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1585–1655**



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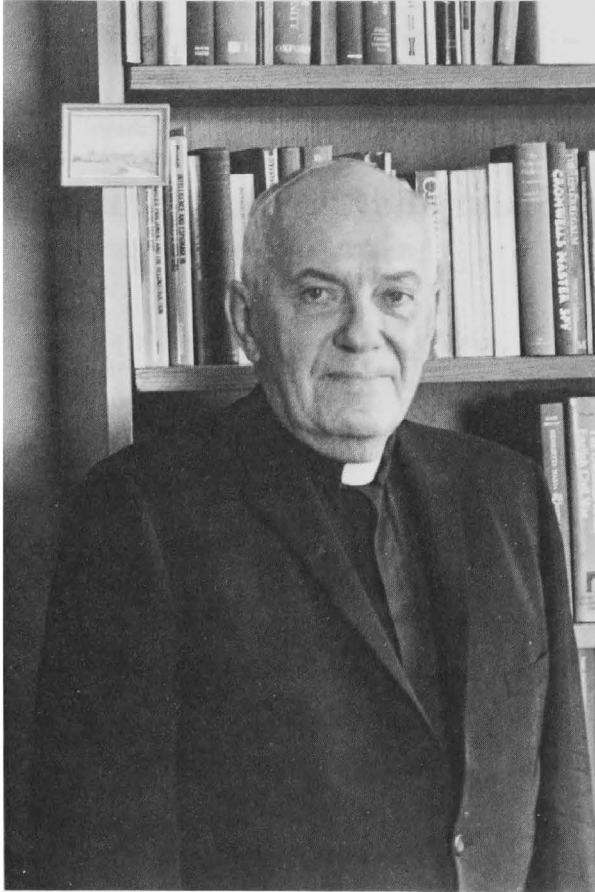
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PREFACE

In the aftermath of the fourth centenary of the Armada of 1588 and its stimulating research into the naval warfare of the first decade of the Anglo-Spanish relationship covered in this volume, it now seems proper to focus on other aspects of this controversial subject. This collection of essays explores the policies of three Spanish Habsburg monarchs towards England in some of the less familiar aspects of religion, commerce and peace time diplomacy over the years 1585 to 1655. It is in the final years of the Elizabethan war, before the first Stuart king succeeded to the throne, that the religious policy of the first of these rulers, Philip II, is to be observed. Since he had imposed an embargo on English goods during the Elizabethan war, Articles I and II assess its consequences upon resident merchants and other English mariners and travellers in southern Spain. His short lived Armada of 1597 is featured in articles III, IV, and V, where appear a pilot's guide to the coastline of England prepared for his council of state and the text of a unique proclamation intended for the use of his armed forces. There is finally an analysis of his unexpected prohibition of a role for the English catholics as part of a campaign in England. Articles VI and VII introduce the important regime of Philip III. In the former there is traced the success of a handful of English catholics in garnering official consulships in south Spain. Article VII describes the reasons for Philip's failure to find a viable strategy to prevent James VI of Scotland from becoming James I of England. After this, article VIII explores a widespread misconception that James's powerful councillor, Robert Cecil, was consistently anti-Spanish in the viewpoint of the resident Spanish ambassadors. A famous diplomat, the count of Gondomar, is studied in three articles. In IX, the Spaniard's rejection of an English Catholic adviser for his embassy staff is explored, while in X, his personal friendship with Francis Bacon in 1618 can be seen. In XI, his private recommendations to the Archduchess Isabella, concerning young English candidates for commissions in the Spanish armed forces in 1622 are weighed. In the last two articles pertaining to the reigns of Philip III and James I the complexities of 'Crypto-Catholicism' are touched upon. In XII and XIII the private religious convictions of Queen Anne and the adroit privy councillor, Edward Wotton, are followed in the private correspondence of the Spanish envoys.

The long reign of Philip IV is introduced in article XIV by a diplomatic shift of significance in the surprising request in 1630 by the English catholic leadership not to insist on a provision to protect them in a new treaty with Charles I. After this, a contemporary court clique widely known as the 'Spanish Faction' is seen in action briefly in article XV. After this faction broke up before the civil war, the new Spanish ambassador, Cárdenas, remained aloof to both sides in the great constitutional quarrel but afterwards he reached a secret understanding with some of the 'Independents'. How this unlikely political alliance came about is seen in article XVI. In the aftermath of the execution of king Charles, the auction of the royal collection of works of art attracted the Spanish court's sharp interest. Contemporary reports that Philip IV paid very little for choice items are seen to be mistaken in article XVII. Lastly, two Spanish kings encouraged their representatives in London to make the embassy chapel accessible to English Catholics as much as possible. The impact of their calculated move on the relations between the two courts can be followed in article XVIII. It is a pleasure to recall that my discovery of the rich documentary resources to explore the issues sketched above was regularly encouraged by the generous assistance of the staffs of the archives and libraries I visited over the years at Simancas, Madrid, Vienna, Brussels, Paris and Rome on the continent and especially in England at London and Oxford.

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ALBERT J. LOOMIE

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The articles in this volume, as in all others in the Collected Studies Series, have not been given a new, continuous pagination. In order to avoid confusion, and to facilitate their use where these same studies have been referred to elsewhere, the original pagination has been maintained wherever possible.

Each article has been given a Roman number in order of appearance, as listed in the Contents. This number is repeated in each page and is quoted in the index entries.

