

**The Last Will and Testament of the Canon and *Obrero* Diego López de Ayala:  
Personal Legacy, Family Dynasty, and the Finances of  
Toledo Cathedral in the 16th Century**

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Diego López de Ayala (c. 1480-1560), a 16th-century canon at Toledo cathedral, is perhaps best known to historians for his role as envoy of the Cardinal Regent Fray Francisco Jiménez de Cisneros to the court of Ferdinand of Aragon and to the Flemish court of the future Holy Roman Emperor Charles V.<sup>1</sup> To intellectual historians, he may be known as one of the founders of the Colegio de Santa Catalina in Toledo, which would later become the Real Universidad de Toledo.<sup>2</sup> To art historians, López de Ayala is known for his role as *obrero* (superintendent of the cathedral works and building or *Obra*), serving in that role for an exceptionally long period from 1518-1557 and overseeing works by the architect Alonso de Covarrubias, the painter Juan de Borgoña, and the sculptors Alonso Berruguete and Felipe Bigarny, among others. As *obrero* he was responsible for managing the many important aesthetic additions to the cathedral's interior, including the grilles, the choir sculptures, and Arfe's silver monstrance.<sup>3</sup> To music historians, he is known as the figure who championed the introduction of polyphonic music to Spain's primatial cathedral.<sup>4</sup> To scholars of Spanish literary culture, he is known for his work on translations into Spanish of Italian works by Boccaccio and Sannazaro.<sup>5</sup>

Based on these significant and multifaceted contributions, multiple historians and scholars have emphatically asserted the canon's significance for the intellectual, political, and cultural life of sixteenth-century Spain. Marcelino Menéndez y Pelayo named his translation of a portion of Boccaccio's *Filocolo* as one of the significant works in the development of the Spanish sentimental novel (*ccci*).<sup>6</sup> In an article on sixteenth-century church music in Spain, Michael Noone describes him as a key figure in a "knowledgeable interpretative community at Toledo that relished complexity and learning" (2006b: 561). In relation to the intellectual network of Sebastián de Horozco, Jack Weiner states: "Sin duda alguna, Diego López de Ayala es una de las personas más importantes en la vida artística e intelectual de su Toledo" (1976: 539).

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<sup>1</sup> On Ayala's role as Cisneros's envoy, see Francisco Jiménez de Cisneros and Jorge Varacaldo et al. The individual referenced here should not be confused with Captain Diego López de Ayala, Señor de Cebolla, or his sons, active during the same period. Despite sharing the name, the canon and the captain's son had very different trajectories. On the Señor de Cebolla, see Duque de Frías. The canon's will further clarifies the distinction when he identifies his father's burial place as the Capilla Mayor of the Monastery of the Calced Carmelites of Toledo; the Señor de Cebolla was buried in the church of Santa María la Mayor in Talavera. Figure 1 provides an updated family tree for the canon.

<sup>2</sup> In 1546 Ayala authored and signed the *Constitutiones collegii Sanctae Catherinae civitatis Toleti*, now located in the Biblioteca Nacional de Madrid, MS 933.

<sup>3</sup> On Ayala's significant contributions as *obrero*, see Blas Ortiz.

<sup>4</sup> See Michael Noone 2006a and 2006b.

<sup>5</sup> See López-Vidriero, Muñiz Muñiz, Reyes Cano (1973 and 1975) and Menéndez y Pelayo.

<sup>6</sup> Ayala translated the prose sections of the *Treze cuestiones* portion of the work into Spanish, collaborating with Diego de Salazar, who added sections in verse.

Despite such significant and multifaceted contributions, however, scholars have repeatedly asserted the limited extent of our knowledge about his life. María de las Nieves Muñiz Muñiz has remarked: "Sobre Diego López de Ayala, poco más conocemos fuera de su condición de Canónigo de la Iglesia de Toledo y de algún intercambio epistolar con el cardenal Cisneros" (538). The majority have continued to rely on the brief biographical notes that appeared in older studies.<sup>7</sup> Some have assumed that, as a protégé of Cisneros, Ayala fared unfavorably after the cardinal's death, retiring to a life of quiet literary pursuits in his native Toledo.<sup>8</sup> Furthermore, confusion has persisted surrounding his genealogy. He has been erroneously identified as the brother of the Conde de Fuensalida, the son of the Conde de Fuensalida, or the son of Juan de Rojas and brother of Alonso de Rojas.<sup>9</sup>

The present article serves as an introduction to a transcription of Ayala's last will and testament of February 7, 1556, previously unpublished, and complements it with other sources to illuminate this important figure more accurately and thoroughly. This approach renders a corrected version of Ayala's genealogy and describes several aspects of his character and reputation. Additionally, it examines his desire to ensure a personal legacy that would legitimize his place in the Ayala dynasty for generations to come. Despite his lifelong career at the cathedral, the final plans in his will seem less focused on pious bequests than on preserving a worldly legacy. Debts owed to the cathedral became a major obstacle to those plans, and as a result, Ayala made a largely unsuccessful attempt to employ his will as a tool to guarantee the afterlife of his persona here on Earth.

Ayala's will is an important component in the canon's final preparations, yet his thoughts on death extended beyond the drafting of this vital document. In a treatise on dying printed in Toledo during Ayala's lifetime, *Agonía del tránsito de la muerte*, Alejo Venegas advises his readers to draft their wills well before a life-threatening situation makes it necessary in order to avoid inciting disputes among heirs and, consequently, jeopardizing one's chances for salvation (fols. 19<sup>r</sup>-20<sup>r</sup>).<sup>10</sup> Venegas's treatise recognizes the importance of the will but notes that a posture of readiness should extend beyond it. He recommends that the true Christian live constantly mindful of the goal of preparing himself to become a citizen of heaven: "Mas el verdadero christiano que sabe que tiene la vida, no para gozar d'ella, sino para ensayarse en hazerse vezino del cielo, tiene siempre delante de sí el blanco a que tira" (fol. 15<sup>r</sup>). Following this advice meant fostering a continuous awareness of the eventuality of death. Ayala pays explicit tribute to this idea of *memento mori* in the preamble of his will: "ansí como es cierto que avemos de morir, ansí nos es incierto cuándo ni adónde moriremos, por manera que habemos d'estar ansí aparejados, como si cada ora oviésemos de morir" (1556: fol. 702<sup>r</sup>). But Alvar Gómez

<sup>7</sup> Two studies in particular have had a lasting impact on biographical representations of Ayala: a biographical note by Gayangos and Fuente in their aforementioned edition of Cisneros's correspondence (xxv) and an entry by Nicolás Antonio in his *Bibliotheca Hispana Nova* (313).

