

Lawsuits in Elizabethan Courts of Law: the Aventures of Dr. Hector Nunez, 1566-1591: a Precis

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The thrust of this paper was inspired by the author of a recent book on *The Jews in the History of England 1485-1850* by Dr David S. Katz of the University of Tel Aviv. Dr Katz has written a highly readable and scholarly work on the subject at hand. However, in his discussion of the Elizabethan Marrano community (New Christian) and specifically, Dr Hector Nunez, he chose to adopt the conclusions of the late Lucien Wolf. Lucien Wolf considered Nunez a prosperous merchant since his entourage consisted of servants, clerks, a butler, and two negresses.

I have attempted to clarify the image that Dr Katz and the late Lucien Wolf presented to the scholarly public. I feel that the beginning of his economic downfall is symbolized by his three periods of incarceration in the custody of the Marshalsea between 1566 and 1578. He was incarcerated in prison for his inability to pay domestic debts. Dr Nunez's imprisonment in the Marshalsea is directly connected to his overseas losses in the Iberian Peninsula. The key to his inability to send and receive cargoes to the Iberian Peninsula, the Low Countries, and elsewhere, were the continuous embargoes that existed between England and the Spanish empire for most of his commercial career. The embargo spawned English and foreign privateers that preyed upon his vessels and cargoes. Also, Dr Nunez was confronted with piratical acts by Charles Wilson, Thomas Stewkley, and Captain Fenner. If we were to view all of these assaults upon his economic livelihood together, it is clear that Dr Nunez did not have a constant cash flow to pay domestic debts. The culmination of his financial instability occurred in 1591. In order to obtain a 160 pound loan from Andrew Broome, a London ironmonger and former servant, Nunez had to mortgage his 1577 wool patent which was a lucrative source of income.

The financial instability that plagued Nunez throughout his commercial life did not end with his death in September 1591. His widow and executrix, Eleanor, had to contend with two lawsuits filed by Andrew Broome and Mrs. Mary May, the widow of Richard May. Mrs Nunez had neither the financial resources nor the facility in English law and language, to

successfully combat these suits. The May case was finally settled on 14 June 1599. Surviving documentation ends in 1597 without any resolution to the Broome suit.

The irony of this whole situation is centred on the strenuous efforts made by Dr Hector Nunez during his lifetime, in order to maintain influence in both camps. Dr Nunez provided intelligence data on Spanish activities in the Low Countries and the Iberian Peninsula to Lord William Cecil and Sir Francis Walsingham, the Principal Secretary of Queen Elizabeth I. He also provided them with information on Don Antonio, the Pretender to the Portuguese throne. Dr Nunez also maintained contacts with the Spanish government through correspondence with Spanish officials including Philip II. Besides correspondence, Dr Nunez furnished immediate aid when called upon by the Spanish government. Dr Nunez provided medical treatment for Antonio Fogazy, a Portuguese citizen who had been committed to the Tower of London for outstanding debts. He also obtained his release and secured transportation for Fogazy to Portugal.

Despite these earlier losses, Dr Nunez did not seek debtor protection from the Privy Council nor Sir Francis Walsingham or Lord William Cecil. Surviving records do not indicate any financial aid for Dr Nunez. I feel that somehow Nunez was able to survive these financial losses. However, the Bayon Affair had a devastating impact upon his commercial career in the years to follow.

Bartholomew Bayon was a Portuguese pilot who sought to trade with Barbary. However, according to Zacharye Marshall, a London yeoman and former servant, Bayon's credit was very poor.¹ Somehow, he enlisted the aid and interest of Dr Nunez in the proposed venture. Dr Nunez offered Wilkinson bonds as security for Bayon's purchase of two ships. The purchase price was £ 600.² However, they were not allowed to take possession of the two vessels until Nunez could provide Wilkinson with a joint surety. William Curtes, a London pewterer, provided the required surety that ensured the purchase.³ This document provides confirmation that by the early 1570s, Nunez's financial reputation was already being challenged.