I

RELIGION AND ELIZABETHAN COMMERCE WITH SPAIN

It has been a familiar commonplace of early modern European historiography to observe that politics, warfare, and diplomacy, while not directly at the service of economics, could still be obedient to its influence. However, the instances where religious customs and attitudes were also sensitive to its dictates are too infrequently explored. One of the more obvious reasons for this neglect has been the conviction that religious differences and the rising strength of secularism had mutually alienated religion and economics. Over three decades ago Roger Tawney commented that 'by the end of the sixteenth century the divorce between religious theory and economic realities had long been evident.'¹ However 'the divorce' was not absolute. There is still evidence that economic realism could notably alter and influence religious attitudes. In the activities of the Elizabethan merchant community in Andalucia during the war between Spain and the Anglo-Dutch coalition there is an opportunity to see an interesting example.

Early in the sixteenth century the seas between Spain and England had been a bridge—not a barrier—through which the fundamental needs of the European economy were amicably served. Differences of climate, natural resources, and even the skills of the people, proved advantageous to each kingdom. From Spain, for example, England received oils, wool, ores, fruits, dyes and precious metals. During the reign of Henry VIII the merchants trading in Spain were to be second in influence only to the older Merchant Adventurers. Later, however, as antipathy towards Henry's divorce and schism waxed strong, there was to be a close relation between the freedom of English trade in Spain and the vagaries of Henry's policy towards the Catholic Hapsburgs.²

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¹ *Religion and the Rise of Capitalism* (Mentor ed.; New York, 1955), p. 164.

² See Gordon Connell-Smith, *The Forerunners of Drake* (London, 1954), pp. 56-81, 100-127; George D. Ramsey, *English Overseas Trade during the Centuries of Emergence* (London, 1957), pp. 99 ff.

During the first decade of the reign of Elizabeth there were new obstacles for trade, not merely in religious antagonism, but also in the hardening of Spain's determination to protect its previously lucrative monopoly in the Caribbean area while facing the expensive warfare of the Low Countries. Only in the brief period of 1572-1574 was some progress made in easing the evident mutual mistrust. The friendship of England and the Hapsburgs, commemorated in the treaty of Bristol of August 28, 1574, was the occasion when many claims over shipping losses on both sides were balanced. Moreover the Duke of Alva, the Governor of the Low Countries, agreed with Queen Elizabeth that other outstanding grievances could also be settled. The English Catholic *émigrés* in Flanders lost their pensions, and even the magistrates of Douai voted to expel the English students of theology at its University. For her part Elizabeth promised to exclude all Flemish undesirables seeking sanctuary in England. Soon afterwards Lord Cobham was able to negotiate a relatively sensible agreement by which the policies of the Inquisition against English Protestant merchants in Spain were limited to certain defined cases. The arrangement called for the Inquisitors to act solely on a merchant's activities within a Spanish port after his arrival, and the rights of confiscation were confined to the goods of the accused and not the entire ship and cargo, which the defendant frequently did not own, in any case.³

The Alva-Cobham agreement was not popular with some of the commercial rivals of England and even members of the Spanish Council of State objected to giving better treatment to England, when other friendly nationals were subject to more restrictions.⁴ The Duke, however, insisted on the special favors, since he hoped, by strengthening Anglo-Spanish ties, to weaken the position of the Dutch rebels. Yet even while the agreement was being protected, the piracy of Andrew Barker in the Caribbean and, a year later, of Sir Francis Drake on the Pacific shores of South America, were but portents of the great conflict to open within a few years.

King Philip's decision to engage in direct economic reprisals against England was aimed at weakening the financial resources of the Anglo-

³ Sir Ralph Winwood, *Memorials of Affairs of State in the Reigns of Queen Elizabeth and King James I*, ed. Edward Sawyer (3 vols.; London, 1725), II, 29; *Cal. S.P. Spanish 1570-79*, pp. 510, 537-538.

⁴ Kervyn de Lettenhove, *Relations Politiques des Pays Bas et d'Angleterre* (Brussels, 1882-1900), VIII, 30.

Dutch coalition. On June 15, 1586, and again on August 29th, instructions were sent to all Spanish ports to seize English shipping. The decree was promulgated with the haphazard touch, for its full text did not reach the Viceroy of Naples until February, 1588.⁵ In any case the Adelantado of Castile, Don Martin de Padilla y Manrique, was soon on patrol off Gibraltar in July, 1586, against the passage of the valuable English Levant ships. Unlike previous embargos of English shipping in 1564 and 1567, which had been quickly lifted,⁶ the orders of 1586 were to remain in force until the accession of King James I. Although the enforcement of the embargo was to be officially rigorous, it is doubtful if it achieved any of Philip's hopes with substantial success. Contraband into Spain was to increase, and the familiar device of running up a neutral flag when entering Iberian ports was resorted to by the English. Moreover Spain lost its customs revenues from English goods, nor did it have the shipping to take over the carrying trade that had been embargoed. English ships if armed were frequently capable of eluding Spanish pursuit. For example, in 1590 Admiral Doria, with a squadron of galleys, was outmaneuvered by ten English ships off the Moroccan coast.

However, the first sudden seizures of 1586 in Spanish ports created a lasting animus among London merchants. A typical example of their attitude was a short book which celebrated the escape of one ship, the *Violet*, "by the special providence of God from the violence of Spaniards" in seven pages of doggerel verse. The Preface reminded its reader that English ships were grasped by the Catholic King "to his use and service, where and when and against whom it shall best please him."⁷ An obvious hint of invasion.

The Italian peninsula, aside from the Hapsburg lands, did not rally to Spain's crusade against England. In fact, since 1582 the Knights of Malta had allowed English merchants free entry for trading and victualling for their voyage to the Levant.⁸ The relations of the Grand Master with the Tudor queen had continued to be of suffi-

⁵ Fernand Braudel, *La Méditerranée et le monde Méditerranéen à l'époque de Philippe II* (Paris, 1949), pp. 492 ff.