<sup>8</sup> See, for example, Reyes Cano (1973).

<sup>9</sup> Note that the title of Conde de Fuensalida passed from uncle to nephew on more than one occasion during Ayala's lifetime, making the identification as brother *and* son contradictory. On the Rojas connections, see José Gómez-Menor y Fuentes (185).

<sup>10</sup> Venegas had been a student at the *Colegio de Santa Catalina*, and this work had strong connections to Toledo Cathedral as evidenced by its commission and dedications involving several cathedral clergy. Additionally, the work had been printed in Toledo as early as 1537 by Juan de Ayala. For more on Venegas, see Fernando Martínez Gil (66).

de Castro's epitaph for Ayala describes the canon's unusual method of keeping the eventuality of death in mind in his daily life, as well, by using his future tombstone as a dining table:

Diego López de Ayala, canónigo de  
Toledo, obrero de la Iglesia y  
vicario del choro aparejó esta  
piedra para cubrir su sepultura  
y por acordarse de la muerte  
usó della de mesa para comer  
mientras vivió. Murió mayor de  
ochenta años y nunca sintió  
las pesadumbres de la vejez.  
Hízola poner doña Isabel  
Phinoleta, su sobrina y heredera<sup>11</sup>.

There are strong elements of poetic imagery and theatricality in the act of an exceptionally aged canon taking his meals at the tombstone. Since the epitaph states the canon died at over eighty years of age, we can use the date of his death--November 29, 1560--, recorded in the *Sucesiones de prebendas* of the cathedral archives, to postulate his birth around or before 1480 (fol. 297<sup>r</sup>). Gómez de Castro's description gives the impression of an elderly gentleman, known for his roles at Spain's primatial cathedral, who approached death conscientiously.

While the epitaph portrays a pious Ayala, his reputation at other points in his life was far more focused on worldly attributes. The same Gómez de Castro describes the canon elsewhere as a highly capable individual who might easily have achieved greatness, had he applied himself:

Ciertamente López de Ayala era el encargado de tratar todos los asuntos con Carlos y tenía acceso a él cada día y si se hubiera dedicado, siquiera por breve tiempo más a la severidad de su vida que a su talento, sin duda se habría visto encumbrado en honores y habría ocupado en el reino un puesto nada oscuro. Pero a cada uno le arrastran sus gustos, y cada uno, con tal de hacer sus caprichos, suele despreciar lo demás. (401)

The description implies that Ayala was more focused on pleasure than advancing his political position. The trust Cardinal Cisneros placed in Ayala as his representative at the royal courts speaks to the canon's ability, yet Cisneros also references his penchant for leisure in a letter to Ayala: "la verdad es que yo siempre te tove en possession de poco solícito, aun en tus cosas propias" (20). While his apparent lack of diligence may have prevented Ayala from rising in the ranks at court, the canon did achieve a reputation for a highly developed sense of esthetics. His refined taste served him admirably in his role as superintendent of works and building at Toledo Cathedral, but that reputation also extended well beyond Toledo. Charles V's secretary, Francisco de los Cobos, entrusted Ayala with several personal commissions, including a portrait of his wife carved in

<sup>11</sup> MS. 7.896, Biblioteca Nacional de España, fol. 463<sup>v</sup>, quoted in Weiner (1976) 548-49.

marble by Berruguete and extensive consultation on the Cobos funerary chapel, San Salvador de Úbeda (Zarco del Valle 302-03 and Keniston 279).<sup>12</sup> The Italianate Renaissance esthetic Cobos so admired played a role in Ayala's own development of his estate at Casasbuenas (Marías 1: 266). Ayala was also a well-known host for literary circles as attested in Blasco de Garay's prologue to a printed edition of one of his translations: "como me metiesse (segun su costunbre de rescebir sabrosamente a los estudiosos de las letras) en su libreria, y encomençasse acomunicar algunas obras raras *que* auia en ella: tope acaso con vn libro de mano *que* contenia treze questiones muy graciosas" (fol. 2<sup>r</sup>). Furthermore, he enjoyed a reputation for wit, highly praised by Melchor de Santa Cruz and appearing in multiple vignettes in his *Floresta española* (1574). In short, Ayala was a well-known figure in his native Toledo and beyond, but his reputation centers more upon worldly pleasures than an engagement with serious intellectual or theological concerns.

Over the course of his lifetime, Ayala amassed a sizeable amount of wealth in the form of estates, privileges, and titles, and the provisions of his will indicate that he hoped to keep these intact for future generations. Susana Villaluenga's recent article on accounting and legal proceedings of the Toledo Cathedral Obra quotes a 1559 appraisal of his considerable properties at 14, 253, 252 maravedis (2014: 157-59). In his will Ayala focuses on the identities of his principal heirs, their relationship to his paternal heritage, and their capacity to ensure the continuance of a personal and familial legacy. He eschews the more pious route espoused by those ecclesiastical peers whose bequests primarily benefited religious and social institutions. Instead, the canon designates relatively little in the way of charitable provisions and attends instead to a more material afterlife. He gives primary emphasis to the creation of a *mayorazgo* destined for his great-grandnephew, Pedro de Ayala, son of his grandnephew Hernando de Ayala (deceased) and Isabel de Finolete. He forms it by linking his estate of Casasbuenas; a second, recreational estate on the outskirts of Toledo later known as the *Cigarral del Bosque*; another estate in Burguillos (after the death of its current occupant, his nephew Diego de Guzmán, a *racionero* at Toledo Cathedral); and an agricultural property with an olive oil mill in Solanilla. According to the provisions, the *mayorazgo* should later pass to Pedro de Ayala's eldest son, provided he be named Diego López de Ayala in keeping with the canon's attempts to ensure his personal legacy. He outlines several conditions and contingency plans that all emphasize the importance of the Ayala family name. To preserve the integrity of the *mayorazgo*, he disinherits any heir engaged in criminal behavior or attempts to divide the estate. Since Pedro de Ayala is not yet of marrying age, the will stipulates that his mother, Isabel de Finolete, one of the executors and the wife of the canon's deceased grandnephew Hernando de Ayala, will be the beneficiary of the inheritance until he marries, preferably a woman of the Ayala family. Additionally, Ayala treats his canonry at the cathedral as personal property and bequeaths it to Diego López de Ayala, a younger son of Hernando de Ayala and Isabel de Finolete. The canon's primary concerns for his inheritance as implied in the will relate to the continuance of his own name and maintaining the wealth and reputation of the Ayala family dynasty.