The commercial venture to Barbary was a failure. Marshall stated that Nunez ventured and lost between £ 1,500 and £ 3,700 sterling.⁴ Wilkinson

¹ C 24/1404, M. 3, 11 April, 1572

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*, See also: PRO, LC 4/191, F. 239V, 27 November, 1571. LC 4/191, is one of the Elizabethan registers for the registration of private debt Recognizances. Dr Nunez is cited as owing William Curtys (Curtes, Curtis, or Custis), London pewterer, £ 2,000 sterling. Perhaps, the debt was incurred when he served as the surety for Nunez in the Bayon Affair? There is no other data given in this citation.

C 24/104, M. 4, 1572. This citation also discusses Nunez's purchase of the two vessels from Wilkinson. Information is also provided concerning the need for Curtes to guarantee the validity of the bond offered by Dr Nunez.

brought suit in the Court of Chancery seeking to recover £ 600. Dr Nunez was also sued by other creditors seeking to recover monies owed them.

The commercial relationship between Bayon and Nunez caused problems before and after the venture. As early as 17 April 1571, the Spanish government was critical of Nunez's relationship with Bayon. Philip II, king of Spain, wrote to Don Guerau de Spes, the Spanish ambassador to England.⁵ He commented upon De Spes' previous correspondence to him. Philip stated, "in view of what you wrote about Bayon being in league with Dr Nunez, I wrote ordering the detention if possible, of the ship that was in Ayamonte."⁶ He also told De Spes, that "if it seems to you that are steps to be taken in Flanders regarding the agreement which the said Dr Nunez has there; you will inform Duke of Alba of the facts so that he can supply you with what he thinks necessary".⁷

The impact of the Spanish correspondence concerning Bayon and Nunez was soon evident. Dr Nunez wrote a letter to the Earl of Leicester and Lord Burghley dated January 1575/76. He complained about his recent financial misfortunes in Spain. Nunez claimed that De Spes wrote to Philip II, informing him that Nunez had sent Bayon into New Spain with two vessels to spoil his subjects.⁸ Consequently, Nunez's servant in Seville, was arrested with a loss of 1,700 ducats. Furthermore, another servant was robbed of 200 ducats in Bilbao.⁹

A close reading of the letter by Dr Nunez reveals that he blamed De Spes and the Spanish government for having stimulated the arrest and attack upon his servants. Furthermore, Nunez wrote the letter seeking immediate debtor protection from Sir William Cecil. Cecil and Walsingham were considered his protectors at the royal court.

The letter mistakenly dated 1575/76¹⁰ had an immediate positive response. On 9 January 1573, the Queen sent a royal directive to all her Justice of the Peace as well as other justices of the Common Bench. She declared, "we are providing the security of our beloved Nonnes, Dr There should be no violence, arrest, distraint or jail... nor any other detriment by reason of any debt suit... Dr Nonnes is to be allowed to go, return and

⁵ Julian Paz, *History of Spain: Catalogue of the Collection of the Unedited Documents*, Madrid, 1931, 31. See also: *Calendar of Letters and State Papers Relating to English Affairs. Archives of Simancas*. Volume II. Elizabeth, 1568-1579, p. 239.

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Calendar of Manuscripts of the Marquis of Bath*, vol. V: Talbot, Dudley, and Deveraux Papers, 1533-1659, (1980), p. 195.

⁹ *Ibid.*

¹⁰ It makes more sense if the letter was properly dated January 1572/73. The grant of protection offered by Queen Elizabeth I follows in chronological order. If we accept at face value the date given, there is no surviving proof that Nunez's request/complaint was acted upon by Cecil or the Earl of Leicester.

remain.”¹¹ The decree gave equal protection to his servants and factors. The protection would endure for “one year and not beyond.”¹²

One year of royal protection was insufficient. In July of 1573, Sir Francis Walsingham either acting alone or on behalf of the Privy Council, wrote a letter to the Lord Mayor of London, the Master of the Rolls, Thomas Gresham, and Dr Wilson. He sought that any two of them, “send for the creditors of Dr Hector and entreat them to forbear him and his surety for two years upon such bonds as they have, offering to pay them for the principal and 10% profit.”¹³ Surviving documents do not provide any indication if Walsingham was successful. However, what is clear, is that from 1573 onwards, the commercial career of Dr Nunez was on a downward spiral.

