

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters\*

**Guido Rossi**

*Università di Palermo*

*“in this world one should trust but few”  
(in questo mondo bisogna fidarsi di pochi)  
Letter of Bartolomeo Corsini from Firenze  
to his brother Filippo in Londra, 24th April 1600<sup>2</sup>*

1. From the early 1980s an ever-growing number of scholars have taken an interest in mercantile networks. The ambiguity of the concept of “network”, far from discouraging any of them, has on the contrary led to a variety of approaches to the subject (and, inevitably, to a growing confusion as to the boundaries within which the term “network” should be used and, consequently, as to its precise meaning).

As it often happens in these cases, a first wave of studies tended to welcome enthusiastically what it looked like a new, highly promising and doubtless very modern concept.<sup>3</sup> Networks were greeted as a remedy against all sorts of problems. A network would curb information asymmetry, since each member of the network has good knowledge about the other members; it would reduce transaction costs, as there is little need to protect oneself against other members of the same group; within a network, members may obtain easy access to credit, and on better terms than those applied to outsiders. This way, many scholars came to view networks as something so useful that no medieval and early-modern merchant could have possibly done without. Whenever a group of merchants shared a same background (whether social,

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\* I would like to thank Alain Wijffels and Maria Fusaro for their useful comments. All errors remain of course my own doing. The dates mentioned in this paper follow the new style. The reader will notice a certain ambiguity in the way the term “factor” is used throughout this paper: this is because the partial information available often make it very difficult to distinguish clearly a (proper) factor from a commission agent (who, in other occasions, might well be operating as a business correspondent).

<sup>2</sup> Archivio Corsini of Florence (henceforth ACF), Room V, Miscellanea.

<sup>3</sup> For an overview on the literature of this first “wave” see N. GLAISYER, *Networking: trade and exchange in the eighteenth century British empire* (2004) 47 *Historical Journal*, pp. 451-476.

cultural, familiar, religious, and so on), the scholarly Pavlovian response was to expect a network.<sup>4</sup>

The extraordinary effects of belonging to a network were taken as the best guarantee of its good functioning: the greater the advantages of being “in”, the higher the cost of being “out”. If cheating – or, more in general, not behaving with honesty – was punished with the exclusion from the network, then no-one in his right mind would possibly want to cheat. When that happened, the merchant would lose his position within the network, and all of a sudden the great advantages of being part of the network would vanish for good. The poor merchant would be left out, with no “system” that could support him and no connections he could rely upon. This way, the virtues of the network came to be taken as the best guarantee for its good functioning.<sup>5</sup> Behavioural studies and game theory have provided endless confirmation that reputation plays a significant role in fostering reciprocity.<sup>6</sup> Reputation, just as virtue, is easy to lose yet hard to restore. Merchants might not have been angels, but were highly rational agents.

After the initial enthusiasm, a second wave of studies brought a more balanced assessment. Over the past twenty years scholars have come to realise that, for all their virtues, networks did not operate in a vacuum, but were part of a much broader social, commercial and institutional framework. Even if one were to accept that the informal mechanisms underpinning mercantile networks might dispense with a long series of problems (something that may already be a big leap of faith), yet their beneficial effects would cease once stepping outside the outer borders of the network. How does the network itself interact with what lies outside of it? This simple question is extremely

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<sup>4</sup> This is not to say that belonging to a certain social, religious, or ethnic group did not have any consequences, and that those consequences would not encourage many of its members towards a closer mutual co-operation. If I am cheated by an Italian, I might not feel very sympathetic towards the next Italian I encounter. Casting a shadow on a specific group means implicitly questioning the reliability of any of its members, so for instance the collapse of the Amsterdam bourse in 1688 and of the London one in 1720 both led to an antisemitic surge. See respectively J.I. ISRAEL, *Diasporas within a Diaspora: Jews, Crypto-Jews and the World Maritime Empires, 1540-1740*, Leiden, Brill, 2002, pp. 453-4, and Y. KAPLAN, *The Jews in the Republic until about 1750: Religious, Cultural, and Social Life*, in J.C.H. Blom, R.G. Fuks-Mansfeld and I. Schöffler (eds), Oxford, Littman Library, 2002, pp. 116-163 and pp. 408-416, at 162-163.

<sup>5</sup> R. COURT, “Januensis Ergo Mercator: Trust and Enforcement in the Business Correspondence of the Brignole Family”, *The Sixteenth Century Journal*, 35, 2004, pp. 987-1003, esp. at 990-992.

<sup>6</sup> E. M. CASTILLO, G. LEO, “Moral Hazard and Reciprocity”, *Southern Economic Journal*, 2010, 77, pp. 271-281.

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

difficult to answer, and a good part of the more recent scholarship on mercantile networks has focused on it, looking especially at the period from the late seventeenth century to the nineteenth.<sup>7</sup>

The “dark side” of the literature on mercantile networks is however their relationship with the law. This has several reasons. To mention only two of them, one is more subjective, the other, and more fundamental one, is objective. The subjective reason lies in the fact that we, as lawyers, are often rather successful in resisting our pioneering impulses. The study of networks was no exception to our admirable self-control: it was only decades after social and economic historians had “discovered” the concept of networks that the first legal historians began to take an interest in them.

A more fundamental reason why the relationship between law and networks is problematic, however, has more to do with the structure of the networks themselves: networks allow their members to have informal connections with each other. This informality greatly lowers transaction costs and therefore benefits the network members, so much so that, as said, the main sanction against the violation of those informal rules lies in the exclusion from the network itself. Formal – that is, legal – rules do not find much room within a network. Hence the problem: what is the relationship between mercantile networks and the law? If the “soft” coercion mechanisms of a network consist mainly of reputation incentives, to what extent can they actually replace legal rules? Put it more bluntly, if we were to follow the mainstream scholarly understanding of early-modern mercantile networks, should we consider networks as compatible with “hard” law or rather conclude that they acted as an alternative to it?<sup>8</sup>

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<sup>7</sup> E.g. N. ZAHEDIEH, *The Capital and the Colonies: London and the Atlantic Economy*, Cambridge, Cambridge University Press, 2010; T.M. Truxes, *Defying Empire: Trading with the Enemy in Colonial New York*, New Haven and London, Yale University Press, 2008; G.K. MCGILVARY, *East India Patronage and the British State: the Scottish Elite and Politics in the Eighteenth Century*, London, Tauris, 2008; F. TRIVELLATO, *The Familiarity of Strangers: The Sephardic Diaspora, Livorno and Cross-Cultural Trade in the Early Modern Period*, New Haven and London, Yale University Press, 2009; T. VANNESTE, *Global Trade and Commercial Networks: Eighteenth-century Diamond Merchants*, London, Pickering & Chatto, 2001; S.D. ASLANIAN, *From the Indian Ocean to the Mediterranean: The Global Trade Networks of Armenian Merchants from New Julfa*, Berkeley, University of California Press, 2011; D. HANCOCK, *Oceans of Wine: Madeira and the Emergence of American Trade and Taste*, New Haven and London, Yale University Press, 2009.

<sup>8</sup> Some scholars have even envisaged a possible relationship between trust within a network and flexible contractual clauses: their vagueness, it is assumed, would make sure to keep Roman law away, while the trust among the contractual parties (given for granted because of their belonging

Because merchants did business within their network, it is assumed, they had reliable business partners, and therefore they co-operated with each other instead of cheating on one another. If you do business within your network, in other words, you stay out of trouble – and so, out of law court too. This selection of business partners did not limit the activity of a merchant, since he would also do business with merchants belonging to the network of his partners. Studies on mercantile networks seem to suggest that trust is a commutative property: if A trusts B, and B trusts C, then A will do business with C without having ever met him. This is because cheating on A would send a strongly negative signal to B as well, and so if C would not cheat on B, then he would not do that on A either.

From a legal standpoint, this approach is problematic on many fronts.<sup>9</sup> A basic misconception of this theory is that, most of the times, litigation (especially contractual one) does not happen because one party is trying to cheat the other. At least where access to justice is not unexpensive and propensity for petty lawsuits is not considered a badge of honour, most litigation arising from contractual liability occurs because the parties have different interpretations of a same fact that affects them both. This seems to be true today just as much as it was yesterday. If lawsuits among neighbours are often better understood by looking at sociology manuals than legal textbooks, early modern commercial litigation (both when a lawsuit took place and also when it did not or was discontinued) should not be approached from a strictly legal viewpoint either. Instead, its understanding requires a deeper analysis of the functioning of networks – or rather, of the players within it.

This paper hardly aims to unearth the elusive relationship between late-medieval and early-modern mercantile networks and the law, but simply to offer a modest contribution to an on-going and complex discussion. It is based on the analysis of some mercantile letters exchanged between England and Italy (mainly, between London on the one side and Florence, Rome, Venice, Naples, Cremona and Milan on the other) during the late sixteenth century. This correspondence comes from the archive of the brothers Bartolomeo, Lorenzo and Filippo Corsini of Florence. What is particularly interesting about them is that Filippo spent most of his life in London, Lorenzo was in Florence and Bartolomeo travelled between the two cities – with long stays

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to a same network) would allow them filling those blanks in the contract without the help of lawyers. COURT, “Januensis Ergo Mercator...”, *op. cit.*, 1003.

<sup>9</sup> For an all-round brilliant critique of the approach described above see, first of all, E. KADENS, “Pre-Modern Credit Networks and the Limits of Reputation”, *Iowa Law Review*, 2015, 100, pp. 2429-2455, at 2440-2450.

Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

also elsewhere.<sup>10</sup> Many hundreds of the letters the brothers exchanged with each other are preserved, and they provide us with a very candid assessment of the interaction between merchants – in other words, they describe with frankness the working of their network. This correspondence (especially that with other merchants and factors) is remarkably vast, as it consists of several thousands of letters, of which I have been able to look only at a small fraction – yet.

2. In my analysis of a sample of the vast Corsini correspondence I have looked for evidence on trust and co-operation incentives, and to group what seemed relevant to our purposes in a few categories. Now I will simply provide a short description about each of them, and then highlight a somewhat neglected aspect of the “network dynamics” towards the end.

a) *Credit sale*. That some degree of trust was needed among merchants is indisputably true, if only because the entire international trade system was based on credit sale: the goods received today would normally be paid for only tomorrow.<sup>11</sup> In practice this also meant that sometimes, if the parties knew well each other, the seller would even expect some merchandise to come back unsold, especially when it was not fully clear which specific quality was required.<sup>12</sup> When the parties knew well and could trust each other – that is, when they had been doing business together for several years – then not only would they sell on credit to each other, but the buyer might even allow the seller to procure the merchandise by borrowing in the buyer’s own name with trusted lenders. In such cases, both the relationship between the buyer and seller and that between buyer and lender would be a consolidated one, in which the parties had been doing business together for many years, so they

<sup>10</sup> On the brothers and their archive see G. ROSSI, “Florence and the Great Fire: New Sources on English Commerce in the Late Sixteenth Century”, *The Journal of Legal History*, 2012, 33, pp. 93-100.