The importance Ayala placed on personal and familial legacy is evident beyond the will, as well. The projects he oversaw as superintendent of the cathedral works all proudly bear the Ayala coat of arms, often alongside those of Archbishops or the

<sup>12</sup> For more on Ayala's involvement in the design of San Salvador de Úbeda, see also Sebastián and Ulierte.

Emperor. Ayala also made additions to a genealogy of Spanish nobility, the *Libro de linages de España*, begun by his forefather, Pero López de Ayala (1332-1407).<sup>13</sup> Given the importance he placed on such a legacy and the context of a patriarchal society, the absence of any mention of his father's name in his will or other documents of the period is striking.

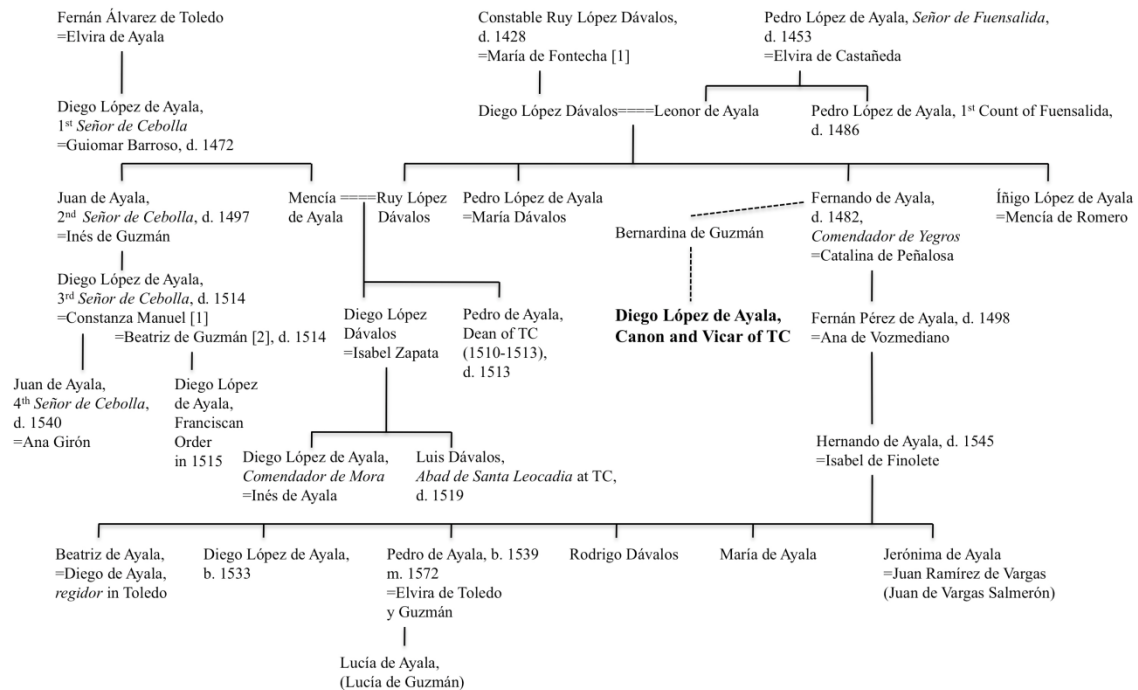
Ayala's will does identify several other family members by name. For example, he names his mother, Bernardina de Guzmán, buried with her mother and siblings in the Capilla de Santa Úrsula of Toledo. He also mentions by name several nieces and nephews on both the maternal and paternal sides, and he refers frequently to his paternal forefathers and the burial place of his great-grandparents and unnamed father in the Capilla Mayor of Toledo's Monastery of the Calced Carmelites.<sup>14</sup> One explanation for the surprising omission of his father's name is that the canon may have been an illegitimate son. According to Alonso López de Haro's *Nobiliario genealógico de los reyes y títulos de España* (1622), Ayala was the illegitimate son of Fernán Pérez de Ayala, Comendador de Yegros, and Doña Bernardina de Guzmán. Fernán Pérez de Ayala was the son of Diego López Dávalos and Leonor de Ayala and the grandson of the Condestable Ruy López Dávalos and Pedro López de Ayala, first Señor of Fuensalida (114). This genealogy fits neatly with the family relations identified in the will and would seem to confirm López de Haro's assertion about the canon's illegitimacy. Figure 1 outlines an updated genealogical chart for the canon.

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<sup>13</sup> References to this revision appear as early as the mid-seventeenth century, when Josef Pellicer cites it in his *Memorial por el marqués de Rivas y casa de Saavedra: "Libro de Linages que escribió D. Pedro Lopez de Ayala, y anda con nombre de Diego Lopez de Ayala, Vicario de Toledo que le adicionó"* (Floranes 510-11). In 1683 Martín de Saavedra also mentions the revision in his *Memorial al Rey Nuestro Señor: "y otros muy nobles Cavalleros, segun lo trae Diego Lopez de Ayala, Vicario de toledo en su libro de linages, de quien fue primer Autor Don Pedro Lopez de Ayala"* (60). More recently in 1851, Jaime Villanueva describes a copy of this text in the library of Poblet: "*Libro de linages, compuesto por Diego Lopez de Ayala, canónigo de Toledo, y comentado por Manuel de Faria. Aunque no he podido cotejar esta obra con la conocida de Pedro Lopez de Ayala sobre la misma materia, sospecho que sea diferente, por la diferencia de autor"* (151). The catalogue of the Biblioteca Nacional de España mentions a manuscript copy of the *Libro de linajes de España* of Pedro López de Ayala that is a sixteenth-century reworking (Mss/11604) and may be that of Diego López de Ayala.