In viewing the disparate data pertaining to the commercial losses suffered by Dr Nunez between 1573 and 1591, I was looking for some event which would account for them all. The key to the matter was apparent when Andrew Broome, a London ironmonger and former servant, lent Dr Nunez £ 160 in 1591. The loan itself must be viewed on two different levels: what events caused him to mortgage his 1577 wool patent? Second, how did the loan affect the lives of his wife and executrix, Eleanor, and her kinsman, Fernando Alvarez, after Nunez died in September of 1591? Furthermore, does the loan confirm my contention that Dr Nunez was never a prosperous merchant?

The Iberian Peninsula was the base for most of Nunez's commercial operations. The Peninsula was also a major cause of his economic downfall. In November 1584, Bernal Luis, his brother-in-law, testified before the High Court of Admiralty.¹⁴ He described the impact of the embargo upon Nunez in financial terms. Luis stated that a total of £ 1,452 of goods and monies had not been sent to Nunez in London.¹⁵

Bernal Luis described two distinctive events which fully illustrated the economic concerns confronting Nunez. In the summer of 1584, Nunez sent the “John Baptist of Dover” to Lisbon. Goods were consigned to Peter Freire, his brother-in-law. The goods were valued at £ 291. However, Freire could not send Nunez goods of equal value due to the existing embargo between England and Spain.¹⁶ The other also took place during the summer of 1584. Goods arrived in Lisbon from Calicut, India, for Dr Nunez. The goods were valued at £ 300. Freire could not send him the goods in London.¹⁷

There is a direct connection between the losses sustained by Nunez in the summer of 1584 and his inability to pay the Palavicino brothers monies

¹¹ C 66/1096, M. 30, 9 January 1573.

¹² *Ibid.*

¹³ *Acts of the Privy Council of England*. New Series, VIII (1571-1575), p. 128.

¹⁴ HCA 13/25, F. 280D, 11 November 1584.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ *Ibid.*

owed them. Horatio Palavicino, a Genoese merchant, wrote to Sir Francis Walsingham that "his brothers would be willing to wait longer to be re-paid if they have good security, for he might die and his property be scattered. If he will provide this, the rest shall be at his pleasure."¹⁸ Despite an additional letter by Palavicino to Walsingham on 5 August 1585, there is no indication that Nunez ever made any payments on the debt.¹⁹

The immediate question that arises in my mind is: why did Palavicino approach Walsingham? Perhaps, it was common knowledge that Walsingham was Nunez's protector at court? Regardless, what services did Dr Nunez perform for Walsingham to warrant such attention? Nunez provided Walsingham with intelligence on Spanish aspirations in the Low Countries.²⁰ Also, Walsingham utilized Nunez in England's attempt to make peace with Spain.²¹

In 1585, Walsingham requested that Nunez write to Antonio de Castillo, the former Portuguese ambassador to London, before unification with Spain in 1580. Although Walsingham was a strong Puritan and intensely disliked Spain, he was acting upon the dictates of Queen Elizabeth I.²² Nunez was

¹⁸ *Calendar of State Papers, Foreign, of the Reign of Elizabeth (I), August 1585, p. 712.*

¹⁹ *Ibid.*

²⁰ SP 89/1, F. 254, N. 89, 14 October 1582. Dr Nunez conveyed "advertisements" to Sir Francis Walsingham from the Isle of Terceira. Nunez's friend in Flanders received a letter from Terceira dated 17 September 1582. Presumably, Don Antonio's 5,000 man army were too strong for the Spanish that winter. It is not clear if his troops were in Terceira and in what way, they caused trouble for the Spanish. Terceira is part of the Portuguese archipelago in the North Atlantic ocean. The chief town and port is Angra do Heroismo. *Calendar of State Papers, Foreign Series, of the Reign of Elizabeth (I), May-December 1582, pp.386-393. Calendar of State Papers, Foreign Series, of the Reign of Elizabeth (I), XX, September 1585-May 1586, p. 473.* Dr Nunez wrote a letter to Sir Francis Walsingham concerning a "great preparation of men and ships in Portugal." However, Nunez was unable to find out the destination of the ships. Dr Nunez was quite eager for Antonio de Castillo to come to England as an intermediary of Philip II. However, Castillo could only come to England in the king's name. I feel that Nunez hoped that Castillo could come to England with a letter from Philip II. If this were done, it would aid the peace process.