⁶ Roger Merriman, *The Rise of the Spanish Empire* (New York, 1934), IV, 279.

⁷ Anon., *A True Report of the General Embarment of all the English Ships under the Dominion of the Kinge of Spaine* (London, 1586), pp. 4-5.

⁸ Braudel, *op. cit.*, p. 480.

cient cordiality so that, despite Henry VIII's suppression of the English *langue* of the Order of the Knights of St. John, Elizabeth ordered services of thanksgiving for the deliverance of the island from the Turk in 1565. Venice continued to charter English shipping, which was also a sign of its decline in meeting the competition of northern Europe. The papal curia, as shall be seen, did not allow Spanish objections to interfere with its alum trade with Protestant England. Moreover, during the Spanish campaign in Brittany in the 1590's it was known that English goods were being transferred to Breton bottoms for shipment to Spain.⁹ In brief, the commerce of Protestants in England did not suffer severely through Philip's embargo, and the connivance of other Catholic powers was evidently one factor in a victory for economic realism.

One of the most interesting aspects of the embargo is that there is evidence that the Alva-Cobham agreement of 1576 limiting the Inquisition's procedures was not considered to be canceled. On September 18, 1586, the local tribunal at Seville queried the *Suprema*—or Supreme Council of the Inquisition—for advice. It recalled: 'By letters of the 19th of April and of the 14th of May, 1576, your Lordships ordered that there were not to be proceedings against the English who come to these kingdoms, if it is not proved that they have committed the crime of heresy after their arrival . . . and thus it has been done. At present, however, there is a war between his Majesty and England, and an order was recently given to arrest any Englishman who is in these kingdoms, and to confiscate his goods. . . . Thus we have thought it best to consult your Lordships as to whether it is also ordered to keep the rule not to proceed against the English who have testified that they only committed heresy in England or elsewhere.'¹⁰ The problem had arisen in Seville after an inspection of the ship *Juliana*, in which books for Protestant services were discovered, although on questioning the crew the Inquisitors had learned that the ship's owners had ordered them not to hold services in Spanish waters, and even to hide the books.

Unfortunately the document does not have any notation as to the decision of the *Suprema*, but in any case it is known that all merchants arrested at the time of the embargo were sent back to Eng-

⁹ *Ibid.*, pp. 493-494.

¹⁰ Archivo Histórico Nacional, Madrid (Hereafter cited A.H.N.), Inquisición, legajo 2948, no folio (Hereafter cited n.f.), letter of September 18, 1586.

land.¹¹ It would appear, however, that the Alva-Cobham agreement did continue in force. For, in an instruction of January, 1594, the *Suprema* warned the tribunal of the Canary Isles: 'for the present, and until you receive further orders you shall not undertake any proceedings against any masters, mariners, nor any foreigners, nor against their ships or property unless you have previously received information that they have offended against the faith within the dominions of the Spanish crown. . .'¹² Significantly the tribunal was also advised to leave the question of which foreigners could be allowed to remain in Spain to the civil governor.¹³

One of the difficulties at this time was that Philip II would order the Inquisition to act in fields quite alien to questions of religion. For example on May 30, 1576, the *Suprema* instructed the tribunal in Barcelona to search all ships and enforce an edict against sending arms and horses to the French.¹⁴ Obviously the move was directed against Condé and Navarre who were preparing their campaign for the summer. Similarly, in 1581 Bernardino de Mendoza, the Spanish envoy in London, wrote to Philip II urging the closest scrutiny of all Englishmen trading in Spain. He suggested the strict enforcement of a former edict 'forbidding any stranger to lodge in the house of another stranger.' He specifically asked that the Inquisition should act in Seville. Philip replied that his suggestion 'shall not be lost sight of.'¹⁵ The Inquisition must have acted, since an English spy, Thomas Honiman, later reported to Sir Robert Cecil that 'the Spaniard allows no stranger to lodge strangers, and no stranger that has not been thirty years in the country may inhabit within thirty leagues of the coast.'¹⁶

¹¹ A.H.N., Inquisición, 2949, n.f., petition of Ralph Hassal, January 14, 1588; see also *Cal. S.P. Foreign, 1584-5*, pp. 485, 527.

¹² *English Merchants and the Spanish Inquisition*, Camden Society, New Series, XXIII (1912), pp. 52-53.

¹³ Apparently after the Peace of Vervins French merchants were to be given similar treatment. In a letter from the *Suprema* to Don Andres de Prada, Secretary of the Council of State, the policy was stated: "If the French have not committed an offense in the kingdoms of the king, our lord, or the isles adjacent to them there are not to be proceedings against them." *Archivo General de Simancas, Spain, Sección de Estado* (Hereafter cited as E), legajo K 1605, f. 31.

¹⁴ A.H.N., Inquisición, 327, f. 25v.

¹⁵ *Cal. S.P. Spanish 1580-86*, pp. 177, 219.