<sup>11</sup> As an introduction to the subject, especially for England, see the dated but still highly important work of M.M. POSTAN, *Medieval Trade and Finance*, Cambridge, Cambridge University Press, 2009, pp. 1-27 (originally published as “Credit in Medieval Trade”, *Economic History Review*, 1928, 1, pp. 234-261. See further KADENS, *Pre-Modern Credit Networks*, *op. cit.*, pp. 2435-2440, and the literature quoted therein.

<sup>12</sup> So for instance Bartolomeo Corsini wrote to his trusted business partner in Cremona, Girolamo Cipolletto, who asked to receive some baize, that since “you don’t say which quality you want it and we do not know which kind to send you ... we send you of four kinds different from each other” (*voi non dite di che qualità lo volete, noi ne sappiamo di qual mandarvi, ecco ... ve ne mandiamo di 4 sorte differente l’una dall’altra*). Letter of Bartolomeo Corsini to Girolamo Cipolletto in Cremona, 26.3.1587, in Bartolomeo Corsini, *Copia Lettere da Londra* (1587-1590), Room II, co. 2, cas. 15, n. 134 [*fol. 1r-v*].

would tend to trust each other in a way they would not do with more ordinary business partners.<sup>13</sup>

b) *Requests*. When in need of assistance in another market, a merchant had to entrust himself to his local business correspondents: as the correspondent knew the current situation of their market, it was sensible to leave some economically significant decisions to him. So for instance in 1598 the Neapolitan merchant Michele delle Rede asked Lorenzo Corsini to take up cargo insurance in Florence because the Neapolitan insurance market was undergoing a period of severe contraction. In asking Corsini to take up insurance for his cargo, delle Rede also asked him to avoid the usual clause allowing any underwriter stricken out of the policy to retain ½ per cent of the premium, but he ultimately left the matter to Corsini to decide.<sup>14</sup> Michele delle Rede had done business with Corsini for some time, yet he was not one of his closest business partners: leaving a relatively trivial matter (which, at the most, might simply alienate a few potential underwriters or be quashed in court) to Corsini made perfect sense, as it was hardly a blank cheque in his hands. By the same token, it should not be surprising to see a very close business associate of the Corsinis, the Florentine merchant Francesco Rinuccini, ask Filippo in London to insure a cargo bound to Florence “at any price”.<sup>15</sup> It was a transaction where Corsini did not stand to gain anything by inflating the costs, so it was perfectly logical for his long-time business associate to trust him completely.

c) *Do ut des*. A third area where trust is relevant in a commercial network is when a merchant asks a favour to another merchant whom he does not know yet. When two merchants were not in business with each other yet, the favours one would ask of the other were of course of a much smaller scale, and always done with the offer to reciprocate. So for instance in 1583 the future London Alderman Peter Houghton asked Filippo Corsini to procure him an authentic

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<sup>13</sup> When the money had to be borrowed with a bill of exchange, the financial relationship would end up linking together four parties instead of just three. So for instance in his letter of 26 March 1587 Bartolomeo Corsini asked Girolamo Cipolletto of Cremona to send him a fairly large quantity of fabric as soon as possible, adding that “if you don’t have money make use of Capponi in Venice, writing in Milan to Carchano or in Verona to Zacheria”. Thus, Corsini’s business partner in Cremona should turn to Corsini’s associates in Milan or Verona in order for a bill of exchange to be drawn on Venice to be cashed from the banking family of the Capponis. Letter of Bartolomeo Corsini to Girolamo Cipolletto in Cremona, 26.3.1587, *ibid*.

<sup>14</sup> Letter of Michele delle Rede in Naples to Lorenzo Corsini in Florence, 15.5.1598, ACF, Room V, Miscellanea.

<sup>15</sup> Letter of Francesco Rinuccini in Florence to Filippo Corsini in London, 21.6.1571, ACF, Room V, Miscellanea.

Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

copy of a decision of the mercantile court of Bordeaux (its *jurisdiction consulaire*, which in Houghton's letter is described as the "court of the bourse at Bordeaux")<sup>16</sup> in a lawsuit involving a fellow English merchant. To fulfil this request, in his turn, Corsini would have had to ask a favour of his business correspondents in Bordeaux, so Houghton offered to return the favour in any way he could.<sup>17</sup> A better example of this *do ut des* approach comes from someone whom the Corsinis had never met before. In 1603 one Leonida Belli of Naples wrote to Bartolomeo and Lorenzo Corsini in Florence proposing to work together in the remittance finance business: Belli would offer good conditions to the Corsinis for bills drawn on Naples if the Corsinis were to do the same for any bill to be drawn on Florence. By way of business card, Leonida Belli told the Corsinis of the foreign merchants he was already in business with, fully expecting the Corsinis to write to those merchants to get information about him before replying to his letter.<sup>18</sup>

d) *Remittance*. A fourth area where trust stands out as a particularly important quality that merchants like the Corsinis had to have is remittance business. Lucrative as they were, bills of exchange were also potentially risky. The good practice among merchants<sup>19</sup> was therefore to pay up a bill only when

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<sup>16</sup> The same edict of Charles IX that instituted the *jurisdiction consulaire* of Bordeaux in 1563 also established its bourse. Unfortunately, the decisions of the *jurisdiction consulaire* of Bordeaux are preserved only from 1652 (their list may be found in M. OUDOT DE DAINVILLE, *Répertoire numérique des fonds de l'amirauté de Guienne (6 B) et de la juridiction consulaire (7 B)*, Bordeaux, Imprimeries Gounouilhoulou, 1913, pp. 34-39), so it is not possible to know more about the case mentioned by Houghton. I am very grateful to Victor Le Breton-Blon for his precious help on the history of commercial law in Bordeaux.

<sup>17</sup> Peter Houghton to Filippo Corsini, 31.7.1583 (ACF, Room V, Miscellanea): "My good frende Mr Philippe Corsyne, my desyre is that you wolde doe me the pleasure by the meanes of some frende of yours in Burdeaux to procure me a coppie of an acte of courte which did passe in the courte of the Burse at Burdeaux betwene Precidente [sic] Crusean and Alexander Evisham for merchandise that Evisham boughte of him, In Januarii, Febrewary, or march laste was a yere, and that the same coppie may be subscribed by the Iudge of the same courte, and sente over by the firste, the charges therof I will fullie pay, and be reddie to repyte your courtesie in what I can ... Your lovinge assured frende, Peter Houghton".

<sup>18</sup> Letter of Leonida Belli in Naples to (Bartolomeo and Lorenzo) Corsini in Florence, 14.1.1604 (ACF, Room V, Miscellanea). Doing as much was ordinary practice: see e.g. D.J. Harreld, "Foreign Merchants and International Trade Networks in the Sixteenth-Century Low Countries", *Journal of European Economic History*, 2010, 39, pp. 11-31 at 21-23.

<sup>19</sup> On the actual working of the bill of exchange see most recently J. BOLTON and F. GUIDI-BRUSCOLI, "'Your flexible friend': the bill of exchange in theory and practice in the fifteenth century", *Economic History Review*, 2021, 74, pp. 873-891. See also O. GELDERBLUM and J. JONKER, "Enter the ghost: cashless payments in the early modern Low Countries, 1500-1800",

they knew for sure who the parties involved were. When a bill was drawn, the drawer would send a separate letter to the payer to inform him of the parties and especially of the sum involved. This was both to minimise risks and especially to guarantee the payer, because the letter from the taker requesting the payment of the bill was binding and therefore actionable in court. A payer who paid out more than what stated in the letter, or to a different person, would do so at his own peril. Besides, international remittance business usually involved very significant sums. It is hardly surprising, therefore, that the Corsinis were quite strict on the matter: without clear indications as to the parties involved and of the precise amount of money to pay, they would not open their purse.<sup>20</sup>

Here as well, the Corsinis were doing just what any prudent merchant would do. In a letter of the late 1580s, for instance, a German business associate of Filippo Corsini asked him to assuage an irate merchant after that a bill payable to his partner abroad was refused. The bill had been signed by an apprentice of the German associate of Corsini, who however forgot to send a letter to the payer to inform him of the different signature (that of the apprentice, and not of his master) on the bill. Unsurprisingly enough, the payer did not honour the bill and the payee protested it.<sup>21</sup> If knowledge of the taker was essential, sometimes also information on the payee was useful too. When the Belgian merchant Jean Becher from Staden wrote to Bartolomeo Corsini in London to let him know of a bill of exchange drawn on London for the son of Flemish merchant (one van Horn) known for paying late, he asked Corsini to pay up only in front of two witnesses: Becher had included in the new bill a heavy penalty clause for late payment, so that if the father were to do again “the trick of paying late”, he would deal with “this rich old and stingy man... and teach him to pay [his] exchanges”.<sup>22</sup>

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in R.J. VAN DER SPEK and B. VAN LEEUWEN (eds), *Money, currency and crisis: in search of trust, 2000 BC to AD 2000*, London, Routledge, 2018, pp. 224-47.

<sup>20</sup> See the letter of Filippo Corsini (s.d.) to refuse part of payment of a huge bill (100,000 golden scuds – i.e. 14,285 golden lire) presented by Carlo Catastini, because in the letters he received the sum authorised by the takers (Alessandro and Vincenzo Guadagni and Giacomo and Placido Ragazoni, all of Venice) mentioned a lower sum. In his letter Corsini undertook to pay the difference only if the payee were to provide letters from the payer or would provide sureties himself. ACF, Room V, Miscellanea.

<sup>21</sup> The correspondent of Corsini of course offered to do any favour he could in return. Letter of Dixiel Remiers to Filippo Corsini in London, 3.6.1588, ACF, Room V, Miscellanea.