²¹ Dr Hector Nunez wrote to Walsingham on approximately 23 March 1586. He conveyed a request from Antonio de Castillo to Walsingham. Castillo told Jeronimo Pardo (Nunez's cousin by marriage) that "if he had a letter from Mr. Secretary, declaring her Majesty to be inclined to peace, he would take it upon him to bring this agreement to pass, to the satisfaction of both sides." SP 94/2, F. 155, N. 7, 30 September 1586.

²² Lucien Wolf, "Jews in Elizabethan England," *Transactions, Jewish Historical Society of England*, XI, 30. Wolf emphasizes that the whole effort "came to nothing through no fault of Nunez." The apparent reason was Walsingham, "... a strong Puritan. had no real enthusiasm for peace with Spain." Wolf provides the following citations as proof of his contention: *Calendar of State Papers, Foreign Series, of the Reign of Elizabeth (I), (1585-1586), 508. Calendar of State Papers, Foreign Series, of the Reign of Elizabeth (I), (1586-1588), 79. P.R.O. State Papers, Foreign, 94/2, Nos. 70, 71.*

required to ask Castillo to take up the question of peace with Philip II. The correspondence continued into late 1586 without success.²³

Dr Nunez's commercial activities and losses continued in the midst of negotiations with Castillo. Bernal Lewes testified before the Court of Chancery concerning a £ 2,000 debt owed by Roger Norwood to Nunez.²⁴ The debt was directly related to a complaint filed by Peter Frerez, concerning the seizure of a cargo of woad from the "Johane."²⁵ The surviving documents do not provide a date for the seizure nor the case's resolution.

In the midst of Dr Nunez attempt to recover money from Norwood, he suffered another financial reverse. Bernal Lewes and Peter Freire, Nunez's brothers-in-law, had persuaded prominent London merchants including Richard May, to send the "Red Lion of London" to Lisbon in December 1586 with a cargo of cloth. The merchants were told that Freire and Lewes had a commercial licence and permission to trade from Marquis de Santa Cruz despite the existing embargo.²⁶

²³ SP 94/2, F. 155, N. 7, 30 September 1586

Dr Nunez wrote to Walsingham on 30 September 1586. He told Walsingham that the Marquis de Santa Cruz had conveyed the Queen's Articles for the Low Countries directly to Philip II.

SP 94/2, N. 70, 1586-1587*

The document is entitled "The heads of a letter to be written by Mr. D. Hector to D. Antonio Castillo." Nunez stressed that the Queen desired an "honourable peace" between England and Spain. However, the discovery of the Babington Plot which threatened the life of the Queen had caused concern. Furthermore, the English investigators determined that the Spanish ambassador to France, Bernardino de Mendoza, knew of the plot. Dr Nunez implied in his letter to Castillo, the Queen wanted peace but how could she trust Philip II after the discovery of the Babington Plot?

* Conyers Read states that the peace process continued into 1587. He also felt that Walsingham wanted peace!

²⁴ C 3/227/72, M. 2, October 1587 (?). Chancery Proceeding.

²⁵ *Ibid.*, See also: C 33/74, F. 622, 8 July 1587; C 3/227/72, M.1, 1587; C 33/75, F. 334, 30 January 1588; C33/78, F. 348, 1 February 1588; C 33/75, F. 510D, 2 May 1588; C 3/227/72, 10 January 1589.

²⁶ C 24/250, P. 34, N. 1, & February 1596.

Thomas Awdeley, a London gentleman, declared that the merchant venturers were told by Bernal Lewes and Peter Frere, that they had a commercial licence from the Marquis de Santa Cruz to travel safely to Lisbon.

William Wilson, a London cloth worker, provided similar testimony during the legal suit brought by Mrs. Mary May against Mrs. Eleanor Nunez. Wilson stated the following: "Bernal Lewes and Peter Frere had favor with the Marquis de Santa Cruz and other influential men under the King of Spain. All English goods sent in the names of Lewes and Frere could freely come and go despite the prohibition." See C 24/250, P. 19, N.6, 26 January 1596.

Bartholomew Cole, an English mariner testified before the Canary Inquisition in 1593. He stated that Lewes (Luis) had a licence to travel safely to Lisbon from the Marquis de Santa Cruz. See Egerton MSS 1512, F. 44B, 15 December 1593.