¹⁶ Public Record Office, S.P. 12/264/48. In E 627, f. 21, a complaint of Spanish merchants of Seville in January, 1612, showed that the order was not

In May of the same year the *Suprema* sent instructions to the local tribunals in Seville, Granada, Murcia, and Logroño to be on the watch for clandestine shipments of heretical books that were frequently being included in cargos of goods from France. In September and November further warnings were circulated advising a close check on all ships from England, as Mendoza had written a special despatch about books sent from there, adding there were plans in England 'to send to these kingdoms persons who might sew errors and heresies' as a retaliation for the new Jesuit mission begun in the preceding year in England.¹⁷ If the report were true, and there is no reason for doubt at present, it would be very likely prompted by the missionary aspirations of the Spanish Protestant *émigrés* in London. The problem continued even after the embargo. On July 24, 1590, the Inquisitor of Seville, Dr. Luis de Zaponés, circulated a new warning. He informed the *Suprema* that he had received news from Flanders of a new plan to send 'heretical books' to Spain. 'Nearly a month ago,' he wrote, 'in shipments from Holland, Zealand, and England the heretics sent into Spain 15,000 copies of heretical books in Spanish.' He wrote that 30,000 more were ready to be sent in barrels of biscuits and in special sections of the pipes for wine and oil.¹⁸ The absence of other evidence in the incomplete collection of Inquisition papers in Madrid makes it impossible to assess this evidence.

It was probable that the figures were exaggerated in these reports, but the likelihood of Spanish Protestant books being sent into Spain is strengthened by a more detailed report of 1602. In an *avisos* from Holland it was announced that an edition of 1,000 copies was prepared, 'bound in fine Dutch cloth with gold thread on the covers,' of a work containing 'the confession of faith in Spanish composed and brought out under the name of the Spanish who are in London as refugees from the Inquisition.'¹⁹ The books were to be routed among

well enforced: "Many heretical merchants are allowed to live as before, in the same dwelling, and only the Catholics and men of good repute are watched." In England in the 1590's Sir Walter Mildmay demanded that a register of all strangers coming into England be kept. John Strype, *Annals of the Reformation* (Oxford, 1820-40), IV, 296.

¹⁷ A.H.N., Inquisición, 327, f. 43v, and 395, n.f.; *Cal. S.P. Spanish 1580-86*, p. 177; British Museum (Hereafter cited as B.M.), Egerton Ms. 1507, ff. 103, 105.

¹⁸ A.H.N., Inquisición, 2950 n.f.

¹⁹ E 621, n.f., '*Avisos de Olanda*.'

merchandise sent to Spain from Emden and Hamburg to San Lucar. The informant said he had actually seen the work, which was printed in Hesse with Spanish and German on the same page. This report, and there were obviously others, explains the continuing need for a search of ships and personnel, despite the rigor of the embargo.

It was evident that the English merchants, both before and after the outbreak of hostilities, found that a search by the Inquisition followed a regular pattern. An anonymous Elizabethan merchant, who had clearly experienced it several times, wrote the following brief summary of his encounters in a Spanish port. 'First it is demanded whence they do come, howe longe it is since they departed out of their countrie, if they have made any other port before their arrival, what commodities they do bringe and for whose accompt. *Item*, if they do bring any booke, or picture forbidden by their holy office, if there be any yvell Christain in the ship that hath saide or done anythinge against the catholicke faith of Rome, or hath blasfemed against God and his saints. Whereunto the master and botswain answereth they have not brought anythinge prohibited, and in theyr knowledge all are good Christians that are in theyr shipp. Wherupon having searched the shipp the comisary doth charge them examined to keepe secret, without acquainting any man what hath byne propounded unto them, upon paine of incurring the danger of theyr oath.'²⁰

It was ironical that some of the more severe clashes with the Inquisition's practice were to center in the papal curia's ships sailing to England despite the course of the Anglo-Spanish war. Ever since the discovery of large deposits of stone alum at Tolfa in the Papal States in 1461, a corporation linked with the curia had profited from a brisk and expanding market.²¹ The substance was then considered essential for the preparation of dyes for cloths and paper. Prior to sending a cargo to England the papal curia would give the ship's master its letter of safe conduct for his—usually Protestant—crew, but the device was not always an adequate safeguard. Evidently the curia feared the loss of its English market to its rivals, whereas Philip

²⁰ Public Record Office, S.P. 94/10/219.

²¹ See Myron Gilmore, *The World of Humanism* (New York, 1952), pp. 52 ff.; Charles Singer, *The Earliest Chemical Industry* (London, 1948), pp. 140 ff. The English court's connection with the alum trade is shown in Lawrence Stone, *An Elizabethan: Sir Horatio Palavicino* (Oxford, 1956), pp. 41-65.

clearly viewed this activity as a sabotage of his economic reprisals against Elizabeth.²² The collision of the two policies was inevitable.

On March 13, 1590, the papal nuncio complained to the Grand Inquisitor that an English ship, under papal protection to trade in England and Flanders "according to an ancient custom," had been captured on the high seas by a patrol of Spanish galleys. He insisted on the release of the ship and its crew. After an inquiry from the *Suprema* the local tribunal at Seville sent the following summary of the case: 'In the month of June in the past year of 1589 a denuntiation was received in this Holy Office against the English sailors of the ship called the *Farewell* whose owner and captain was Christopher Farewell of Poole. When they were in Cadiz they argued with some Spaniards, who were claiming that everyone was poor on account of the wars that were being waged against the Queen of England, who was not a good Christian. The Englishmen replied that the queen was a very good Christian and better than others. The Spanish replied by asking how could she be a good Christian, if she did not obey the Supreme Pontiff and tyrannized the Church and robbed the altars. The Englishmen argued that even for this was she a good Christian, and they spoke in Spanish for they knew how to speak it.'²³

The Seville tribunal then noted that, in the preliminary hearing after the arrest of the crew, they learned that Protestant services had been held on the high seas 'from Civita Vecchia to Malaga and thence to Cadiz,' but it was the brawl in Cadiz that moved the officials to decide that the ship must be seized. A judgement was passed against the *Farewell* and its crew, and the ship was auctioned off for 900 ducats, which was used to maintain the crew while in prison. The cargo of alum was set aside for the custody of the *Regidor* of Cadiz. The detailed report concluded with the remark that if the ship were returned to Farewell the sum of nearly 3,000 ducats would be needed to repay the purchaser and support the prisoners. The case was by no means finished.