<sup>22</sup> Letter of Jean Becher from Staden to Bartolomeo Corsini in London, 15.4.1595 (ACF, Room V, Miscellanea): “... sendo avertito che questo van Horn si a fatto dal volta la bourla [sic] con il pagare tarde costa ma li habiamo fatte qui tali conditioni che ci si fa un'altra volta le faremo qui pagare l'amenda nel quale ha consentito e or quello si non volesse pagare

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

e) *Recommendations*. A fifth area where trust – and its limits – seem to emerge from the Corsini correspondence concerns the broad field of recommendations and mild protests. A network is not just composed of merchants; rather, it is the reiteration of their mutual interactions. The analysis of the letters exchanged and the topics discussed, therefore, cannot ignore the style with which those exchanges took place.<sup>23</sup>

Recommendations to business correspondents to handle one's own affairs with attention are frequent yet always extremely diplomatic.<sup>24</sup> In the correspondence of the Corsinis with other merchants, recommendations to act carefully and prudently, or to be punctual and precise, or to reply quickly and clearly to a message, are to be found only in letters addressed to merchants who were both their close business partners and of less financial standing. Often this was a factor (mostly, a commission agent),<sup>25</sup> but it could also be a trusted business partner.<sup>26</sup> By contrast, business advice of a rather more discrete kind, such as indications on whether specific customs must be paid or is it possible to smuggle in one's merchandise, are given more liberally even among acquaintances, for there was little risk of offending the other party – no merchant has ever been eager to pay taxes.<sup>27</sup>

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prontamente pigliatene 2 testimoni per potere qui prevalersi da questo vecchio ricco e avaro con ragione e inpararlo di pagare Cambii”.

<sup>23</sup> See esp. J. WUBS-MROZEWICZ, “The concept of language of trust and trustworthiness: (Why) history matters”, *Journal of Trust Research*, 2020, 10, pp. 91-107. Cf. TRIVELLATO, *The familiarity of strangers...*, *op. cit.*, pp. 177-193 – a subject which the Author had already partially developed (in a very interesting manner) in her *Discourse and practice of trust in business correspondence during the early modern period*, unpublished paper presented at Economic History Workshop-Yale University, Department of Economics. 2004, available at: <https://economics.yale.edu/sites/default/files/files/Workshops-Seminars/Economic-History/trivellato-041013.pdf> (last accessed 11.12.2021). See also R. COURT, “The language of trust: reputation and the spread and maintenance of social norms in sixteenth century Genoese trade”, *Rime*, 2008, 1, pp. 77-96.

<sup>24</sup> See for all a letter of Tommaso and Giacomo Valdetari from Florence to Lorenzo Corsini, 27.9.1597 (ACF, Room V, Miscellanea): “most assured that you shall think of our interest as of your own” (*sicurissimi che del interesse nostro terrete quel pensiero come del proprio*).

<sup>25</sup> Eg., “fatene ricordo per che non segua errori” (Bartolomeo Corsini, 26.3.1587, letter to Corsini's factor in Cologne (Leder), ACF, Room V, Miscellanea).

<sup>26</sup> “Ci sarà caro se avrete risposto a queste note” (letter of Bartolomeo Corsini in London to Bernardo Gerini in (probably) Antwerp, 6.10.1598, ACF, Stanza V, Miscellanea).

<sup>27</sup> Such as the letter of one of Filippo Corsini's factors in Rouen, Francesco Smartelli, of 17.10.1570, advising Corsini to pay all custom duties of merchandise carried from Bologna towards Lyon: “and if they were to enter [Lyon] from another way and were found out, they would be wholly lost” (*et se entrassino per altro luogo e fussino trovati sariano del tutto persi*), ACF, Room V, Miscellanea.

If the tone of one's business correspondence had to be commensurate with a merchant's rank even for giving simple advice, all the more this was the case when things were not going well. When a merchant of lesser standing wanted to complain against a more important one, he would veil his wrath with kind language. So for instance when the target of a merchant's displeasure was Bartolomeo Corsini, the tone of the reproach would look always exquisitely polite<sup>28</sup> – unless of course it was possible to direct one's anger at some third unimportant party.<sup>29</sup> By contrast, the more important and well-connected the counterparty, the better he had to be treated. When it was Bartolomeo Corsini's turn to protest with important Venetian merchants such as the Calderinos, for instance, the wording of his letter is a masterpiece of diplomacy, yet the underlying frustration is all too tangible ("we are very sorry that the ship is so late to carry [the goods] thence [i.e., from Venice], since the expenses will

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<sup>28</sup> It is the case of Corsini's business correspondent from Cologne Mathias Lederer, who in a letter of 1585 denied Corsini's request to set off an old debt with a new credit without paying any interest. Formally, the tone of the reply is friendly and polite, but the indignation is hard to miss: "that your excellency thinks we might put the said £ 105 .1 .1 to compensate your old account we cannot do, for there would be no reason for us to suffer so much [loss], all the more since [that debt was] for ready money paid cash ... we plead with your excellency to reconsider and give us satisfaction of what we have paid with so much love without any gain at all, solely to oblige your excellency's request" (... *che V. S. pensa che diviamo mettere le dette £ 105 .1 .1 per saldo del vostro conto vecchio no lo possiamo fare altrimenti perchiò non saree [sic] ragione noi patissimo tanto e magiamente sendo per danari sborsati e contanti ... porgiamo a V. S. vuoler considerare & darci contentamento del nostro sborsatto tanto amorevolmente senza aver guadagno nissuno, solamente per acomodar a V.S. per aviso ...*), letter of Mathias Lederer & Co. from Cologne to Bartolomeo Corsini in London, 28.12.1585, ACF, Room V, Miscellanea.

<sup>29</sup> Thus, Bartolomeo Corsini's correspondent Gianmaria Fossa from Antwerp felt free to voice his anger at Bartolomeo Corsini's comments on the quality of his fabric by targeting those customers of Corsini who allegedly did not appreciate it: "I have seen that you received the two camlets which I sent you on your instructions, and I am not a little surprised that you say they were of poor quality, and that you have to go to great lengths to sell them for the price you paid, for they are of such quality that few of them have been seen for a long while here; if such good texture appears coarse to you then I no longer understand what more such shop-keepers [i.e., Corsini's clients] may have. Here too they are very strange, but when they purchase merchandise of such quality they praise it and gladly take it, and they pay it very well ..." (... *ho visto che vi capitorno le dua tavole di Ciambellotti che Vi mandai per Vostro conto e resto non poco maravigliato che dichiate vi siano riusciti grossi, et che a gran pena troviate a venderli per il capitale che se tal sorta che sono pure e di gentili che pochi da un pezzo in qua se n'e' vista sono sotto li quali di buon stoffo vi paiono grossi non so che cosa più sono codesti bottegari di havere che sono pure qui anche curiosissimi ma quando scontono in robba di simil qualita la preziano la pigliono volentieri e la pagano molto bene ...*), letter of 1.5.1595, ACF, Room V, Miscellanea.

Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

greatly increase; still, we wish to believe you have sent [the ship] as soon as possible”).<sup>30</sup>

Important connections had to be fostered. In a letter of 1570 Lorenzo Corsini wrote to his younger brother Filippo in Florence to make sure that he dealt with some important merchants (Luigi and Alessio Capponi and Francesco Rinuccini) in the best possible way: “if you were to do otherwise”, he concluded, “this would not be appreciated”.<sup>31</sup> It may be that Lorenzo had reason to be worried about his younger brother. When dealing with a commission to buy Sicilian wheat for the same Capponis four years earlier, Filippo ended up spending more than they had authorised him to. Although Filippo went to some length to explain that he took the utmost care in dealing with the commission,<sup>32</sup> the relationship with the Capponis remained somewhat tense: a further mistake would not have been easily forgiven. But the diplomatic language was meant precisely to overlook past mistakes in the name of future business. So when it was the turn of the Rinuccinis to complain with the Corsinis, the focus was on resuming the mutually-beneficial trade instead than allocating the blame for its interruption.<sup>33</sup>

f) *Breach of trust*. Another issue that needs to be mentioned on the subject of trust is when trust itself is compromised. Yesterday as much as today, while a good name takes a long time to build, bad reputation is quick to spread. Rumours about the honesty or the reliability of third parties, however, are not frequent in mercantile correspondence. One is left wondering whether this silence is due to the lack of misdeeds to report, or rather to the fact that even

<sup>30</sup> “[C]i dispiace assai che la nave tardi assai tanto a spedirli di costa, atteso che le spese andranno molto aumentando pure vogliamo credere l’havete spedita quanto prima possibile”, letter of 27.3.1587, Bartolomeo Corsini, *Copia Lettere da Londra* (1587-1590), cit. [fol. 4v].

<sup>31</sup> “... se tu facessi altremienti non piacerebbe”, Lorenzo Corsini in Florence to Filippo Corsini in London, 8.7.1570, ACF, Room V, Miscellanea.

<sup>32</sup> Letter of Filippo Corsini in London to Lorenzo Corsini from Florence, 22.6.1566, ACF, Room V, Miscellanea (incidentally, one of the earliest letters of Filippo Corsini).

<sup>33</sup> Letter of Pierfrancesco Rinuccini from Rome to Lorenzo Corsini in Florence, 23.6.1581 (ACF, Room V, Miscellanea): “having been so long without receiving letters from you or from yours in England led us to believe that you had turned your mind entirely away from this practice [alum trade], which thing has given us some trouble, without having brought us any benefit; if you have the inclination you are showing [i.e., to resume that trade] it is however necessary to take all that follows to be always for the best ...” (*l’essere stati così lungamente senza haver lettere vostre, ne de vostri d’Inghilterra ci haveva indotti a credere che havessi alienato l’animo interamente da questa pratica il che ci è stato di qualche incomodo senza haver apportato a noi alcun beneficio se ci havete quella inclinazione che mostrate però è necessario approvare sempre per il meglio tutto quel che segue*).

speaking ill of a fellow merchant was something to do with great care, as – if done without serious cause – it might not reflect well on oneself.