Once the "Red Lion of London" arrived in Lisbon, the ship and cargo were seized.²⁷ Bernal Lewes travelled to see the Great Cardinal in Madrid in order to free the ship and her cargo. He was unsuccessful. Lewes did not give up easily. He went to the court of Philip II in Madrid.

Surviving documents and testimony does not provide a clear picture of the fate of Lewes²⁸ or the ship. Mrs Mary May, the widow and executrix of the late Richard May, began a suit against Dr Nunez in the Court of King's Bench in 1588.²⁹ She claimed that her husband's will indicated that Nunez owed him money. In addition, she sought compensation for the losses incurred as a direct result of the ill-fated voyage of the "Red lion of London" to Lisbon. The total amount sought by Mrs. May was £ 4,645, 2 shillings, and 4 pence.³⁰ Mrs May held Mrs Nunez in legal limbo until the resolution of the case in Chancery on 14 June 1599.³¹

²⁷ *Calendar of State Papers*, Domestic, Addenda, of the Reign of Elizabeth (I) (1566-1579), VII, p. 531.

The seized cargo was placed in the Lisbon customs house, the Alphandica. A 3 February 1578 citation in the Addenda spells Alphandica as Alphandiga. Regardless, there is no specific citation that pertains to the actual seizure of the "Red Lion of London." Testimony as to the "actual seizure" is still confused.

Richard Venable, a London merchant, testified on behalf of Mrs Nunez in the legal suit waged by Mrs Mary May against her. He stated that the "Red Lion of London" safely returned to London with a cargo of figs, raisins, and wine. Venable declared that if the late Richard May received a smaller share of the goods from Lisbon, it was due to the fact that he had ventured a smaller share in the goods sent to Lisbon originally. He said nothing about a ship seizure or problems in Lisbon. See C 24/250, P. 4, 22 January 1596. There are reports that heavy bribes had to be utilized in order to free the vessel and her cargo. However, there is no specific citation or documentation that categorically states, the "Red Lion of London" was seized in London. The whole issue of seizure and the use of heavy bribes came forth from the witnesses who spoke on behalf of Mrs Mary May. She sought to prove that the losses incurred by her late husband, Richard, were due to the seizure of the vessel in Lisbon.

²⁸ The Mary May suit does not contain any definitive or reliable data on the "disappearance" of Bernard (Bernal) Lewes (Luis). London records do not indicate his presence after 1587. Once he travelled to Philip's castle, he seemingly disappeared! Was he murdered?

²⁹ KB 27/1331, N. 313, 20 March 1588.

Although the given date for the beginning of Mrs Mary May suit in King's Bench is March 1588, the citation also provides the exact date when she is appointed executrix and when her husband died. Mrs. May was appointed executrix by her late husband, Richard, on 18 January 1587. Richard May died on 29 January 1587.

³⁰ *Ibid.*

On 25 January 1587, in the parish of St. Mary le Bow, Cheapside, London, Bernal Lewes allegedly delivered a bond for £ 4,645, 2 shillings, and 4 pence, to Richard May. This bond was rendered by Lewes for a "certain Peter Frere." Was this bond for Dr Nunez? I cannot answer without further research. See KB 27/1331, N. 313, n.d.

³¹ C 33/94, P. 822, 14 June 1599. Chancery - Degrees and Orders.

The May case is a vivid illustration of how debts incurred by Dr Nunez, affected his widow and executrix, Eleanor. It is assumed that Nunez signed a bond with Richard May guaranteeing payment of his past debts. The bond was a legal instrument recognized by English courts. As executrix, Mrs Nunez was legally bound to repay the claimed debts. Mrs May also desired payment for the Lisbon losses too.