<sup>14</sup> At that time, the monastery's chapel housed the tombs of the Ayala family, including the first Señores de Fuensalida. See Juan Ramón Palencia Herrejón (174).

Figure 1: Genealogy of Diego López de Ayala,  
Canon and *Obrero* of Toledo Cathedral



Note: The descendants presented here for Fernando de Ayala, *Comendador de Yegros*, relies heavily on Linda Martz, *A Network of Conversos* (159); however, this chart follows López de Haro's assertion that Pedro de Ayala's only child and heir was Lucía de Ayala.

Instead of his father, Ayala credits another figure entirely with his advancement in life: Cardinal Francisco Jiménez de Cisneros, "a quien devo todo el ser y bien interes que tengo, después de Dios" (1556: fol. 702<sup>v</sup>). In his 16th-century biography of Cisneros, Gómez de Castro mentions the important role the cardinal played in Ayala's formation, stating that he was educated in the cardinal's household (25). Separately, and without mention of the canon, Gómez de Castro praises Cisneros's liberal nature evidenced in the uncommon generosity of his disregard for legitimacy when making appointments to vacancies at Toledo Cathedral (534). Not coincidentally, it was by provision of Cisneros that Ayala obtained his canonry at the cathedral (*Sucesiones* fol. 297<sup>r</sup>). Additionally, Cisneros found himself obliged to defend his envoy's heritage to the future emperor: "crea que es persona de tal linaje y que viene de tales cavalleros, que no hará ni dirá cosa que no deva y que no sea çierta" (Jiménez 216). Given the context, it appears likely that López de Haro's assertion about the canon's illegitimacy is true. Despite this potential disadvantage, thanks in part to the advancement enabled by favor earned in the service of Cardinal Cisneros, Ayala garnered significant wealth and influence over the course of his life. Essentially, he constructed his own legacy but chose to align it with the family that might otherwise have excluded him. One can interpret Ayala's emphasis on his family name and his desire to bequeath what he had accrued intact for future generations as an attempt to legitimize his place in the Ayala dynasty.

Ayala's will, however, conveys an underlying sense of anxiety regarding the fate of his provisions. When addressing the potential for dispossession of his heirs in the case of criminal acts, he asserts that the heir in question should be disavowed two hours before

even having thought about the crime (1556: fol. 704<sup>r</sup>). Although such a provision is far from practical, the sense of uncertainty that accompanies it is very real. Also, unlike many other wills of the period, Ayala provides no detailed inventory of his possessions. There is no mention of his library or the books it contained, for example. When describing his estates, he speaks of them in general terms, referring broadly to all of the belongings and what he has bought and built on those properties. This relative brevity suggests the will may have been written with some sense of urgency. The majority of testators of the period drafted their wills during illness or when death seemed imminent, yet Ayala drafted his more than four years prior to his death and, if we are to take him at his word, in soundness of body and mind.<sup>15</sup> Instead, other external factors threatened Ayala's plans and compelled him to draft this will as a sort of insurance policy for his legacy.

The structure and tone of the will indicate that questions had arisen at the cathedral over the canon's rights to a prestigious burial site. Unlike most of his contemporaries, Ayala does not offer his body back to the earth, instead focusing on his sepulcher.<sup>16</sup> Immediately following the preliminary contents of the will, Ayala gives a highly detailed description of his burial site: "quiero que mi cuerpo sea sepultado en la dicha Santa Iglesia de Toledo en la Capilla Primera del Sagrario, delante de nuestra señora, debaxo de las lámparas de plata" (1556: fol. 702<sup>r</sup>). He then reminds readers of the will that the dean and cathedral chapter granted him special dispensation for this on March 14, 1520, as recorded by the Secretary Hernando Alonso in the chapter register and more recently confirmed by the Archbishop of Toledo, Cardinal Juan Martínez Silíceo.<sup>17</sup> When describing the jasper tombstone he has prepared for the site, he assures that the coat of arms, lettering, and border are of a low profile and, therefore, will not represent a tripping hazard. The insistence on the validity of his claim to this site and the description of a tombstone that seems to respond to a requirement set forth by the chapter or the archbishop imply a defensive posture on the part of the canon. The instructions that directly follow this section of the will confirm that his claim to the site is in question, since he provides an alternative burial site in his forefathers' funerary chapel at the Monastery of the Calced Carmelites. At multiple other points in the will, the canon reiterates his uncertainty with hypothetical phrases such as "si mi cuerpo allí fuere sepultado" and "y en caso que mi cuerpo no sea enterrado en la entrada del dicho sagrario" (1556: fol. 702<sup>v</sup>).

In an effort to address the uncertainty, Ayala uses the will as a tool to coerce the chapter into validating his claim. In the case of burial at the Monastery of the Calced Carmelites, the canon denies certain benefits to the cathedral chapter. For example, the funding for the chaplaincies he establishes would pass instead to the monastery. More pointedly, the dean and chapter would have no say in their appointment and the charitable income for the masses would go to the monastery rather than the cathedral. In other words, the will links validation of the canon's burial site in the Capilla del sagrario to control over certain financial benefits.

Burial in Toledo Cathedral was associated with extreme privilege, since it was the the most powerful cathedral in Spain and had important historical resonance as the

<sup>15</sup> On the patterns of most testators, see Fernando Martínez Gil (45) and Carlos Eire (64-67).

<sup>16</sup> See Fernando Martínez Gil (46).

<sup>17</sup> This is recorded in the chapter register, *Actas Capitulares* 4 (1511-1527), fol. 215<sup>r</sup>.

religious capital of the Visigoths. It had served as a burial site for kings and queens. When Archbishop Tavera requested a burial site at the main altar of the cathedral, Charles V ordered an investigation to ensure that no royal burial site would be disrupted.<sup>18</sup> In Ayala's case, however, the resistance to his claim owed more to cathedral politics and a massive outstanding debt owed to the cathedral works.