It seems telling that in the Corsini papers the only times where this happens is when the interests of the Corsini are directly and seriously affected by the behaviour of a dishonest or unreliable merchant. So for instance when Jacopo Ricciardi of Pisa wrote to Bartolomeo Corsini to complain about the unreliability of the Lucchese merchants, he did not do that on a whim, or to express his generical disapproval, but only to explain to Corsini why he needed some other business partners for certain operations.<sup>34</sup> Similarly, when Bartolomeo Corsini wanted to warn his brother Lorenzo of a crooked merchant that was causing trouble in Tuscany he even resorted to a cyphered letter (which may be read because Lorenzo deciphered it writing the letters above the numbers). In that case, it was imperative that Lorenzo knew of this merchant, Giovanni Battista degli Albizi, who was causing serious damage to the Corsinis with his refusal to pay several bills of exchange, which therefore were being protested. In his letter Bartolomeo was very clear to his brother: “who wants to do this job [i.e., the merchant] should not trust brokers ... the times are difficult, and every day one hears of some insolvency”, urging his brother to “have nothing to do with this Gio. Battista delli Albizi whom I hear will do much damage”.<sup>35</sup>

A very clear example as to the limits of trust among merchants, even within a same network, comes from a letter of 1600 of Bartolomeo Corsini in Florence to his brother Filippo in London. The Corsinis had an agreement with the Capponis of Venice: they would send them caviar (coming from Russia via London) in exchange for drapes (likely, silk drapes – though the letters do not mention the kind of fabric). On the 23<sup>rd</sup> of June 1599 Filippo Corsini wrote to the Capponis that he would not need more drapes than the value of the caviar they had already received (essentially bringing this series of exchanges to a close). Precisely a month later, on the 23<sup>rd</sup> of July, the answer came that Filippo’s letter had arrived too late as the drapes were already nearly ready to be shipped, so that it was impossible to revert the process and annul the order. Yet for these new drapes the Capponis charged an unusually high price. By then, Filippo was elderly and ill (he would die the following year), and asked for help to his younger and more energetic brother Bartolomeo. Bartolomeo wrote him that the Capponis’ behaviour looked very suspicious

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<sup>34</sup> Letter of Jacopo Ricciardi from Pisa to Bartolomeo Corsini in Florence, 3.4.1613, ASF, Miscellanea, Room V.

<sup>35</sup> “...chi si vole fare questo mestier non bisogna fidarsi di mezzani... corre una mala stazione che ogni giorno si sente qualche fallimento... non habbate che fare con cotesto gio. battista delli albizi che intendo darà assai danno”, letter of Bartolomeo Corsini from Palermo to Lorenzo Corsini in Florence, 22.4.1568, ACF, Room V, Miscellanea.

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

indeed, all the more since the price they charged for the drapes was more than 25 % higher than the usual market value in Venice. To find out whether the Capponis were cheating on them, Bartolomeo told his brother of his intention of writing to another family of Venetian merchants, the Fieravantis, sending them a copy of the Capponis' bill and asking their opinion. It might well be, Bartolomeo reasoned, that the whole thing was arranged not by the Capponis themselves but by some of their factors. In his letter Bartolomeo also hinted at the possibility of protesting and even suing the Capponis, yet he did not seem much inclined to pursue that route. Without clear proof, he reasoned, the best thing was to avoid any formal protest and move on:<sup>36</sup>

...I have made up my mind to write to Venice to Fieravanti, and to send copy of the Capponi's bill, so that they will look into the matter to find out whether the prices asked by the Capponis are really distant from the current price... and if there is a way of justifying it. As to me, I think it will be difficult, for it will be hard to find someone willing to argue against the Capponis, so I will see what he [*scil.*, Fieravanti] will answer to me, and then I will do what I will think best about this, whereas you may send me those documents you think necessary because, as this business is of importance, I would not want you to be upset by it. You should have received the merchandise from there, and seen with your very eyes their quality, and how much you could hope to sell them for. I would like very much to sort this out, so as to avoid starting disputes and a lawsuit with the Capponis, and I wonder whether this dealing has been done with little honesty by some factor of theirs. To what happened there is no solution, and in this world one must trust but few...

This episode, narrated in the candid language of Bartolomeo to his brother Filippo, seems relevant on a number of levels. First, because the business links of the Corsinis were stronger with the Capponis than with the Fieravantis

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<sup>36</sup> "...io mi sono risoluto di scrivere a Vinezia ai Fieravanti, et mandatoli copia del conto de Capponi, accio faccino diligenza per sapere veramente se li prezzi fatti dai Capponi sono distanti dal prezzo corrente... et se ci è verso di poterlo giustificare, et quanto a me tengo sarà difficile per che contro a Capponi non si troverà chi voglia disputare, perciò io vedrò quello mi risponderà et andrò poi facendo quel che giudicherò sia meglio in questo mentre voi mandatemi quelle giustificazioni che voi pensate sieno necessarie, perchè essendo il negozio di qualità, io non vorrei darvene disgusto in questo, mentre voi dovrete avere ricevuto di costà la roba, e visto meramente con li occhi la qualità loro, et quello tanto ne potete sperare nella vendita, et io desidererei pure assai se ne uscissi per non avere a entrare in intrighi et in lite con essi Capponi, et mi dubito che questo intrigho non sia stato governato poco sinceramente, da qualche loro ministro, al fatto non è remedio, et in questo mondo bisogna fidarsi di pochi..."). Letter of Bartolomeo Corsini to Filippo Corsini, 24.4.1600, ACF, Room V, Miscellanea.

(both in terms of volume of business and length of their business relationship).<sup>37</sup> If we were to measure the strength of a network on the basis of the trust between its members, we would have to conclude that one of the main business partner the Corsinis had in Venice at the end of the sixteenth century, the Capponi family, had never been part of their inner circle, or that it did, but now that trust was broken and that the Corsinis were sending a very negative signal to the Venetian market as to their reliability. If we were to take literally what Bartolomeo tells his brother, however, our conclusion would be, more simply, that one should not place too much trust in his business partners. A second important point is the reluctance of Bartolomeo Corsini to sue the Capponis. Bartolomeo does not elaborate much on the point – what emerges from his words is the reluctance of the business community in Venice (which also means, the ruling class) to antagonise the Capponis without clear evidence of their misdeed. What we do not know is whether he would have sued them if he did have such evidence. Though we cannot be entirely sure, from the tone of Bartolomeo's letter the answer would still seem to be in the negative. While reluctant to sue a powerful merchant family, Bartolomeo did not seem worried that the Capponis would have indirect knowledge of his displeasure (since he could not be entirely sure as to the discretion of the Fieravantis, who, as competitors of the Capponis, might leak Bartolomeo's letter to other merchants in Venice). On the contrary, short of recovering the extra money paid to the Capponis, this might be a satisfactory solution – protesting informally within the Capponis' business community without however severing ties with the Capponis themselves. The business relationship of the Corsinis with the Capponis went well beyond bartering goods and focused especially on remittance finance: spinning a financial web second to none, the Capponis were at the very centre of the Venetian financial market, as well as the main partner (also) of the Corsinis for bills of exchange drawn on Venice, not to mention that, conversely, over the same years the Corsinis acted as the Capponis' main partner for all the latter's financial operations in London.<sup>38</sup>

In the long run, this business was far more valuable than some over-priced drapes. Thus, one might be tempted to take Bartolomeo's words to his brother

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<sup>37</sup> E.g. letter of Lorenzo Corsini from Florence to Filippo Corsini in London, 22.6.1566, *supra*, text and note 25.

<sup>38</sup> I. CECCHINI, "Piacenza a Venezia: la ricezione delle fiere di cambio di Bisenzone a fine Cinquecento nel mercato del credito lagunare", *Note di Lavoro del Dipartimento di Scienze Economiche, Università Ca' Foscari di Venezia*, 2006, 18 pp. 1-24, at 8. On the link between the Corsinis in London and the Venetians in the late sixteenth century see U. TUCCI, "The psychology of the Venetian merchant in the sixteenth century", in J.R. Hale (ed), *Renaissance Venice*, London, Faber and Faber, 1973, pp. 346-378, at 348.

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

Filippo at their face value: trust is scarce commodity, and it is well possible to do business with people whom one trusts to a limited extent, even (as with bills of exchange) for very relevant sums.<sup>39</sup>

3. As said earlier, most litigation found in the Corsini papers is not about dishonest business partners, but rather about different interpretations of a same fact. In the sixteenth century the number of international shipments that did not encounter any single issue were not many. The spectrum of possible problems a shipment could encounter ranged from all-out disaster to petty damages. It is not very surprising, therefore, that most (but by no means all<sup>40</sup>) lawsuits found in the Corsinis' correspondence are about shipments. Within shipments, the most frequent field of litigation would seem that of insurance: the number of underwriters and the amount of money involved would often suggest a recalcitrant insurer to argue for a certain interpretation of the facts (which, incidentally, would save him a large amount of money). By and large, merchants did not trust too much insurers,<sup>41</sup> and did not extend to them the same attentions that they would have with each other.<sup>42</sup> Suing an insurer, in short, was not the same thing as suing a fellow merchant.<sup>43</sup> This is not to say

<sup>39</sup> On the complex (or, perhaps, non-binary) relationship between creditworthiness and business transactions cf. again KADENS, *Pre-Modern Credit Networks*, *op.cit.*

<sup>40</sup> In the Corsini papers it is possible to find various other kinds of litigation, even cases of ex-apprentices suing their masters before the Mayor and Aldermen's court of London. When Filippo Corsini found himself to be the target of one such claims, in his turn he proceeded with a countersuit to recover the expenses he had incurred for his old apprentice, to teach him book-keeping, French and Italian, for a total of £ 47. ACF, Room V, Miscellanea (s.d., draft).

<sup>41</sup> So for instance in 1580 the merchant Nicola Cardini sought the help of Lorenzo Corsini when he found somewhat suspicious what reported by his insurers (the *Compagnia dei 24 carati*): "I would not want to trust them without the confirmation of a friend" (*non mi vorrei fidare di loro, senza il riscontro fatto da un'altro [sic] amico*), letter of Nicola Cardini from Valdipesa [Florence] to Lorenzo Corsini in Florence, 11.9.1580, ACF, Room V, Miscellanea.

<sup>42</sup> This of course does not mean that the "insurers" were so specialised that they did not trade in any other capacity than that of insurers. Often, however, those merchants who focused the most on insurance had little interaction with the merchants whose cargoes they insured aside from the policy itself. So, from the point of view of the merchant insured, the interests of the underwriters were in open conflict with theirs.

<sup>43</sup> In 1587, for instance, when a ship carrying alum from Civitavecchia to London sank and a few underwriters sought some pretext to delay payment, Bartolomeo Corsini wrote to Lorenzo in Florence asking him to "defend our reasons" (i.e., to sue them) without further ado. Letter of Bartolomeo from London to Lorenzo in Florence, 27.3.1587, Bartolomeo Corsini, *Copia Lettere da Londra* (1587-1590), *cit.*, [fols. 2v-3v]. Similarly, in 1602 a letter of the Ricciardis of Pisa informed Bartolomeo Corsini that the insurers refused to pay because of some mistake in the *calculus* for the apportioning of the loss of a cargo jettisoned near Sicily. The Ricciardis advised Corsini to correct the *calculus* before suing the insurers – taking however for granted

that merchants would never sue each other. This indeed happened, and more often than one would think – even within one’s own business network. When persuasion could not prevail, then a lawsuit would follow a series of unsuccessful letters.<sup>44</sup> Again, international shipments were the most frequent case of lawsuits.<sup>45</sup> Of course the mere fact that a transaction was carried out across different countries did not make it necessarily more valuable; still, by and large, the sums at stake in international commerce tended to be conspicuously higher than local trade. When the sums at stake were high, forbearance was no longer a virtue.