In the summer of 1591 five other English ships en route from the Papal States to England were seized by the Adelantado of Castile. The Spanish envoy in Rome, the Duke of Sessa, reported to Philip II on April 27, 1592, that it was such a serious loss to the papal curia that it had become impossible to charter a vessel for the next voyage

²² See also Braudel, *op. cit.*, pp. 482 ff.

²³ A.H.N., Inquisición, 2950, n.f.

to England. Among the first items in the instructions of the new nuncio to the Spanish court, Camillo Caetani, was the restoration of all embargoed alum.²⁴

Prodded by the protests of Rome the *Suprema* wrote again to Seville. On January 13, 1593, the tribunal replied that although the case of Farewell had been concluded, an appeal had been begun with some of the money still left from the sale of the ship. Apparently the owner had been released from prison. Meanwhile Caetani had decided to write to Rome for a new *breve* which would strengthen the rights of the English ships carrying alum.²⁵ A change in the membership of the tribunal at Seville did not facilitate the papal demands for restitution. In a letter of March, 1594, they informed the *Suprema* that there had not been any new seizures, and that the papal property was still sequestered at Cadiz. The report concluded with a rather testy remark that surely Madrid was now in possession of sufficient information.

There was a lull in this series of ineffectual representations from Rome. It is, of course, difficult to learn King Philip's real attitude at this time; probably he was reluctant to cross the Adelantado of Castile, as that grandee was trying, unsuccessfully, to sell some of the confiscated alum to a Jew in Algiers.²⁶ It was not until May, 1599, that the nuncio, Camillo Caetani, received an order, which he sent with obvious relief to Rome, stating that the new monarch, Philip III, had restored the cargos of alum to his control.²⁷ Thus closed a long and tedious affair that came from the over-sensitive reaction of a local tribunal to the provocative remarks of visiting sailors. The 'safe-conduct' of the curia was rendered useless by the hasty seizure of ships and crew, so that friction developed between Spain and Rome. However, the abuses in seizing property would be limited when a new treaty would be negotiated between England and Spain.

There was one other change in the policy of the Inquisition towards English Protestants which evolved during the war. Inevitably the fighting on the high seas was to bring scores of English prisoners to

²⁴ Archivio Segreto Vaticano (Hereafter cited as A.S.V.), Nunziatura di Spagna, tomo 50, f. 269, copy of *cédula* of May, 1599, tomo 318, f. 9; E 959 n.f. letter of October, 1592.

²⁵ A.H.N., Inquisición, 2951, n.f.; A.S.V., Nunziatura di Spagna, tomo 44, ff. 63-4.

²⁶ E 965 n.f., letter of January 17, 1595.

²⁷ A.S.V., Nunziatura di Spagna, tomo 50, ff. 267-268.

Spanish shores. While they normally were the concern of the Council of War, or the Council of the Indies, there were several instances of Englishmen who, for one private motive or another, were to encounter the Inquisition in their desire to become Catholics. It was apparently the labors of an English Jesuit, Robert Persons, that were the background for a change in the Inquisition's procedures. In 1602, when Persons was engaged in his first duel with an English Catholic faction known as the 'appellant' clergy, he answered a charge that he had increased the cruelty of Spain towards his own compatriots with these words: 'From the tyme of F. Persons cominge into Spaine in the year 1588 until his departure in the yeare 1596 no one Englishman was put to death during those eight yeares, whereas before many had accostumed to be.' He then explained the argument he had successfully used with the Inquisition. It was based upon 'the true state of men in England' and the traditional principles of canonical procedure. He suggested: 'Very few, especially of the yonger sorte (how earnest protestants soever they shew themselves) are to be accompted hereticks properly, and in rigour of the canons, as they appoint punishments unto them, for that they lack sufficient knowledge of the Catholic faith, or leastwise instructions, having never byn actually Catholicicks.'²⁸

There is evidence in the papers of the Inquisition in Madrid that the assertion of Persons was correct. In December, 1590, when the Adelantado of Castile had captured two English ships off the coast of Andalucia he had pressed their crews into serving in his galleys for the return to Seville. Robert Persons had been visiting that city for several weeks prior to their arrival. On February 7, 1591, he wrote to the *Suprema* that there were seventy English prisoners in Seville who were waiting to be ransomed or exchanged, but that some 'after a few talks and conferences' had said that they wished to become Catholics. Persons argued that since they were not heretics they could be 'reconciled' without any public ceremonies. The *Suprema*, urged on by Barolomé Perez, the Jesuit Provincial of Andalucia, and—more significantly—by the Adelantado, agreed within a short time. The new principle had been recognized.

Whatever the pleas for privacy in the 'reconciliation', there was considerable publicity for the event in Seville. Eventually there ap-

²⁸ *A Manifestation of the Great Folly and Bad Spirit of Certayne in England* . . . (Antwerp, 1602), pp. 50v-51.

peared a full account in English which was printed in Antwerp and circulated in the Low Countries. *The Newes from Spayne and Holland Conteyning an Information of English Affaires in Spayne* told its readers that 'at St. Marys port (i.e. Puerto Santa Maria) about nintie English, partlie captains and officers and partlie marchaunts and common soldiers, who had byn very resolute a long time in their religion . . . became catholiques, and that at such a tyme when they saw themselves out of al dangers, if they would have continued in the contrary.' The book also mentioned the solemn services of thanksgiving in the town's principal church, which were followed by a 'ryall dinner' at the expense of the Adelantado.²⁹