The next financial loss incurred by Nunez, concerns his purchase of a flyboat, the "Hound of London", from Andrew Broome and Christopher Jobson in 1590.³² The sale was part of the suit for debt that Broome waged against Mrs Nunez in the Court of Requests after Nunez died in 1591. Citations end in 1597 without any resolution.³³

Whether it was Dr Nunez's intention to recoup his losses from the leak in the "Hound of London" by importing Indian hides aboard the vessel "Our Lady of Good Voyage", I cannot answer.³⁴ Regardless, Dr Nunez was part of a group of merchants who shipped 9,000 Indian hides to Lisbon between 1590 and 1591.³⁵ One third of 3,298 Indian hides were consigned to Nunez from Lisbon.³⁶ However, the "Sea Dragon" seized "Our Lady of Good Voyage." ³⁷ The "Sea Dragon" was operating as a privateer with letters of reprisal issued by Admiral Lord Howard. Nunez's only recourse was a suit in the High Court of Admiralty.³⁸

³² REQ 2/64/22, F. 1, 1591. See also: REQ 2/245/67, M. 1, n.d.

The "Hound of London" was bought by Dr Hector Nunez for £ 240.

REQ 2/158/155, F. 48, n.d., Interrogatories 24-25: N.12.

REQ 2/245/67, M. 10, n.d.

³³ REQ 2/245/67, M. 2, 28 January 1597.

REQ 2/245/67, M. 3, February 1597.

REQ 2/245/67, M. 1 & 2, 7 May 1597.

Alderman Robert Lee and Thomas Bromly, haberdasher, found that Mrs Eleanor Nunez and Fernando Alvarez were indebted to Andrew Broome for £ 691. However, there are no other surviving documents which could indicate that this was the final decision in the original suit brought by Mrs Nunez against Andrew Broome. Without further documentation, there can be no definitive answer.

³⁴ HCA 38/6, 16 November 1590. Admiralty Warrants, 1584-1585

HCA 24/58, N. 125, 7 November 1590. HCA Libels, 1591

HCA 13/21, 14 December 1590.

³⁵ *Ibid.*

³⁶ HCA 24/58, F. 124, N. 76, 1590. HCA Libels, 1591

³⁷ HCA 24/58, N. 125, 7 November 1590. See also: HCA 24/58, F. 125, N. 76, 1590, HCA Libels, 1591. HCA 24/58, N. 125, N. 95, 1590 (?), HCA Libels, 1591. HCA 13/21, 1 December 1590. HCA 13/21, 14 December 1590.

The 9,000 Indian hides were taken to Raphe's Key in London.

³⁸ HCA 13/21, P. 222, 20 February 1591

Dr Hector Nunez sued William Holliday and George Bassett, owners of the "Sea Dragon." According to HCA 24/58, N. 125, / November 1590, the third owner of the vessel was Ralph Bowes.

The loss of the Indian hides was the last nail in the financial coffin of Dr Nunez. I propose that the culmination of all these losses caused him to desperately seek funds to pay his current debts. Seemingly, the only person Nunez could trust and/or obtain funds from was Broome. This was a poor choice.³⁹

Andrew Broome was willing to lend Dr Nunez £ 160 in 1591 if he would mortgage his 1577 wool patent as collateral. Once the agreement was completed, Broome was determined that he would never give the wool patent back to Nunez.

Although Dr Nunez lay dying in his bed, he sold two baskets of camphor and three bags of pepper to Nicholson, a London Bridge grocer. The purchase price of £ 166 and 12 shillings could have easily repaid the loan with interest.⁴⁰ However, Broome's partner, Christopher Jobson, had the goods seized based on debts "allegedly" owed by Nunez to them:⁴¹

Andrew Broome initiated legal action in the Court of Requests from 1591 to 1597, preventing Mrs Nunez from legally reclaiming the wool patent. Broome brought up unpaid debts for sea coal,⁴² oil,⁴³ and the flyboat

See also: IICA 13/21, 26 April 1591

William Holliday produced Grances Lambert, merchant tailor of St. Nicholas Lane Parish, London, as his surety. Lambert would be responsible to pay Dr Nunez £ 1,000 with expenses, according to Holliday's lawyer's petition.

³⁹ REQ 2/158/155, FF. 32-35, 1595 (?)

According to testimony given at the Broome trial by Lewes Alvarez, a Nunez kinsman, in the Court of Requests, Nunez was "often griped and overwrought" due to his business dealings with Broome.

⁴⁰ REQ 2/158/155, F. 35, N. 9, 1595 (?)

⁴¹ REQ 2/158/155, F. 29, 17 June 1595

⁴² REQ 2/245/67, M. 12, 1594 (?)