Having a good name and boasting good standing before one’s fellow merchants (i.e., being trusted within the wider mercantile network) was important also in case a quarrel escalated beyond the exchange of some (politely) upset letters, for most legal disputes among merchants would be decided by a panel of their peers. As Bartolomeo Corsini wrote to Francis Walsingham (the all-powerful principal secretary of queen Elizabeth), panels of merchants were invaluable to avoid the “charges and troubles of the law”.<sup>46</sup> On its part, in

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that Corsini would sue them. Letter of Jacopo Francesco and Bartolomeo Ricciardi from Pisa to Bartolomeo Corsini in Florence, 1.8.1602, ACF, Room V, Miscellanea.

<sup>44</sup> See e.g. a letter of Lorenzo Corsini in Florence to Filippo Corsini in London, 18.2.1595, where Lorenzo wrote to his brother of the pressure he was putting on their debtors in Brescia so that they would pay up at once what they still owed them, lest he would sue them, which he was determined to do as the very next step. ACF, Room V, Miscellanea. Chasing up debtors before commencing a lawsuit was hardly a Tuscan peculiarity: see e.g. C. MULDREW, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England*, London, Palgrave Macmillan, 1998), 180-181, and J. HARDWICK, *Family Business: Litigation and the Political Economies of Daily Life in Early Modern France*, Oxford, Oxford University Press, 2009, 152. Even suing one’s debtor could often be just a way of strengthening his resolve to pay, as many cases of debt did not proceed to trial: KADENS, *Pre-Modern Credit Networks*, *op. cit.*, p. 2452.

<sup>45</sup> For instance, in a single letter of 1574 Francesco Rinuccini in Florence gave bad news to Filippo Corsini in London about two different lawsuits. In one, regarding the shipwreck of two ships carrying 2,500 florins’ worth of wool, the *testimonial* of the shipwreck had not arrived from Spain, and this was damaging Corsini’s position in the lawsuit against some Sicilian merchants (Bartoli and Neri). The news about the other lawsuit (against the Federighis) was even worse: Corsini had lost. The judges, wrote Rinuccini, put the “strictness of the law” above fairness, finding that a letter sent from Filippo Corsini to (Carlo?) Federighi was legally binding, regardless of the changes in the circumstances (“they had more regard for the strictness of the law than fairness, as these judges held that your letter of 18 January [1574] was binding” – *s’è havuto riguardo più al rigore che all’equità, sendosi questi S. giudici fondati che la vostra lettera del 18 di gennaio fussi obligatoria*). Letter of 16.12.1574, ACF, Room V, Miscellanea.

<sup>46</sup> “...for avoydinge of chardges and troubles of the Lawe which might thearvpon arise some indifferente persones be apoynced by your honour maye have the pervsinge and oversight of the proves to be produced by your suppliant in that behalfe...”, ACF, Room V, Miscellanea (s.d.).

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

England the “law” was catching up: the sixteenth century witnessed a progressive expansion of the jurisdiction of the common law courts on commercial matters, often clashing with the jurisdiction of the Court of Admiralty.<sup>47</sup> This, however, would be a long-term process, and by the close of the century resorting to a panel of merchants was still a very common thing to do. It is however unquestionable that times were changing: by the late sixteenth century many of those arbitration panels took place not because of a spontaneous choice of the parties, but rather were gathered by imposition of the government. Specifically on maritime commercial disputes, the government often required the Admiralty judge to preside over such panels, at least formally. This might appear a mere formalism, but in fact it carried much weight, as it was a first but very significant step towards the channelling of mercantile (semi-autonomous) dispute-resolution mechanisms into the formal structure of the (state-backed) law courts. Thus, even if at first it might have looked just as a formality, it was a formality that carried much weight: whether or not the judge participated in the actual decision-making process, the sentence was issued on the basis of his authority, not on that of the panel. So for instance in 1581 Bartolomeo Corsini entrusted some kersey (coarse woollen cloth) to two shipowners, Phillip Fishe and Robert Brown, to ship it to Leghorn, but the masters likely sold it elsewhere and came back empty-handed. Corsini accused them before the Privy Council, which (on the 10<sup>th</sup> of April 1581) appointed the Admiralty judge (David Lewis) to decide on the matter, assisted by a panel of three London Aldermen (Barnes, Bonde and Osborne). The Aldermen immediately excused themselves, so three days later (on the 13<sup>th</sup> of the same month) the Privy Council appointed three merchants in their stead, “being persons of good understanding in matters of merchandise”. Perhaps because all the three merchants were English (Aldersey, Salthamston and Palmer), the Privy Council gave Corsini the faculty to ask for further merchants (presumably, foreigners) to be appointed to the same panel.<sup>48</sup>

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Corsini was acting on behalf of a Venetian merchant, Ottaviano Volterra from Zante. Volterra had shipped some cargo to Gdansk but the ship was arrested in Portsmouth, and the cargo seized by the creditors of one John de Rivera, claiming that it belonged to Rivera and not to Volterra. In his letter to Walsingham, Corsini asked for a panel of merchants to be appointed to assess the evidence that he was ready to bring before them to prove Volterra’s ownership of the cargo.  
<sup>47</sup> E.g. G. Rossi, *Insurance in Elizabethan England*, Cambridge, Cambridge University Press, 2016, pp. 61-88.

<sup>48</sup> *Acts of the Privy Council of England* (henceforth APC), vol. 13, 1581-1582, ed. J. ROCHE DASENT, London, Her Majesty’s Stationery Office, 1896, pp. 16-17 and pp. 20-21. See also *ibid.*, 27 and 90.

The role of the Admiralty judge was not necessarily just formal. In case the merchants could not agree, he was called to step in and rule on the case.<sup>49</sup> This *modus operandi* (a decision in the substance reached by merchants but in the form issued by a law court), which likely developed during the second half of the sixteenth century, was then progressively employed also in the common law courts, as they began to decide at *nisi prius* on mercantile matters (presumably) from the seventeenth century onwards.<sup>50</sup>

In different (non-maritime) kinds of commercial disputes, the Privy Council would appoint some other commissioners instead of the Admiralty judge. Such commissioners in their turn would appoint a panel of merchants to reach a verdict. Unlike the Admiralty judge, in these cases the commissioners did not have the power to step in and reach a decision when the merchants could not, so all they could do was threatening the merchants to let the Privy Council know about their inertia. The fear to disappoint the Privy Councillors

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<sup>49</sup> One such cases happened in the late 1570s (though the facts about which the dispute arose date to the earlier years of the 1570s). The dispute was between two Italians (Todarin Lombardo and Paolo Giustiniano) over some merchandise shipped to London by the one (Lombardo) and never paid for by the other (Giustiniano). The Admiralty judge, David Lewis, appointed a panel of four merchants, of whom two were Italians and the other two, judging by their names, might not have been English either): Benedetto Spinola, Jerome Benalio, Vincent Enchardum (?) and John Bodermaks, assigning to them a certain time to come to a decision. The decision was however given by the judge, so it seems that the panel could not reach a consensus within the prescribed time. These documents are preserved in copy in the Corsini Archive (Room V, Miscellanea), but are undated. There is no mention of this case in the Acts of the Privy Council. Again, in 1581 the Privy Council appointed a commission of merchants to decide on a controversy between a shipmaster from Bristol, Thomas Dickinson, and a group of Spanish and Italian merchants, represented by Bartolomeo Corsini. Here as well, the merchants needed some prod to reach a decision – so much so that the Privy Council wrote to the Admiralty judge to that effect, which would suggest that the latter oversaw the panel. APC, vol. 13, p. 70 (7.6.1581), and p. 343 (5.3.1582). A further letter of the Privy Council (not mentioned in its Acts), of 21.1.1582, is found in the Corsini Archive, translated into Italian: ACF, Room V, Miscellanea.

<sup>50</sup> The earliest evidence we have on maritime issues being tried at *nisi prius* is rather ambiguous: J.A. PARK, *A System of the Law of Marine Insurances*, London, printed by His Majesty's law printers for T. Whieldon in Fleet Street, 1787, pp. xli–xlii; W.S. HOLDSWORTH, *A History of English Law*, 16 vols., London, Methuen/Sweet & Maxwell, reprint, 1966, vol. 8, p. 292. With Lord Mansfield in the late eighteenth century our evidence on the point becomes much clearer, and this is due in no small measure to the work of J. OLDHAM, in particular his book *English Common Law in the Age of Mansfield*, Chapel Hill, 2004, 16 ff., esp. 22-27. See also ID., *The Varied Life of the Self-Informing Jury*, London 2005, pp. 24-31; ID., *Jury Research in the English Reports in CD-ROM*, in J.W. CAIRNS and G. MCLEOD (eds), *“The Dearest Birth Right of the People of England”*. *The Jury in the History of the Common Law*, Oxford, Hart, 2002, pp. 130-153, at 134-145; ID., “The Origins of the Special Jury”, *University of Chicago Law Review*, 1983, pp. 137-221, at 173-175 and 210.

Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

(and so, even when no direct punishment ensued,<sup>51</sup> to lose powerful connections) was likely a sufficient reason for most merchants to speed up things.<sup>52</sup>

4. A good reputation surely helped when a panel of merchants had to assess one's request or to weight the objections against it. But, to our purposes, we might want to focus more on the fact that, in the examples above, the merchants did not ask the Admiralty to intervene, but went to the Privy Council instead. Counterintuitively as it may seem, approaching directly the Privy Council and then letting the Council charge the Admiralty to solve the matter was considerably more efficient than approaching the Admiralty directly. This did not apply only to foreigners who wanted to have a panel of merchants (possibly in part composed of foreigners as well) deciding on their case. It was the same with English merchants, who chose this route even for cases which did not pose the slightest problem in terms of law or of jurisdiction. So for instance in 1580 a cargo of cochineal bound to Leghorn was captured in the Channel by some privateers and then brought partly to Dorset and partly to Devon. Its owner was a well-connected London Alderman, James Hawes. Suing before the Admiralty would have been the obvious thing to do in a case of disputed prize.<sup>53</sup> And yet, even if the Admiralty had been prompt in answering the petition, to what extent and rapidity would its orders be obeyed in those counties was not clear. Hawes therefore opted for a different route: petitioning the Privy Council to have the cargo seized from South West

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<sup>51</sup> As a typical medieval institution, the Privy Council's remit is not easy to define, and it also encompassed functions which we would clearly consider as pertaining to the judiciary. This became particularly problematic in the 1580s (and so, during the core years of the Corsinis' business activities in London), so much so that in 1591 all the justices of the three common law courts (King's Bench, Common Pleas and Exchequer) signed a formal protest against the practice of the Privy Council to imprison those who did not obey its orders. This "Declaration of Judges on Unlawful Imprisonments" (9.6.1591) may be read in HOLDSWORTH, *A History of English Law, op. cit.*, vol. 5, Appendix I, pp. 495-7. See further J.P. DAWSON, "The Privy Council and Private Law in the Tudor and Stuart Periods", *Michigan Law Review*, pt. II, 1950, 48, pp. 627-656, at 640-641.