This scene of Anglo-Spanish amity was deceptive, for the war had created an element of distrust that was not dissipated by adherence to a common faith. When many of these former English soldiers and sailors offered to join the Spanish military forces they were rejected. Seriously provoked at this coldness, Robert Persons complained to the influential Don Juan de Idiáquez, a member of the Council of State: 'I am amazed at the indifference with which the good will of the English extended with so much devotion and with such a risk and damage to themselves has been received . . . certainly for my part, I feel sure that if our enemies had a like opportunity to give credit to themselves and harm us by means of our own people, they would not let it pass but would use it with great care and display.'³⁰

The precedent created by Persons was to be invoked again by two English Jesuits, Charles Tancred in 1591, and Richard Walpole in 1598. The latter case was slightly different in that the 'reconciliation' of the English prisoners was finished before the negotiation for their exchange had begun. Walpole pleaded that he had too much work to do to be able to handle the cases. His letter to the *Suprema* implied a large number of cases, for he wrote that 'many were laboring on the rebuilding of the fortifications of Cadiz,' and 'many were serving in the galleys.' The tribunal of Seville in passing the petition to Madrid observed that 'the normal period' of instruction in a monastery was impossible for such numbers. It was notably sceptical of the value of sending Englishmen to any monastery, since it had been frequently the

²⁹ *The Newes from Spayne and Holland* . . . (Antwerp, 1593), pp. 2-3.

³⁰ Thomas F. Knox, *Letters and Memorials of Cardinal Allen* (London, 1882), p. 329.

first step to escape. 'A serious danger is apparent in placing the people in monasteries. Everyone for whom it was done has escaped, even those who were sent here by the tribunal of the Canary Isles and other places, so that no one remains.'³¹

The policy of requiring a period of residence in a monastery for an English neophyte had long proved ineffective. On October 6, 1590, the Seville tribunal reported that 'many English and Scots' who had been placed in monasteries 'had made poor use of such kindness in not sending them to the galleys.' It appeared that 'every one, or nearly so, had fled and gone to England without a single one being captured after a diligent search.' Nearly seven years later the Seville tribunal wrote with unmistakable chagrin of the escape of two more Englishmen: 'We have not even tried to recapture them . . . for all the Englishmen seeking counsel in a monastery escape . . . as we have many times reported.'³² Evidently the arrival at a monastery had become the most promising feature of the escape plans of Elizabethan prisoners of war. It was not invariably so. Sir Richard Hawkins made a well-known, but unsuccessful, attempt to escape from a Spanish monastery, but did not share the good fortune of others during the war.³³

In England during roughly the same period the Puritan vigor, which was very likely encouraging the sending of Protestant tracts in Spanish into the realms of Philip II, was growing suspicious of all merchants trading in Spain. Richard Hakluyt, for example, had once expressed alarm in his *Discourse of Western Planting* that 'a merchant in England cometh here devoutly to the Communion, and sendeth his son into Spain to hear Mass. These things are kept secret by the merchants, and such as depend upon the trade of merchandize are loth to utter the same.'³⁴ As early as 1580 some of the London clergy composed a petition for Convocation urging a drastic penalty: 'Item, that we having experience of travelers beionde the seas in our parrishes, and do know that to travell into divers contries is the poysoninge of merchants sowles, humbly . . . do beseech you that an order be made that what merchant soever, or factor, or master of shippe, or mariner shall travaile to Spaine and be convicted

³¹ A.H.N., Inquisición, 2950, n.f., and 2952, n.f.

³² A.N.H., Inquisición, 2950, n.f.; B.M., Egerton Ms. 1508, f. 311.

³³ H.M.C. *Salisbury Ms.* VIII, 298-91.

³⁴ *Hakluyt Society*, Series II, Vol. LXXVI (1935), Part II, p. 221.

of his goinge to open or private mass, that for the first time he may pay to the use of her Majestie £XL, the second time one hundred poundes, and the third time his goods to be confiscated to the Exchequer and to be disfraunchised of his freedome.³⁵

Ironically, such casual visits of English Catholic merchants to Spain were closed by the embargo. However the London merchant community was well informed about events in Spain during the war and it was quite irritated about those English Catholic resident merchants who continued to live in San Lucar in Andalucia.

The Brotherhood of Saint George of San Lucar de Barrameda had been formed by Englishmen trading in the area early in the century to protect their interests commercially and to afford them a chapel for worship and meetings.³⁶ In part it resembled the liveried companies of Tudor London. The patron of this merchant colony was the Duke of Medina Sidonia, who had first given them a choice site of land near the Guadalquivir River, and approved their privileges in a charter which the English residents usually described as 'The Privilege of Saint George.' Further confirmation of the Brotherhood's charter was granted by King Henry VIII, and the Emperor Charles V, at the time of the formation of the Andalucia Company in 1530. Later, in 1577, when the 'President, Assistants and Fellowship of Merchants of Spain and Portugal' was formed,³⁷ the Brotherhood at San Lucar became linked with this larger trading company. Within Spain, however, the post of greatest significance for the Brotherhood was always that of consul.

The exact evolution of the coveted office of consul was obscure³⁸ since the post varied in significance and usefulness in different Spanish ports. However the duties of the English consul at San Lucar remained important even during the embargo. Not merely was he the spokesman for the immunities of the merchant colony to the Duke

³⁵ Bodley Library, Oxford, Wood Ms. 30 and 32, f. 86. (I am grateful to Dr. Gareth Owen for this information.)

³⁶ Gordon Connell-Smith, *Forerunners of Drake*, pp. 88, 92-96; Godfrey Fisher, "The Brotherhood of St. George," *Atlante*, I (1935), 31-40.