Conflict plagued the canon's latter years at the cathedral. Pedro Vázquez, the same figure Ayala calls on to resolve any disputes resulting in the implementation of his will, composed a short literary *diálogo* centered on one of the principal rivalries. The dialogue between the canon and his echo takes place in the woods of the recreational estate on the outskirts of Toledo mentioned in the will. Ayala first reflects on what good acts he will be remembered for after his days, a concern that relates not only to concepts of legacy and fame, but also of penance and salvation. The remainder of the dialogue outlines Ayala's anxieties over his claim to the burial site in the *sagrario*, echoing the will in its specificity of the location. According to the dialogue, the canon's apprehension stems from a lawsuit brought by the cathedral treasurer, García Manrique, who has asserted his control over the *sagrario* and has denied Ayala's claim to the burial site there. The lawsuit has continued without resolution from the archbishop's council for years. In the dialogue, the echo affirms Ayala's prerogative but suggests that he has failed to press the issue sufficiently to secure a timely verdict. The echo confirms the gravity of the matter and advises haste, since leaving the resolution of one's burial site until after death would be unwise:

*Diego*.—...que piensas que me llamarían todos, en no dexar determinado en mis dias el lugar donde mi cuerpo coloco?  
*Eco*.—Loco'.<sup>19</sup>

The echo advises Ayala to go immediately into the city to urge the resolution of the matter by the archbishop's council and legal officials.

The lawsuit in question began in 1534 and continued at least until Silíceo's death in 1557, pitting García Manrique de Lara y Luna against Ayala, who had a great deal of support in the cathedral chapter.<sup>20</sup> Manrique had obtained a canonry at the cathedral in 1517 and the dignity of treasurer in 1535 (Fernández Collado 83). Additionally, he served as *capellán de honor*, the king's private chaplain, to both Charles and Philip (Salazar y Castro 508-10). Manrique sued to the archbishop's council repeatedly claiming rights over the *sagrario* traditionally reserved for the treasurer; however, the chapter claimed these rights for themselves. A key turning point in the conflict came in 1550 when the archbishop's council ruled in favor of Manrique's bid for control.<sup>21</sup> Confirmed in his rights to control, Manrique nullified the chapter's previous appointments to the *sagrario*, replacing them with his own appointees.

<sup>18</sup> See Pedro de Salazar y Mendoza (312-20).

<sup>19</sup> Pedro Vázquez, *Siguiese otro dialogo entre diego lopez de ayala canonigo y obrero de la sancta yglesia de toledo y su eco estando en su heredad y bosque*, in Marcel Gauthier (74-76).

<sup>20</sup> See Jack Weiner (1980: 163-68).

<sup>21</sup> Although the archbishop's council had issued another ruling in Manrique's favor in 1544, the 1550 ruling had a more permanent impact. See Weiner (1980: 165).



A second source of conflict was the massive outstanding debt that Ayala owed to the *Obra*, the only debt the will describes in any detail. The debt grew out of the negligence of the *receptor* of the *Obra* from 1530-1543, Gutierre Hurtado, named in Ayala's will. Hurtado died unexpectedly in 1543 during the negotiations for repayment of the debt. Since Hurtado's estate could not cover all of the debt, Ayala was held responsible for 30,000 ducats, equivalent to 11,220,000 maravedis. Although Ayala had not been a direct party to the negligence that resulted in the debt, the archbishop determined that Ayala's lack of sufficient oversight made him accountable. Archbishop Tavera agreed to a proposal for repayment in installments over 11 years. To ensure repayment in the case of default or death, Ayala also had to offer personal property as a guarantee. The final installment would come due in 1557. When Ayala recorded his will in 1556, he had not yet finished repaying the debt, and he had failed to make payments in a timely manner.<sup>22</sup>

The canon's will explicitly acknowledges the debt owed and displays an awareness of the potential harm that outstanding debts can have on one's bid for salvation.<sup>23</sup> He makes provisions at multiple points in his will for debts in general, charging his executors with clearing any debts presented, even those unknown or forgotten, provided they include his signature as proof of their validity. In his charge to the executors on the subject of debts, he uses the phrase "ante todas cosas" twice in the sentence and specifies that this provision is to be done using the components of his estate in best condition (1556: fol. 702<sup>r</sup>). In the hierarchy of bequests, this takes precedence over the *mayorazgo*, which is only available to the heirs once any debts have been satisfied. However, Ayala emphasizes in his will that the repayment of the loan to the obra should take priority over all other provisions. He attempts to prevent the loss of real estate by designating a *tributo al quitar*, or taxation right, worth 5.7 million maravedis for the repayment of the debt, rather than his estates. Finally, the canon's directive for the executors charges them with fulfilling the terms of the will and any payments prior to receiving any part of the inheritance, insisting that they do so "con toda presteza" (1556: fol. 704<sup>r</sup>).

The canon, aware of the impact these conflicts could have on his final plans, sought to create assurances for their fulfillment. In addition to the provisions already noted, he uses the naming of executors as an additional step in responding to Manrique's opposition to his burial in the *sagrario*. Aside from Isabel de Finolete, whose role as executor logically owed to her status as a beloved relative and mother to the heirs, Ayala names two figures with direct influence in cathedral affairs: Pedro Cebrián and Archbishop Silíceo. As a canon, Cebrián could advocate for Ayala's wishes in the cathedral chapter.<sup>24</sup> Silíceo, on the other hand, is the figure Vázquez's dialogue deems

<sup>22</sup> See Heath (113-14) and Villaluenga (2005: 180; 2014).