<sup>52</sup> So for instance in a dispute among two foreign merchants in 1591 the Privy Council appointed some commissioners, who in their turn nominated a panel of merchants (among whom Filippo Corsini) to decide the dispute. When the merchants could not reach promptly a decision the commissioners wrote to them (letter of 29.4.1591) hinting that, should they tarry, the Privy Council would be informed. ACF, Room V, Miscellanea.

<sup>53</sup> The clearest explanation of the scope of the Admiralty's jurisdiction in the late sixteenth century is found in a list of offences (57 in total) falling within its jurisdiction, compiled by its Ordinary Judge, Julius Caesar, in 1591. SP 12/239 fol. 136r-v (21.7.1591). Cf. Rossi, *Insurance*, 70, note 89.

England and brought to London first, and then (and only then) to let the Privy Council entrust the matter to the Admiralty.<sup>54</sup>

To understand better the interest of the merchants in letting the central government take care of administrative and/or (the difference is not always clear) judicial issues rather than approaching the specific institution that, in principle, was responsible for the matter, we may want to take a step back. This way, we will be also able to unearth the connection between this approach and the role of a merchant's business network.

International commodity trade was as lucrative as it was problematic. Even when the geopolitical conditions were not particularly stormy, a merchant should always expect trouble. In June 1571, for instance, Filippo Corsini received a letter from his factor in Antwerp to let him know that the ship (called *John the Baptist and* [given the circumstances, rather appropriately] *the Prodigal Son*) en route from Valencia to Antwerp had called in Lisbon with little intention to resume her voyage: now Corsini had to rely on some local connection to persuade the shipmaster to set sail again, if he ever wanted to receive his cargo.<sup>55</sup> A few months later another vessel run into trouble when her shipmaster was imprisoned for debts in Plymouth.<sup>56</sup> These were hardly exceptional cases.<sup>57</sup> In such (and, as just said, not infrequent) cases a merchant's connections would make the difference. In the end, what was needed was always a way to exert influence on the authorities that could solve a problem. To this end, good connections were key. They had to be widespread enough to encompass most markets and, for maritime trade, also most ports within a certain route. If strong and far-ranging connections were needed in

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<sup>54</sup> ACF, Room V, Miscellanea (petition of 31.8.1580). Hawes (together with his partner Thomas Wilford) gave sureties in the sum of £1,000.

<sup>55</sup> Letter of Gaspare Roveti in Antwerp to Filippo Corsini in London, 6.6.1571 (ACF, Room V, Miscellanea), advising Corsini to "send specifically someone or ask some true friend instead to speak with the said [ship]master, making sure that he comes here as soon as possible" (*mandar persona apostata ho vero dar ordine a qualche amicho vero, che vedesse de parlar al detto maies-tro procurando che se ne venga di qua quanto prima*).

<sup>56</sup> Letter of John Welles in Plymouth to Filippo Corsini in London, 7.3.1572 (ACF, Room V, Miscellanea), suggesting Corsini to write to Lord Howard (the Lord Admiral) to ask him to approach the Admiralty Court to let the ship (the "Gallyon Patty" of Venice) go, since the crew had already elected another shipmaster.

<sup>57</sup> See for instance a letter of Lambert Bagg in Plymouth to Filippo Corsini in London, 20.3.1596 (ACF, Room V, Miscellanea). An order to arrest the *Flying Hart*, bound to Middleburgh with 42.5 tonnes of red wines, had been issued by the Lord Admiral (upon petition of Filippo Corsini), but the ship managed to escape all the same. "[T]hey have escaped my handes in this sorte", lamented Bagg.

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

times of peace, they would become all the more essential when the geopolitical situation grew worse – something hardly infrequent in the early modern world.

In the Corsinis' case, this constant need of good connections to grease the wheels of international trade became especially acute while the tension between Spain and England was mounting during the late 1570s and early 1580s. So for instance it was only thanks to the connections of the Giffoni family of Naples that a ship bound to London was released by the Spanish authorities in 1581.<sup>58</sup> Ten years later, when this happened again, it was necessary to involve an aide-de-camp to the Habsburg king.<sup>59</sup> Again, when another cargo bound to London was seized in Antwerp less than two years before the planned invasion of England by the Spanish Armada, the Corsinis had to rely on their connections to reach no less than the Governor himself, Alexander Farnese.<sup>60</sup> The English authorities were just as suspicious as the Spanish ones: in 1583 for instance the entire crew of a ship chartered by Filippo Corsini for his trades with Italy was imprisoned in Portsmouth as Habsburg spies.<sup>61</sup> Even when the authorities did not stand in the way of international commerce but rather came to the rescue of a ship attacked by pirates, its subsequent release was far from automatic, especially if it carried valuable cargo.<sup>62</sup>

In such conditions, a regular safe-conduct was hardly guarantee of a journey unmolested by the authorities.<sup>63</sup> This of course does not mean that the safe-conduct was unnecessary. Rather, it means that good connections were doubly important: not only to get a safe-conduct, but also to get out of trouble when something unexpected happened. Time and again, powerful connections

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<sup>58</sup> In breaking the good news to Filippo Corsini in London, Francesco Nicola Giffoni in Naples also warned him that the favour will be reflected in the final bill: most likely, Giffoni had to hand over some bribes to be more persuasive. Letter of 21.6.1581, ACF, Room V, Miscellanea. See also the letter (s.d.) of an agent of Filippo Corsini in Southampton, William Petola, on a ship bound to St Lucas, whose cargo had been seized and should be recovered (presumably, thanks to Corsini's good relationship with the Admiralty), ACF, Room V, Miscellanea.

<sup>59</sup> Copy of the letter of Michele Bettoni Ruccellai of Naples to the "most illustrious Sir Gio[vanni] dell'Aquila, aide-de-camp to his Catholic Majesty", 14.6.1591, ACF, Room V, Miscellanea.

<sup>60</sup> Letter of Francesco y Petro Malvenda in Antwerp to Bartolomeo Corsini in London, 30.9.1586, ACF, Room V, Miscellanea.

<sup>61</sup> Letter of William Danike (the pilot of the seized ship) in Portsmouth to Filippo Corsini in London, 25.3.1584, ACF, Room V, Miscellanea.

<sup>62</sup> See for instance a letter of Bartolomeo Corsini from London to his brother Lorenzo in Florence, describing their brother Filippo's efforts in obtaining the release of a ship carrying alum to England, attacked by Vlissingen pirates and rescued by the English fleet, 11.6.1586, ACF, Room V, Miscellanea.

<sup>63</sup> See e.g. a letter of 29.7.1588, on the seizure of the English ship *Farvell*, bound to Italy but seized in Spain by the local authorities, ACF, Room V, Miscellanea.

were needed both to readily obtain all the necessary authorisations prior to departure, and then to solve some problem that would often arise thereafter.

5. Seeking connections with the central government in order to fend off attacks from corrupt (or, given that some form of bribe was often expected, perhaps unscrupulous) local authorities was a good way for a merchant to get out of trouble. The problem however was that the very same people against whom a merchant sought protection would often lobby for a friendly ear in the government too. In this regard, a case (out of many) found in the Corsini papers seems quite telling, if only for its blatantly fraudulent features, and it might be worth describing in some details, as it must have been quite the *cause célèbre* at the time.

In September 1590 a Venetian ship, recorded in the English sources as the *Uggera Salvagna*, was captured by the privateers Thomas Middleton, Erasmus Harvey and the better-known John Davis.<sup>64</sup> The merchandise (350 bags of pepper, some mace, many elephants' teeth and much sugar) belonged to merchants from Venice and Tuscany, and both countries kept neutral during the Anglo-Spanish hostilities. Some of the goods (at least part of the spices), however, was shipped by some factors in Lisbon – and so, within the domains of Phillip II. So much sufficed to give a veneer of legitimacy to the prize: the privateers could just say they intercepted cargo of “merchants from Portugal” without being too fussy with the details. The privateers brought the pepper to Plymouth and Weymouth (the rest of the cargo was initially pocketed by John Davies without any authorisation),<sup>65</sup> before a local commission empanelled by the Admiralty. The commissioners could surely boast remarkable expertise on the subject of privateering – especially as to its practical side, for one of them was Sir Francis Drake. While their expertise was matched by their impartiality

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<sup>64</sup> An explorer and a privateer, Davys is likely to have commanded the *Black Dog* during the attempted invasion by the Spanish Armada. *Dictionary of National Biography*, vol. 14, London, Macmillan, 1888, s.v. “Davys, John (1550?-1605)”. The case of the *Uggera Salvagna* may be found in many documents in the *Calendar of State Papers Domestic: Elizabeth, 1591-94* (M.A. Everett Green ed., London, Her Majesty's Stationery Office, 1867 (henceforth CSP), 10, 49, 62, 77, 156, 166, 171, 264 (2), 269, 294, 295, 300, 312, 313 (2), 332, 344 (2), 454, 541, 572), in the Acts of the Privy Council (APC, vol. 20 (1590-91), 234; APC, vol. 21 (1591), 39, 50, 73, 82, 118, 169, 230, 231, 320, 347, 381, 433; APC, vol. 22 (1591-1592), 125, 204, 251, 396, 405, 411, 460, 461, 465; APC, vol. 23 (1592), 26, 92; APC, vol. 24 (1592-1593), 196, 356, 385, 403-404), and in some letters and documents kept in ACF, Room V, Miscellanea. In all, the documents range from January 1591 to July 1593. A brief mention of this case may be read in F.I. SCHECHTER, *The Historical Foundations of the Law Relating to Trade-marks*, New York, Columbia University Press, 1925, pp. 33-34.

<sup>65</sup> APC, vol. 21 (1591), 39 (6.4.1591).