³⁷ B.M., Harleian Ms. 295, f. 215; the charter is in V. M. Shillington and A. B. W. Chapman, *Commercial Relations of England and Portugal* (London, n.d.), pp. 312-326.

³⁸ A general explanation of the post is in Florence Elder, *Glossary of Medieval Terms of Business* (Cambridge, Massachusetts, 1941), p. 85.

of Medina Sidonia, but he had limited jurisdiction over his fellow merchants in offenses against the law. He was in a position to acquire useful information about the politics and trade along the coastline, and by virtue of his office he could levy a small tax on any English merchandise landed at San Lucar. Although the Spanish court insisted on ratifying a nomination for consul, the Brotherhood maintained it had electoral rights for the post through its 'Privilege of Saint George.'³⁹

In 1586, when the embargo of English shipping and the expulsion of English subjects were decreed, a number of English merchants in San Lucar secured permission to remain. All of them had long periods of residence to recommend them to their patron, the Duke of Medina Sidonia, and their Catholicism, as well as their business investments, rendered a return to Elizabethan England out of the question. During the winter of 1590-91 they clearly indicated that they believed themselves to be the sole legal custodians of the privileges of the Brotherhood. Early in January, 1591 when their charter required a meeting of the officers and brothers, they voted to donate their church and buildings by a legal deed, to a hospice for Englishmen: sailors, students, priests, itinerant merchants, who would need

³⁹ There was no common practice of appointment at this time. The example of the consul of the French merchants in Seville in 1596 was confusing, to say the least. At that time Pierre de Ybos claimed the office because it had been conferred on him shortly before the death of the previous incumbent, Manuel de Bues. However, another merchant, Guillaume Layne, immediately began a law suit for the post, claiming it by virtue of his election by the resident French merchant community. The suit did not go far, since a third claimant arrived, Arnauld de Fau, who carried letters claiming the post by order of Henri IV, for he had purchased the office from a French court official. The Spanish Council of State finally confirmed the third candidate. (Albert Girard, "Note sur les consuls étrangers en Espagne avant le traité des Pyrénées," *Revue d'Histoire Moderne*, IV [1934], 124 ff.) Apparently it was not necessary for a consul to belong to the same nation. Thomas Wilson, an English spy, reported to Robert Cecil from Valladolid that he had noticed many aspirants for the office, including a Spaniard from Cartajena "who is come up to make meanes to be consull for the English in that porte" (Public Record Office, S.P. 94/10/16). There was a probable reason for such a choice in the fact that, on more than one occasion, the Cortes protested to Philip II that he ought to annul the letters of naturalization granted by his father to English, Flemings and Genoese, "who have come here with their ships to the prejudice of the native Spanish" and thereby controlled the carrying trade (Merriman, *op. cit.*, IV, 429-30).

a shelter during the war. They also voted a small endowment for three English chaplains who would care for the chapel and hospice and minister to English travelers.

On January 2, 1591, John Dean, 'consul of the English nation,' and Father Robert Persons appeared before the Duke of Medina Sidonia to receive a ratification of their changes. The duke approved the transaction 'in so far as it concerns me,' and promised protection of 'the English priests who are at present in the said church, or who shall be there.' Nearly four months later the notary of San Lucar entered in his Register a 'Donation by the Consul and English Merchants of the church and property of St. George for the foundation of a hospice.'⁴⁰

It is a lengthy document, but several details are of considerable relevance to the quarrel that would develop between Catholic and Protestant English merchants when the war ended. The 'Donation' stated that John Dean, the 'majordomo' of the church, house and Brotherhood of St. George, John Fletcher, whose wine business was in Jerez de la Frontera, Thomas James, William Hart, William Davis, and Nicholas Carode, all merchants of the town, had assembled and agreed in a meeting, 'in the name of all other brothers and members,' that the rarely used buildings of the Brotherhood should be changed 'to provide a hospice for the needy of the English nation when occasion shall demand.' Thomas Stillington, an English priest formerly at Douai College, was named the *preposito*, or superior, of the residence, and Martin Aray and George Ambler were named assistant chaplains. The members of the Brotherhood then transferred their rights to collect imposts, to the extent of 1,000 ducats from any goods imported 'from the English nation' which reached San Lucar. The 'Donation' also empowered William Cardinal Allen to oversee the appointments of later chaplains and modify the rules of the hospice as required.

Under the new charter of the Brotherhood the *Preposito* was to be elected every three years on the feast of St. George by the votes of the consul, the chaplains, and 'two elders of the nation,' who were presumably long-time resident merchants. The stipends of the chaplains were small, but provision was made to increase them after peace was restored and trade improved. The account books of the hospice

⁴⁰ Saint Alban's College Archives, Valladolid, *Sección de San Lucar*, legajo 1, certified copy, April 29, 1591.

were to be reviewed each year at the annual meeting of the Brotherhood during the octave of Becket's feast. The charter also specified a new status for the consul. It ordered that he was to be elected every three years 'by the nation,' and then confirmed the present incumbent, John Dean, in his office. Thus the duty of consul and the work of the *Preposito* were made separate, and the chapel and buildings were given a more autonomous and largely ecclesiastical regime.