<sup>23</sup> See Venegas (20<sup>v</sup>-21<sup>v</sup>). According to Martínez Gil, the will functioned as a sort of insurance policy between the testator and the Church: "Las primas de esta garantía se pagaban en moneda temporal, los legados piosos; o en moneda espiritual, es decir, misas, oraciones u obras de caridad...El testador, gracias a los sufragios que ordenaba en [el testamento] ganaba méritos delante de Dios para la remisión de su pena y aumento de su gloria...Los moralistas recomendaban disponerlo mientras se gozase de salud, no fuese que luego, por el acoso de la enfermedad, hubiese de realizarse con apresuramiento, de que resultaría probablemente 'ocasion de pleytos y rebueltas' entre los herederos. Esos odios, esas rencillas, serían imputados a su negligencia y de ellos le serían pedidas cuentas en el otro mundo" (44-45).

<sup>24</sup> For more on Cebrián, including his last will and testament, see Acacio de Bistué.

most appropriate in the resolution of the conflict with Manrique. Anticipating the inevitability of further conflicts, Ayala names Pedro Vázquez, the author of the dialogue and one of the best-known jurists of his time, to resolve any disputes.<sup>25</sup>

Nevertheless, these assurances failed to overcome the obstacles. Even if Silíceo had the inclination, however doubtful, to support Ayala's cause, he could not have done so. The will was officially recorded on February 7, 1556, and Silíceo died on May 31, 1557, three and a half years prior to Ayala's death. The day after Silíceo's death, June 1, 1557, the chapter ousted Ayala from the office of *obrero* and replaced him with Diego de Castilla, then dean of the chapter (*Actas* 10: fol. 138<sup>r</sup>). Not surprisingly, Ayala responded caustically to the move. With regard to a vote on the administration of cathedral chapters in September 1557, he voiced his resentment with the following criticism: "pluguiese a Dios que no hoviese Cabildo y que ya que los hay...no se les puede poner regla" (fol. 191<sup>r</sup>). Ayala sought assistance from the monarchy, and on December 22, 1557, a day reserved for the annual provision of cathedral offices by the chapter in the absence of the archbishop, he submitted a decree from the regent, Juana de Austria, ordering the chapter to reconfirm him in the office of *obrero*. Diego de Castilla actively resisted, attempting to persuade the chapter not to vote on the matter. Although the cathedral records indicate that the chapter voted to hold an election for the post, Ayala's bid appears to have been unsuccessful, since he does not appear in the chapter register again until his death.

By 1559, the year prior to his death, almost half the debt was still outstanding, prompting then Archbishop Carranza to move towards seizure of the canon's assets, but Ayala was able to renegotiate annual payments, once again guaranteed by personal property. The agreement specified that the obligation for repayment also extended to Ayala's heirs. The office of cathedral works conducted an appraisal of the canon's property and taxation rights in the same year. Ayala died the following year on November 29, 1560, passing on his debt to his heirs (*Sucesiones* fol. 297<sup>r</sup>).

On December 1, 1560, a few days after the canon's death, Diego de Guzmán visited the cathedral chapter, and was shown the site in the *sagrario* as promised (*Actas* 11: fol. 235<sup>r</sup>). However, the *Sucesiones de prebendas* indicate that the canon's final resting place was in fact the Monastery of the Calced Carmelites (fol. 297<sup>r</sup>).<sup>26</sup> On November 30, 1560, the day after the canon's death, his great-grandnephew sent his solicitor, Francisco de Rojas, to the Cathedral to present bulls authorizing his succession in the canonry. On December 2, the chapter voted to approve the request, provided he meet the requirements of the *estatuto de limpieza* (*Actas* 11: fol. 235<sup>r</sup>); the *Sucesiones de prebendas* reveal that the nephew never took possession of the office, instead renouncing it in favor of Alonso Niño de Zúñiga 15 years later on December 7, 1575 (fol. 297<sup>r</sup>).<sup>27</sup>

The fate of the *mayorazgo* fared poorly, as well. As per the agreement and in line with the provisions of his will, several of the properties and taxation rights belonging to

<sup>25</sup> For more on Vázquez, see Weiner (1976).

<sup>26</sup> Francisco Pérez Sedano, who lived during the eighteenth century, affirmed that Ayala's tomb was there (113). The Monastery of the Calced Carmelites has not survived. Joseph Bonaparte confiscated it in 1809, and it burned in 1812. See Julio Porres Martín-Cleto (254-55). The former site of the monastery has since been covered over.

<sup>27</sup> The entry does not elaborate, but Linda Martz has demonstrated that the nephew's mother, Isabel de Finolete, may have had *converso* origins (158). In that case, the cathedral chapter or archbishop could have used the *estatuto de limpieza de sangre* referenced in the December 2, 1560, chapter vote to prevent the hereditary passage of the canonry.

the canon passed into the hands of the cathedral works, including several houses in Toledo and the estates of Burguillos and Casasbuenas, later sold (Villaluenga 2014: 160-62). The *tributo al quitar* he had designated for repayment of the debt had long been in default and could not prevent the loss of the estates. Even with the confiscation and sale of these properties, it still took until 1583 for his principal heir, Pedro de Ayala, to fully complete repayment (Villaluenga 2014: 163). The negligence for which the cathedral held Ayala responsible ultimately jeopardized the legacy he had built. The lack of diligence Cisneros and Gómez de Castro described in Ayala's character had contributed to the undoing of his design.

The portrait presented here and in the will that follows is one of a dynamic individual whose talents ranged from architectural and artistic esthetics to literary endeavors. Through the favor of an influential mentor, he was able to carve out a place for himself and accrue considerable wealth. Through his will, we witness Ayala's hopes to preserve the life he built as a personal legacy. The text reveals a man less concerned for heavenly salvation and more preoccupied with surmounting the challenges to his worldly legacy posed by his accountability for the negligence of one of his charges. The will is one piece of Ayala's response to the financial controversy in which he was embroiled and captures his anxiety-riddled frame of mind at the end of an exceptionally long and productive life. Through it, we gain a much clearer picture of one of 16th-century Spain's key figures.