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

is less clear.<sup>66</sup> They readily found that the whole prize was perfectly good, and authorised the privateers to sell it to local merchants,<sup>67</sup> making no less than £3,500 in the process (quite a conservative figure, as according to the Italians another £5,000 was left unaccounted for).<sup>68</sup>

The Tuscan and Venetian merchants sought to protest with the English authorities and to recover their property. To this end they appointed Bartolomeo Corsini as their procurator.<sup>69</sup> Together with his brother Filippo, Bartolomeo duly initiated a very long and remarkably complex struggle to recover the merchandise. The Corsini brothers promptly began their counter-offensive with a series of petitions and letters, first addressed to William Cecil (the Lord Treasurer) personally, and then directly to the Privy Council, which eventually ordered the cargo to be sequestered and kept in custody until the matter could be settled. In January 1591 the Council decided to intervene, and ordered the Admiralty court to examine the matter.<sup>70</sup> Recovering the cargo was no small task, for the local authorities opposed great resistance (not daring to challenge the Council directly, they stuck to the procedure that ought to be followed in such cases, seeking to sidestep the Privy Council's directives), and continued to sell part of the cargo even after the order to the contrary from the Council.<sup>71</sup> Time and again did the Privy Council write to the majors of Plymouth and Dartmouth. Neither of them showed much interest in complying with the requests of the Admiralty, nor did they hasten to comply when the Privy Council ordered them to do so.<sup>72</sup> Of them, the major of Dartmouth proved remarkably obstinate: by the Summer of 1593, when the matter was finally over, he had yet to deliver the merchandise to London.<sup>73</sup> Before reaching its conclusion, however, the story would have more than a few twists.

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<sup>66</sup> Still, the fact that they refused to bring the cargo to London when required a first time by the Privy Council might not depose in favour of their neutrality: APC, vol. 21 (1591), 348-349 (29.7.1591).

<sup>67</sup> CSP, 14.2.1591.

<sup>68</sup> *Ibid.*, 29.4.1592.

<sup>69</sup> In the Corsini Archives four procurations may be found addressed to Bartolomeo Corsini and partners by as many Venetian merchants (Trevisano, Baglioni, Giunti and Marchiozi) signed with their own marks. The procurations were made with notarial deeds in Italy, and bore the dates of 9.12.1590, 11.12.1590, 5.4.1591, and 28.3.1592. ACF, Room V, Miscellanea.

<sup>70</sup> APC, vol. 20, 234 (24.1.1591). This entry also mentions a second ship, a "Maria Margerie", which however never appears in the Corsinis' papers nor anywhere else in the documentation concerning this case.

<sup>71</sup> *Supra*, note 55.

<sup>72</sup> APC, vol. 21, 230-231 (27.6.1591) and 433-434 (8.9.1591); APC, vol. 24, 404 (17.7.1593).

<sup>73</sup> APC, vol. 24, 356-7 (2.7.1593), 385-6 (4.7.1593), and 404 (17.7.1593). By the time the reluctant Dartmouth major received the last prod from the Privy Council, some other merchandise

Apart from sending an increasing number of letters, the only concrete action that the Privy Council initially took was to authorise the sale of a part of the pepper to a London merchant so as to pay the ever more vociferous Venetian crew, which spoke no English but knew well the parable of the Importunate Widow in the Gospel.<sup>74</sup>

Whether because of the complexities of the situation or because of the interest of some parties to make a complex situation look ever more intricate, however, the admirable good will that the Privy Council had initially shown soon came to an end. To the Privy Councillors, the matter continued to look excessively burdensome and full of technicalities,<sup>75</sup> and therefore best left to the care of some legal expert. To that end, they decided to entrust the whole matter to the Admiralty to hear the controversy “by ordinarie course of law”.<sup>76</sup> For good measure, the Privy Council also decided to revoke its authorisation to pay the Venetian crew and asked back what they had already received. As Filippo Corsini had overseen the distribution of more than £ 300, the Council made him personally liable to return it all at once.<sup>77</sup>

Within two months the Admiralty had concluded its enquiry, and recommended to entrust the overwhelming majority of the cargo to Filippo Corsini, who had to put up securities to stand for one year and a day, should the counterparty be able to offer evidence to the contrary.<sup>78</sup> The privateers reacted by petitioning the Chancery for a *subpoena*. This attempt to stall the proceedings was averted by the Privy Council, which had to intervene again and take up the matter in its own hands.<sup>79</sup>

In this fierce legal-political contest, the Corsinis' local connections were not proving sufficient: it was time for international diplomacy to intervene.

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originally brought to Plymouth had not reached London either: APC, vol. 24, 387-8 (4.7.1593) and 404-5 (17.7.1593).

<sup>74</sup> Luke 18:1-8. The sale, wrote the Privy Council to the Admiralty Judge Awbrey, had to be done immediately, “that wee maie no more be troubled with their claymorous importunities”, APC, vol. 21, 73 (26 April 1591). 30 bags of pepper were sold by order of the Admiralty to a merchant of London (one Walden), at 22 *d* the pound, and £ 400 from its proceeds were distributed to the Venetian sailors. This however proved insufficient, and since their “clamorous importunities” did not abate, the Council authorised the sale of as much pepper as needed to pay them in full: *ibid.*, 82 (2.5.1591). In the end, the crew received 823 pounds and 15 shillings, *ibid.*, 169 (30.5.1591).

<sup>75</sup> “We have sundry times our selves taken paines in hearing the said controversie, but cannot understand the perfect truth of the state thereof, the same being so intricate and ful of doubt as is abovesaid”, *ibid.*, 118 (13.5.1591).

<sup>76</sup> *Ibid.*, 119 (13.5.1591).

<sup>77</sup> *Ibid.*, 169 (30.5.1591).

<sup>78</sup> *Ibid.*, 347-348 (29.7.1591).

<sup>79</sup> APC, vol. 22 (1591-1592), 125-126 (15.12.1591).

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

During the Spring of 1591 official letters were sent both by the Grand Duke of Tuscany and by the Doge of Venice. This diplomatic offensive no doubt contributed to keep alive the dwindling interest of the Privy Council in the matter.<sup>80</sup> By the early 1592 the Privy Council wrote to the Admiralty to speed up the delivery of what part of the cargo that ought to go into Corsinis' custody "without standing upon nyce and strict pointes of lawe, that yt maie appeere to those Princes (whose subjects they are) the care her Majestie hath that justice shuld be don unto them with all expedicion and favour."<sup>81</sup> The Council had to write several more times to the Admiralty to ensure the delivery of part of the cargo to the Corsinis,<sup>82</sup> but, as said earlier, the fault lay with the local authorities in Devon and Dorset: at some point the Privy Council even had to explicitly authorise the use of violence to secure the merchandise and bring them to London.<sup>83</sup>

The tide was turning in the Corsinis' favour. Before the goods could reach London, however, the privateers executed a daring plan: bribing the custodians, they managed to gain access to the warehouse where the pepper was kept under custody and falsify the marks which identified 40 bags of it. Now those bags clearly looked as belonging to Portuguese merchants, and since the commission empanelled by the Admiralty had ruled to send to the Corsinis only those bearing the mark of Italian merchants, those bags would be left with the privateers. Filippo Corsini was however able to find some witnesses to prove the misdeed, and petitioned the Star Chamber for a *subpoena* against the privateers and their associates.<sup>84</sup> In their turn, the ringleaders sued him for slander. At this point the Privy Council had to intervene yet another time, and a commission was formed with three of its most important members: the Lord Treasurer (William Cecil), the Lord Admiral (Charles Howard), and the powerful Lord Buckhurst (Thomas Sackville). This special Commission would reach a decision with the assistance of some civil lawyers (the distinguished civil lawyer Dr William Aubrey<sup>85</sup> and the Admiralty judge Dr Julius Caesar), and the parties in their turn were to drop their reciprocal lawsuits.<sup>86</sup>

<sup>80</sup> The letters must have reached London by May 1591: APC, vol. 21, 118-119 (13.5.1591).

<sup>81</sup> APC, vol. 22, 391-2 (7.4.1592).

<sup>82</sup> *Ibid.*, 396 (12.4.1592) and 405-6 (25.4.1592).

<sup>83</sup> *Ibid.*, 460-61 (16.5.1592).

<sup>84</sup> There is some evidence that the Star Chamber heard something of the matter (*ibid.*, 411 (30.4.1592)), yet it seems more likely that the proceedings in the Star Chamber were also discontinued in favour of a political solution before the Privy Council.

<sup>85</sup> Cf. e.g. R.H. HELMHOLZ, "Civilians in the Common Law Courts, 1500-1700", in D. Ibbetson, N. Jones and N. Ramsay (eds), *English Legal History and its Sources. Essays in Honour of Sir John Baker*, Cambridge, Cambridge University Press, 2019, pp. 342-357, at 350-353.

<sup>86</sup> APC, vol. 23, 92-93 (29.7.1592).

The Commission, presumably acting by a majority, decided to entrust the Corsinis with a large part of the cargo (just as the Admiralty had decided earlier),<sup>87</sup> but Buckhurst managed to stall the delivery.<sup>88</sup> Thus, the dispute dragged on. After some further petitions to the Privy Council,<sup>89</sup> the Corsinis had the case discussed again before the Privy Council, and by December 1592, after a series of lengthy offers and counter-offers between the parties, the three Commissioners reached some sort of compromise in the apportioning of the goods while the matter was being decided.<sup>90</sup> The paper war between the parties continued during the winter of 1593, until the Commissioners finally decided on a (temporary) distribution of the goods,<sup>91</sup> and asked the two civil lawyers (Awbrey and Caesar) for a full report of the whole matter.<sup>92</sup> The paper war between privateers and Corsinis went on throughout the Spring of that year. As Filippo Corsini wrote to the Privy Council in April 1593, the matter had been heard no less than 16 times in between Admiralty and Privy Council, and 18 witnesses had unanimously deposed in favour of the merchants. By now, he concluded, there was nothing that the privateers had not tried already.<sup>93</sup>

Despite further protestations from the privateers,<sup>94</sup> the Privy Council finally found for the Corsinis, and ordered all the merchandise to be delivered to them.<sup>95</sup> Stubborn until the very end, the privateers refused to surrender the key to the room where the merchandise was stored, and the Privy Council had to authorise to smash the door open.<sup>96</sup>

If the Corsinis finally carried the day, that was no easy victory, nor was it won at an easy price. The Corsinis had made powerful enemies and their involvement was much resented. As early as in the summer of 1591, a friend from Plymouth wrote to Filippo Corsini that his involvement “hath purchased unto [him]self some enemies and brought [his] name wrongfully in question

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<sup>87</sup> Cf. APC, vol. 22, 465 (16.5.1592). See also a draft of a petition of Filippo Corsini to the Privy Council (undated, but likely of the Summer of 1592), ACF, Room V, Miscellanea.