The Brotherhood were thorough in their legal proceedings. The Archbishop of Seville, Rodrigo Cardinal de Castro, was asked to have an ecclesiastical notary to record the transaction, 'approving it as it stands, and supplying any defect in law if by any chance there was one.' Philip II also confirmed the donation, and he privately offered 2,000 ducats to restore and renovate the chapel and houses.⁴¹

The hospice was surprisingly active from the outset. It assisted the prisoners of war, and welcomed English sailors from ships under another flag. It also served as a way station for students secretly traveling from the two colleges at Seville and Valladolid to England. Shortly before his death Cardinal Allen asked Robert Persons to oversee the hospice in his place. On December 9, 1595, Persons reported to Claudio Aquaviva, the Father General of the Jesuits, that he wished to have the conveyance of the San Lucar chapel approved by the Pope, and that authority for the rules 'for the good conduct of the priests in charge' should also be granted. Eleven months later Camillo Caetani, the nuncio at Madrid, informed Persons that papal approval for the hospice was conferred.⁴² The rules of the residence proved to be brief. They ordained that the chaplains were to be men 'who would serve to advantage the English merchants resorting there,' and would live according to a fixed manner of conduct.⁴³ The familiarity of these English chaplains with merchants trading at the ports of Andalucia who would later touch at ports in Ireland or northern France facilitated the secret voyages of new priests to England.

It was only a matter of time before the disagreement of the London merchants would be expressed. The peace overtures leading to the

⁴¹ *Ibid.* Original letter of May 4, 1591.

⁴² Roman Archives of the Society of Jesus, Hispania, Vol. 139, f. 122; E 844, ff. 137-138; Saint Alban's College Archives, San Lucar, legajo 2B f. 65.

⁴³ Saint Alban's College Archives, San Lucar, legajo 1, copy, endorsed by Cardinal Borghese.

conference at Boulogne in 1600 were a suitable opportunity to air their complaints. Diplomatically these negotiations between the deputies of England, the Archduke Albert, and Philip III were to be a fiasco. They were to end in mid-summer with many charges of insincerity and quibbles over precedence on all sides without anything useful being accomplished.

However the information supplied by the London merchants for the possible re-establishment of Anglo-Spanish trade was an important clue for the subject being examined here. In February, 1600, during a visit to England of Louis Vereyken, an envoy of the archduke, Queen Elizabeth appointed a commission of five experienced councillors: 'Mr. Herbert, Mr. Cesar, Robert Beale, Thomas Edmondes and Thomas Lake,' who were to examine all former treaties with Spain. Rowland White reported to Sir Robert Sydney that the commission met for several days and 'called before them all kinds of merchants, customers and their clarkes about the matters of traffiq.' A copy of an original report from this time is contained in a small folio volume bound in vellum entitled 'The Booke of the Marchants of S.Lucar' which is still preserved in the Public Record Office.⁴⁴ Its contents were not intended to be confidential, since there are brief summaries from it available in contemporary records on the continent.⁴⁵ As might be expected a greater liberty for trade and a confirmation of all former privileges in Spain figured largely in the suggestions, but those dealing with religion reflect a clear appreciation of the turn of events in Spain during the war.

These merchants requested: 'that they may be suffered in Spayne and Portugall privatlie to use the Booke of Common Prayer,' and 'if that will not be allowed unto them, they pray if they maie be tolerated, and the Inquisitions extreme dealing qualified.' They wished an end to the policy of searching vessels 'for any booke or matters of religion.' Those who came to trade should not be compelled to attend any church service. They wanted full recognition of the authority of the 'consull of the English nation,' but it was to be augmented to the extent

⁴⁴ *Letters and Memorials of State . . . Transcribed from the originals at Penshurst Place . . . and His Majesty's Office of Papers and Records*, ed. Arthur Collins (2 vols.; London, 1746) II, 171-2; *Acts of the Privy Council*, XXX, 118; Public Record Office, S.P. 9/107.

⁴⁵ B.M., Harleian Ms. 295, ff. 216-222; Archives Générales du Royaume, Brussels, Papiers d'Etats et Audience, liv. 364 ff., 135 ff., and liv. 336 ff. 156-159.

that he could take any merchant who had offended against 'ecclesiasticall laws and rights' and place him on a ship for England. They advised that it was to be a permanent expulsion: 'if the party wilfullie returne thither againe, let the Justices proceede against him by law as against a banished man.'

A sharp protest was recorded against the 'Donation.' They asked to be restored 'to our house, chapel and laws therunto belonging in S. Lucar in as ample manner as heretofore we enioed the same.' Suspecting, perhaps, that this was unlikely, they asked the right to worship privately amongst themselves, 'and free exercise of religion as appointed by her majesties law to be used in England.' If a merchant or sailor were convicted of a 'notorious crime,' the ship's goods were to be placed solely in the custody of the consul, who would control them without any forfeiture to the Inquisition in the name of the legal owners. They also protested the permission to bring anonymous accusations before the Inquisition: 'It is praied that yf anie of her Majesties subjects be accused, he may knowe his accuser and answer for hymself face to face and have fower severall daies of hearing.' If convicted the Englishman was to be returned by the consul to England, but if innocent, 'the accuser shall forfeit and paie 200 duckets, whereof 100 duckets shall remaine with the Inquisitors for the redeemyng of Christian captives, and the other 100 duckets to the party wrongfully accused.' These demands were sensible and in keeping with the spirit of the earlier Alva-Cobham agreement.

While these objections of the merchants in London were being aired in England, the English residents in Andalucia prepared to protect their privileged position. They first approached an English Jesuit, Joseph Creswell, who served as an agent for the English colleges at the Spanish court. He apparently suggested that the Duke of Medina Sidonia should be then consulted. In February, 1600, the duke addressed a long letter to King Philip III urging that, in the event a peace were concluded with England, it was vital that the English merchants in Spain should have reliable consuls appointed 'so as not to leave them exposed to the selection of a person who will be undoubtedly unsuitable.'⁴⁶ It was very likely that John Dean, the former consul of San Lucar, had died, for the duke suggested another

⁴⁶ E 185, n.f., letter of February 9, 1600.