**Last Will and Testament of Diego López de Ayala,  
Canon and Vicar of Toledo Cathedral (1556)<sup>28</sup>**

[fol. 702<sup>r</sup>] En el nombre de Dios todo poderoso, Padre, Hijo y Espíritu Santo, tres personas y una esencia divina, y de la gloriosa Virgen María, su madre, reina ~~de los~~ y señora de los ángeles, *nuestra* señora y abogada de los pecadores y mía más que de nadie porque soy más pecador, porque así como es cierto que avemos de morir, así nos es incierto cuándo ni adónde moriremos, por manera que habemos d'estar así aparejados, como si cada ora oviésemos de morir. Por ende, sepan quantos esta carta de testamento vieren como yo, Diego López de Ayala, vicario y canónigo en la Sancta Iglesia de Toledo, estando sano de mi cuerpo y libre y sano de mi entendimiento, creyendo y confesando firmemente todo lo que la Iglesia Santa Cathólica de Roma cree y confiesa y predica, y así lo protesto desde agora para aquel artículo postrero, de vivir y morir en esta sancta fe cathólica, y con esta protestación ordeno esta mi carta de testamento y prostrimera voluntad, firmada de mi nombre al cabo de cada plana, la qual quiero que vala también como si fuese fecha y otorgada con las solemnidades todas que el derecho *requiere* en caso que no aya dispusición de ser otorgada ante notario o escrivano público.

Primeramente, encomiendo mi espíritu en las manos de mi *señor Jesu Christo*, el qual de nada lo crió y con su preciosísima sangre lo redimió, y suplico le tenga por bien y le pido por su *pasión* y méritos de su bendita madre y de sus santos, que en el día de su terrible juicio merezca yo oír y se diga por mí, "venid venditos del mi Padre".

Iten quiero que mi cuerpo sea sepultado en la dicha Santa Iglesia de Toledo en la Capilla Primera del Sagrario, delante de *nuestra* señora, debaxo de las lámparas de plata en la sepultura que los muy *reverendos* y *magníficos* señores Deán y Cabildo me señalaron en el año de mill e quinientos y veinte años en catorze días del mes de março, como parece por fe del secretario Hernando Alonso y está en el Libro Capítular asentado de mano del dicho secretario, de que tengo confirmación del *illustríssimo* señor don Joan Martínez Silíceo, Cardenal d'España y Arçobispo de Toledo. Y mando que sea puesta sobre la dicha sepultura la piedra de jaspe que yo tengo para ella con su orla y letrero y armas que no hagan tropieço.

Y si esta sepultura no se me diere, mando que mi cuerpo sea enterrado en la Capilla Mayor del Monasterio del Carmen, que es de mis pasados.

Iten mando que mis obsequias, honrras y cabo de año se hagan como suelen hazer por otros beneficiados de la dicha santa iglesia y, así en esto como en los lutos, lo remito a mis albaças. Y quiero *que* la Confradía de señor San Pedro y la de la Vera Cruz acompañen mi enterramiento, que soy su hermano. Y suplico a mis señores y debdos rueguen a Dios por mí y encargo mucho a mis criados que conviertan las lágrimas en oraciones por que Dios aya piedad de mi ánima.

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<sup>28</sup> The will is located in the Archivo Histórico Provincial de Toledo, Protocolo 1430, fols. 702<sup>r</sup>-705<sup>f</sup>. I am grateful for the generous and invaluable assistance of María del Carmen Vaquero Serrano in locating the will. To facilitate reading, this transcription modernizes punctuation, accents, and the use of upper and lower cases, as well as spacing between words. Abbreviations are spelled out with the added letters indicated in italics. The nasal bar is transcribed with the letter *n*; *v* and *j* are used in the function of consonants; *u* and *i* are used in the function of vowels; *ñ* is restored in cases where the document reads *n*.

Iten mando que ante todas cosas se paguen mis deudas lo que paresciere yo dever por conoscimientos y testigos que hagan sus dichos fe, lo qual mis albaças paguen ante todas cosas de lo mejor parado de mi hazienda.

Iten mando que luego sean pagados mis criados de todo lo que se les deviere de sus salarios y se las [*sic*] dé un mes de comer después de yo fallecido.

Diego López [signed]

[fol. 702<sup>v</sup>] Iten mando a Salaçar, mi criado, cinquenta ducados para ayuda al casamiento de una hija s[u]ya, o para metella monja.

Iten mando que se digan por mi ánima quatrocientas misas lo más breve que mis albaceas pudieren, con su responso por mí y por mis difuntos.

Iten mando que se digan en el Monasterio del Carmen d'esta ciudad doscientas misas por las ánimas de mis bisagüelos y de mi padre y de Hernando de Ayala, que allí están enterrados, y por mis hermanos, y al fin de cada misa se diga un responso por todos en la Capilla Mayor.

Iten mando que se digan en la Capilla de Santa Úrsula d'esta cibdad doscientas misas por las ánimas de mi agüela y de mi madre y de sus hermanos y hermanas, que allí yazen sepultados, y salgan con el responso sobre la sepultura de mi *señora* doña Bernardina de Guzmán.

Iten mando que se digan en el Monasterio de San Joan de los Reyes d'esta cibdad doscientas misas por el ánima del Cardenal mi *señor* don fray Francisco Ximénez, a quien devo todo el ser y bien i[n]terese que tengo, después de Dios.

Iten mando que se digan cinquenta misas por las ánimas de los beneficiados del Coro d'esta sancta iglesia dicha que han muerto en mi tiempo. Y mando ansí mesmo que se digan otras cinquenta misas por la salud de los beneficiados de la dicha santa iglesia que fueren bibos al tiempo de mi fallecimiento, las quales hagan dezir los señores Deán y Cabildo en el altar más cercano de mi sepultura.

La limosna por cada una d'estas misas sea un real.