<sup>88</sup> Writing in the name of the Queen, Buckhurst forbade the delivery of the cargo to Corsini: CSP, August 1592 (day not recorded).

<sup>89</sup> ACF, Room V, Miscellanea, various undated drafts.

<sup>90</sup> CSP, 10.12.1592.

<sup>91</sup> CSP, 21.3.1593.

<sup>92</sup> APC, vol. 24, 196 (18.4.1593).

<sup>93</sup> CSP, 18.4.1593.

<sup>94</sup> CSP, 16.5.1593.

<sup>95</sup> APC, vol. 24, 386-7 (4.7.1593); 388-393 (3.7.1593), 403-4 (17.7.1593). The only exception was a meagre four bags of pepper, which were found to appertain to some Spanish subjects and therefore to be good prize. *Ibid.*, 388-393 (3.7.1593).

<sup>96</sup> *Ibid.*, 403-4 (17.7.1593).

Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

with false surmises”.<sup>97</sup> Judging by the way the events unfolded over the next two years, those enmities must have worsened significantly. But the Corsinis intervened because they had to: too much was at stake for several important merchants in the rich markets of Venice, Florence and Lisbon. Accepting their invitation to be their champion would have surely some negative repercussions with some influential Englishmen, but it would have given them much credit with the Italians: it was an onerous favour to make, which in the long term would pay out well. This is probably how the Corsinis might have thought before embarking in such an intricate and cumbersome quarrel – at least, before realising to what lengths their opponents were willing to go, and what connections with the central government did they have. Not only were the political connections of some of those privateers probably stronger than the Corsinis’ (without the interference of Buckhurst the whole matter would have ended much earlier), but they also had something which the Corsini totally lacked: strong ties with the local authorities in the counties where the goods had been taken.

6. In international mercantile correspondence it is possible to find all sorts of requests, which a good merchant would always try to accommodate, no doubt to gain a credit that, sooner or later, he will call in. The requests to the London “side” of the Corsinis (i.e., Filippo and, when in London, also Bartolomeo) are not just to rescue cargoes worth several thousands of pounds from the hands of unscrupulous English privateers. Often they are far more modest, ranging from lending some money to a Frenchman just arrived in London<sup>98</sup> to forwarding to London the correspondence of an English merchant living in Florence,<sup>99</sup> to negotiating some extra time with one’s creditors.<sup>100</sup>

Acquiring good reputation did not just require honesty and success in one’s trade, but also doing favours and accommodating many requests, which sometimes required time and effort. But the reward was handsome. So for instance when Giovanni Arnolfini of Florence received an alluring business proposition from the partnership Cavalcanti and Giraldi to buy spices in bulk

<sup>97</sup> Letter of James Hoggs from Plymouth to Filippo Corsini in London, 7.7.1591, ACF, Room V, Miscellanea.

<sup>98</sup> Letter of 5.7.1597, ACF, Room V, Miscellanea. The newly arrived was one Nicholas le Guituy.

<sup>99</sup> Letter of Richard Some in Florence to Filippo Corsini in London, 17.7.1577, ACF, Room V, Miscellanea.

<sup>100</sup> Letter of Guido Cavalcanti from Bles to Filippo Corsini in London, 9.2.1576, ACF, Room V, Miscellanea. Cavalcanti sought the mediation of Filippo to persuade a creditor to give him two more years to pay back some money he owed him, against the sum of 40 pounds “to rent the time” (*per l’affitto del tempo*).

from Lisbon<sup>101</sup> he hastened to ask Filippo Corsini in London to join in, offering him to be his partner in equal shares.<sup>102</sup> The good name of the Corsinis was not limited to their native country: over the time, they became probably the main point of contact of Venice in London.<sup>103</sup> This high reputation, however, was acquired at no small cost: the Corsinis were involved in a long series of requests to the English government on behalf of Venetian merchants, mostly to release ships and their cargoes, and occasionally even to ask for the abrogation of customs on specific merchandise.<sup>104</sup> Complex as it was, the *Uggera Salvagna* was just one of many cases.

Without any intention of over-generalising, and within the spatial and temporal coordinates of this paper – and so, relatively centralised states in western Europe during the late sixteenth century – it seems fair to say that a merchant involved in the international commodity trade would need to rely on his “social capital” (“business network” would look somewhat reductive – social and political connections were just as essential to business as business connections “proper”) with a certain frequency, and that through his connections he would seek a way of approaching the central authorities of the country where the problem occurred or (if different) where it had to be solved. With specific regard to England, this meant that a merchant’s international network was of paramount importance because the merchant in trouble did not want to approach the local authorities, nor the common law courts, and not even the

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<sup>101</sup> Cavalcanti and Giraldi imported spices from Lisbon with some regularity. So for instance three years earlier they had received a cargo of pepper and sugar from Lisbon with a ship arrived in Leghorn on 13.5.1575: N. ALESSANDRINI, “I porti di Lisbona e Livorno: mercanti, merci e “gentilezze diverse” (secolo XVI). Alcune considerazioni”, in N. Alessandrini, M. Russo, G. Sabatini (eds), *Chi fa questo camino è ben navigato: Culturas e dinâmicas nos portos de Itália e Portugal (sécs. XV-XVI)*, 129-143, at 137. On the Giraldi family in Lisbon see recently N. ALESSANDRINI, “Contributo alla storia della famiglia Giraldi, mercanti banchieri fiorentini alla corte di Lisbona nel XVI secolo”, *Storia Economica*, 2011, 14, pp. 377-407.

<sup>102</sup> Letter of Giovanni Arnolfini in Florence to Filippo Corsini in London, 13.8.1578, ACF, Miscellanea, Room V.

<sup>103</sup> Cf. TUCCI, *The psychology of the Venetian merchant*, cit., 348.

<sup>104</sup> Among the Corsini papers of London there are two drafts of a request written by Filippo Corsini to the Queen on behalf of the Venetians to cancel the custom on currant from Zante, since the Venetians were already doing as much towards English ships carrying currant to England. ACF, Room V, Miscellanea. Neither draft bears a date, but it is likely that they were written before 1585, as in the early 1580s the customs on Venetian currants coming from Zante were indeed lifted for the English by the Venetian official Ottaviano Volterra (who likely did not act with the blessing of the *Serenissima* but showed a rather flexible approach to his duties, so much that he ended up in prison for that: M. FUSARO, *Uva passa. Una guerra commerciale tra Venezia e l'inghilterra (1540-1640)*, Venice, Il Cardo, 1996, pp. 108-115.

## Mercantile networks: brief remarks from sixteenth-century Anglo-Italian letters

authority which, to our modern eyes, would appear as the most obvious one to turn to in case of problems with maritime international shipping – namely, the High Court of Admiralty. Rather, whenever a problem with international shipping arose anywhere in England, what a merchant invariably wanted was a way to bring his petition to the central government (which meant, most of the times, the Privy Council).

The reason for this lies in two fairly obvious elements: first, the lack of separation of powers (especially, between executive and administrative branches); secondly, the institutional fragmentation. If there is little need to comment on the first element,<sup>105</sup> the second element (institutional fragmentation) needs to be highlighted, as it was far more tangible in the reality of things rather than in the abstract niceties of legal theories. Such fragmentation was still very much present in the sixteenth century (and, more in general, during the first part of the early modern period), a time in which some central governments were becoming strong enough to impose their will also on the various constituencies within their realm,<sup>106</sup> but this strength had not yet crystallised into a fully-fledged, clear and – especially – effective chain of command.

Most trouble happened in local ports and local markets – and so, within local municipalities – which meant that local authorities and local judiciaries should have been in charge. Having good connections in each of those small regions was logistically impossible and, especially, highly inefficient, since the people a merchant might need protection against – petty officials, privateers, dishonest local merchants, or country gentlemen fulfilling egregiously all the three roles above – most of the times would boast much stronger local connections themselves. Of course central governments were hardly immune from corruption and political pressures of all kinds. Yet, by and large, merchants

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<sup>105</sup> Other than to be mindful that the concept of “commercial law” during the late medieval and the first early modern period should be understood in a broader sense than the way a lawyer (even if a legal historian by trade) is accustomed to. On this crucial methodological issue see esp. A. WIJFFELS, “Justitia in Commerciis: Public Governance and Commercial Litigation before the Great Council of Mechlin in the Late Fifteenth and Early Sixteenth Century”, in H. Pihlajamäki, A. Cordes, S. Dauchy, and D. De Ruysscher (eds), *Understanding the Sources of Early Modern and Modern Commercial Law*, Leiden, Brill, 2018, pp. 32-54.

<sup>106</sup> If, in English politics, this centripetal movement became manifestly explicit under William Cecil (Secretary of State from 1558 to 1572, and thereafter High Treasurer until his death in 1598), in English law its equivalent might be found, a little later (from the end of the sixteenth century to 1616), in Edward Coke: L.A. KNAFLA, *Law and Politics in Jacobean England*, Cambridge, Cambridge University Press, 1977, pp. 145-154. Coke may well be considered the flag-bearer of the ubiquitous influence of the common law – though that, of course, was a movement which clearly pre-dated him: see e.g. J.E. NEALE, *Essays in Elizabethan England*, London, Jonathan Cape, 1958, pp. 202-214.

– especially foreign merchants – felt they had a better chance with the central government. It was then the central government that would issue some order to the Admiralty court, the local mayor or some other local magistrate, to redress the situation and do justice. But, if the request was to have some degree of success, it would have to come from above.

Generalising is always problematic. I will not therefore conclude that the approach outlined above points necessarily to a general model for late sixteenth-century commerce in England and beyond. It seems however safe to say that such an approach was the *modus operandi* of the Corsinis whenever they needed help across western Europe during those years, and it is equally safe to add that the Corsinis' network did not stand out as singular or different from that of other important merchants of the time. For the Corsinis, securing some connection able to reach the central government of a country in case of trouble there was imperative for the success of their international shipping activities. This seems to be the reason why they went to extraordinarily great lengths in helping merchants even just loosely belonging to their network – and even those belonging to the network of some of their associates. They did so because they needed to ensure some sort of reciprocity for the time they would run into similar problems elsewhere. For the Corsini merchants operating in the second half of the sixteenth century, having a wide network of potential clients and suppliers was essential for the success of their international trade. But having influential fellow merchants able to reach to higher authorities in case of trouble was just as important.