Shortly before Dr Nunez died, he purchased sea coal from Andrew Broome at 12 shillings and 6 pence per cauldron. However, when Nunez came to pay the agreed price, Broome demanded a greater sum for the sea coal.

See also: REQ 2/245/67, M. 11, October 1590 (?)

This citation indicates that Dr Nunez made three payments for the sea coal before he died in September of 1591. Nunez paid Broome sums of £ 34, £ 16, and £ 30. However, we do not know when he made these payments nor if the bill was paid in full before he died?

⁴³ REQ 2/245/67, M. 12, 1594 (?)

See also: REQ 2/158/155, F. 48, 1594 (?) Interrogatory 9

The Court of Requests appointed John Newton to serve as a member of a three-man commission, to resolve a controversy between Andrew Broome and Dr Hector Nunez. Dr Nunez bought oil from Broome in July 1583. Broome had declared that Nunez had not paid him. However, Newton stated, "Nunez had paid him and Broome £ 120 for three tons of oil." Was this the total sum agreed to by both sides at the time of purchase?

See also: REQ 2/245/67, M. 12, 1594 (?)

After Dr Nunez died in September of 1591, Andrew Broome planned to charge Mrs

purchase.⁴⁴ It is my impression that he was able to do so since she did not speak the English language nor was cognizant of the law.⁴⁵ Surviving records do not indicate a case resolution.

Dr Nunez never was a prosperous merchant. Illusion played a large role in his public image. His extensive entourage consisting of clerks, servants, and members of his immediate family, all busily engaged in commercial activities, presented an image of well-being. However, Dr Nunez had to constantly battle against a cash - flow problem brought on by losses in the Iberian Peninsula due to the existing embargo. The cash - flow problem was aggravated by ship and cargo losses due to the actions by pirates and privateers.

Nunez & 120 for an "obligation with Jeronimo Pardo in July of 1583." This was done despite Nunez's payments to Broome in 1585: "Three tons of figs Hector sent into the North country to be sold in 1585, of which Broome received most of the money with other payments to Broome to cover the cost of the oil."

The same citation provides the reader with information on Andrew Broome's indebtedness to Dr Nunez as of 1586. The amount owed by Broome to Nunez was £ 103, 14 shillings and 4 pence. On 3 January 1587, Broome "bound himself" to Dr Nunez for the money he owed him. However, there are no surviving records that explain the reason for Broome's debt. We also do not know if Broome ever repaid Dr Nunez before his death in September 1591 or his widow and executrix, Eleanor?

HCA 2/245/67, M. 9 in 8, 1583 (?).

REQ 2/158/155, F. 48, 1594 (?) Interrogatories 11-12: N. 5.

Mrs. Nunez's lawyer asked two important questions at the Broome trial. First, "was Nunez in July of 1583, bound to Jeremy Pardo and John Newton for three tons of oil delivered by Broome to Nunez?" Second, "did Nunez pay for the oil in 1584 and 1585?"

⁴⁴ REQ 2/245/67, M. 11, October 1590. See also: REQ 2/158/155, F. 48, N. 12, 1594 (?)

Mrs Nunez's lawyer asked whether her late husband's servant, Will Hawkins, paid the accounts of Nunez "especially for a flyboat called the Hound of London or Red Heart?" The document does not state to whom the question was addressed. No reply is given here.

⁴⁵ REQ 2/245/67, M. 12, n.d.

Without Mrs Nunez's knowledge, Andrew Broome had inserted a codicil in the bond agreement that he had forced her to sign which guaranteed payment for the £ 160 loan. The codicil stated that "if no award were made by that date, 16 August 1592, Eleanor had to pay at Broome's house in Crooked Lane, London, the sum of money which Nunez owed him at Nunez's death." Broome inserted the codicil in order to cause her to forfeit the £ 500 obligation that she had agreed to. The document does not provide any information or explanation concerning Andrew Broome's need for a £ 500 bond. What is also unclear is the term "sum of money" owed Broome when the late Dr Hector Nunez died. It is unclear whether Broome is referring to the loan itself of the "sum total of all the money owed him" when Nunez died? It is my assumption based on my perusal of all the documents in the case, that Mrs Nunez did not know the codicil had been inserted. This would be confirmation of my contention that she did not know English law or the language itself.

