant{uariensis} mag{ist}ro Custode siue Commissario xxixno die mensis Octobris Anno Domini Mill{es}imo quingentesimo octogesimo iuramento Will{el}mi Babham no{tar}ij pu{bli}ci procuratoris Pasqualis Spynola executoris in h{uius}mo{d}i testamento nominat{i} Cui comissa fuit administrac{i}o de bene &c Ac de pleno et fideli Inuentario omniu{m} & singulorum Iurium et creditorum h{uius}mo{d}i conficiend{o} &c Necnon de plano & vero Computo calculo siue ratiocinio inde reddend{o} Ad S{an}c{t}a Dei Euangelia Iurat{i} Reseruata potestate &c Iacobo Spynola executori etia{m} cum Venerit

[=The same testament was proved before Master William Drury, Doctor of the Laws, Master, Keeper or Commissary of the Prerogative Court of Canterbury, on the 29th day of the month of October in the year of the Lord the thousand five hundred eightieth by the oath of William Babham, notary public, proctor of Pasquale Spinola, executor named in the same testament, to whom administration was granted, sworn on the Holy Gospels to well etc., and to prepare a full and faithful inventory of all & singular the rights and credits of the same etc., and also to render a plain & true account, calculation or reckoning thereof, with power reserved etc. to Giacomo Spinola, also executor, when he shall have come.]

Septimo Decembris 1580 Commissa fuit Consimilis Administrac{i}o omniu{m} et singulor{um} bonor{um} Iacobo Spynola executori De Bene etc In p{er}sona m{agist}ri Will{el}mi Babham no{tar}ij pu{bli}ci procur{atoris} etc Iurat{i}

[=On the seventh of December 1580 a similar grant was made of all and singular the goods to Giacomo Spinola, executor, sworn to well etc., in the person of Master William Babham, notary public, proctor etc.]