Despite all these problems, Dr Nunez sought to maintain his commercial ties in the Iberian Peninsula and within England itself. The only way that he could accomplish this was to ingratiate himself with officials in both camps. He had to provide services either on command or on a continuous basis. Dr Nunez utilized a mercantile cipher to convey intelligence to both Lord William Cecil and Sir Francis Walsingham, concerning Spanish activities particularly in the Low Countries. Furthermore, as an added gesture, he supplied Lord Cecil with data on gout. Nunez also provided Lady Cecil with a prescription for barley cream.⁴⁶ As for the Spanish, he conveyed information to officials including Philip II.⁴⁷ Dr Nunez also was attentive to their immediate needs. When the Spanish ambassador to England, Bernardino de Mendoza, requested his aid in freeing Antonio Fogazy, placed in the Tower of London for outstanding debts, he promptly did so. Dr Nunez arranged for medical treatment, release from the Tower, and aided his departure for Portugal.⁴⁸

The illusion of Dr Nunez's financial well-being and influence at the English royal court was shattered permanently, by the legal suits

⁴⁶ Lansdowne MSS 40/2, 1584 (?)

The catalogue description is entitled, "Directions of Dr Hector, how to make a composition called barley cream, for Lady Burghley." The ingredients of the barley cream could also be eaten by Lord William Cecil. The prescription contains insignificant amounts of purines. According to a work by Cooper, Barber, Mitchell, and Rynebergen, *Nutrition in Health and Disease*, 12th edition (1953), the prescription's ingredients were very suitable for a gouty patient.

See also: BL/Lansdowne MSS 43/45, 22 January 1584(?).

⁴⁷ *Calendar of State Papers*, Foreign Series, of the Reign of Elizabeth (I), 1577-1578, Part XIV. Number 560.

Hector Nounes (Nunez) wrote a letter to the counsel (consul?) of the Spanish in Brydges. It is not clear if this was in England? He told him to be "more aware of what he writes; for it is a miracle his letters were not opened. If he wrote anything prejudicial, he would not be well discharged."

ADD. MS 36315, FF. 28, 71B, 72B, 25 February, 19 June, 4 September 1586.

Dr Nunez wrote to Philip II relating reports from Captain Antonio de Verrio, successor of the governor of New Granada. In addition, he spoke about Goncalo Ximenes de Quesada and "El Dorado."

⁴⁸ *Calendar of State Papers*, Relating to English Affairs, Preserved Principally in the Archives of Simancas.III. Elizabeth. 1580-1586, pp. 321 - 236.

Bernardino de Mendoza, the Spanish ambassador to England, wrote to Philip II on April 1, 1582. He told the king that he had used the services of Dr, Nunez to free Antonio Fogazy (Fogaza) from the Tower of London. Nunez accomplished this task by emphasizing Fogazy's age and infirmity. He also arranged for Fogazy's transportation to Portugal. Dr, Nunez had to literally beg for his release from the Tower according to Mendoza. However, he did accomplish the task without the need for Mendoza or the Spanish government to directly intervene in this matter, Philip II did not want Spanish involvement.

engineered by Mrs Mary May and Andrew Broome. The image of affluence and influence that he had projected throughout his residence in London, could not and did not aid his widow and executrix, Eleanor. There are no surviving documents that would indicate any forthcoming aid from Cecil Lord Burghley in her legal battles in court. I do not think that any aid was offered at all. Whether Dr Nunez hated Spain or desired influence at the English royal court, is of no consequence at this time. Dr Nunez provided services to Cecil and Walsingham during his residence in England. However, as soon as he died in September 1591, Lord Burghley (Cecil), Dr Nunez's sole surviving link to the Elizabethan power structure, ended any obligation he may have had to Nunez. Mrs Nunez, the real victim in this scenario, had to rely on the legal wits of her lawyers. However, as we all know, lawyers do not work without payment.

Mrs Eleanor Nunez's lawyers were the only ones to profit from the lengthy lawsuits that she had to contend with which were brought by Mrs Mary May and Andrew Broome. Defendants in today's world face the same reality. If anyone prospered from the commercial debtor suits which Mrs Nunez had to contend with, it was her lawyers. This is the reality for defendants and plaintiffs in today's world as well.