Iten mando que de mis bienes, ansí muebles como raíces, se compre renta para dos capellanías que sirvan dos capellanes en la Capilla de Santa Marina, que es dentro en la dicha santa iglesia a la mano hizquierda como entramos en el sagrario, si mi cuerpo allí fuere sepultado. Y diga cada uno su semana misa, de manera que cada día se celebre misa en la dicha capilla, los quales dichos capellanes sean provehidos por los señores Deán y Cabildo de la dicha santa iglesia de la manera que provén las capellanías de don Pedro Tenorio y don Sancho de Rojas e las demás que son a su cargo de proveer dentro en la dicha iglesia, con tanto que Diego López de Ayala, mi sobrino, sucesor que ha de ser en mi calongía, durante los días de su vida presente los dichos capellanes a los dichos señores Deán y Cabildo para que los provean según dicho es, con que sean presviteros hábiles y suficientes. Y si no lo fueren, que los dichos señores no admitan a los tales nombrados y presentados y, en tal caso, el dicho mi sobrino sea obligado a nombrar y presentar otros a voluntad del Cabildo. Y después de los días del dicho mi sobrino, los dichos señores Deán y Cabildo provean las dichas capellanías según desuso se contiene, sin que aya nombramiento ni presentación de otra alguna persona, a los quales pido y suplico qu'en la provisión de las dichas capellanías tengan mucha advertencia que se den a personas hábiles y suficientes, de buena y honesta vida, sacerdotes de misa y no de otra manera, sobre lo qual les encargo la conciencia. Y en lo que toca al docte [*sic*] de las dichas capellanías y de otras memorias que, siendo Dios servido, entiendo dexar, y a la

administración, cera, hostias y umo, visitación y reparación de hornamentos, quiero y es mi voluntad

*Diego López* [signed]

[fol. 703<sup>r</sup>] que mis albaças lo concierten con los dichos señores Deán y Cabildo. Y en caso que mi cuerpo no sea enterrado en la entrada del dicho sagrario, quiero y mando que estas capellanías se celebren en el dicho Monasterio del Carmen en la dicha Capilla Mayor donde mi cuerpo ha de ser enterrado, y el dicho Diego López de Ayala, mi sobrino, sea el patrón d'ellas y, después de los días suyos, don Pedro de Ayala, su hermano y el sucesor en su mayorazgo y vínculo que en él hago por este mi testamento, para hazer cumplir los cargos de las dichas misas. Pero que los frailes del dicho monasterio las digan y el monasterio lleve la renta d'ellas y, en tal caso, no an de tener nombramiento los dichos señores Deán y *Cabildo*.

Iten mando que se compre de renta lo que a mis albaças pareciere para cubrir mi sepoltura los días de todos santos y difuntos, y esto se encargue a los sacristanes del sagrario.

Iten mando que se compren tres mill maravedís de renta para los clerizones d'esta *santa iglesia* para que me digan seis aniversarios de la manera que dizen los de Joan Ruiz, que Dios aya, canónigo que fue en la dicha *santa iglesia*, los cuales se canten en los días y meses que mis albaceas señalaren. Y anse de cantar sobre la sepoltura donde mi cuerpo fuere sepultado.

Iten mando que se digan cinquenta misas por el Racionero Bracamonte y por Páez, mi criado, adónde mis albaceas mandaren.

Iten mando al Ospital de la Misericordia d'esta cibdad de Toledo ocho ducados para ayuda a curar los pobres.

Iten mando a la Obra d'esta Iglesia de Toledo y a *Nuestra Señora* de Guadalupe y a las otras mandas acostumbradas a cada una un real.

Iten mando al Hospital del Rey d'esta cibdad dos ducados.

Iten mando al Hospital de los Caballeros d'esta ciudad dos ducados.

Iten mando al Hospital de San *Pedro* d'esta cibdad dos ducados.

Iten mando a la Comfradía de la Charidad d'esta cibdad dos ducados.

Iten mando a la Confradía de la Vera Cruz d'esta dicha cibdad dos ducados.

Iten mando a los monasterios de religiosos y religiosas, monjas y beatas d'es[ta] cibdad a cada uno dos ducados por que los dichos monasterios me rezen todo el salterio una bez dentro en los días de mi novenario.

Iten mando a Diego de Mendoça, mi criado, cinquenta ducados por que ruegue a Dios *por* mí.

Iten mando y encargo a Diego López de Ayala, sucesor en mi calongía, que reciba en su servicio a mis criados y los abrigue, faborezca y honrre, que pues lleva mi nombre y lo principal de mi hazienda, es justo que lo haga. Y ansí mesmo le encargo mucho y ruego que se sirva en su cámara de Diego de Mendoça y si quisiere ser clérigo, lo ayude para ello y si lego, le case; y se sirva de Antonio de Salazar en aquello que d'él me sirvo, pues sabe cuánto yo le quise y lo bien que me sirvió, y que se honrre mucho con él.

*Diego López* [signed]

[fol. 703<sup>v</sup>] Y que tenga por muy encomendados a los hijos de Valdivieso, mi criado, que aya gloria, pues tan bien me sirvió su padre. Y también le encargo y mando que sea muy

obediente a la señora doña Isabel Finolet, su madre, y que abrigue a sus hermanos y hermanas.

Iten le mando y encargo mucho que dé a su tía, doña Bernardina de Ayala, que es monja en Santa Úrsula de Toledo, cinco mill maravedís, los cuales le dé en cada un año por todos los días de su vida.

Iten mando que lo que yo dexare hordenado escrito de mi letra, o ajena y firmado de mi letra y nombre, se guarde y cumpla como si fuera escrito y otorgado en este mi testamento.

Iten es mi voluntad, por razón del mucho amor que yo tube al señor Hernando de Ayala, mi sobrino, y tengo a sus hijos y descendientes, de hazer, y por la presente hago, manda y mejoría a don Pedro de Ayala, hijo del dicho Hernando de Ayala y de la señora doña Isabel Finolet, su muger, de los bienes siguientes, combiene a saber: el lugar de Casabuenas con todo lo anejo y pertenescente al dicho lugar, con todo lo que yo he comprado y hedificado en él según y cómo a mí me pertenesce en possession y propiedad o me puede pertenescer en qualquier manera.

Iten la casa del campo que yo tengo en término d'esta cibdad de Toledo al pago de la Bastida con el bosque, cercados y árboles y tierra, y con todo lo labrado, comprado y edificado en ella y a ello anexo y pertenescente.

Iten la huerta de la solanilla con el molino de azeite y con lo a ella anexo y pertenescente y todos los instrumentos ya parejos del dicho molino, los cuales dichos bienes quiero, mando y es mi voluntad que los aya, tenga y posea y goze el dicho don Pedro de Ayala y, después de sus días, su hijo mayor varón, con que se llame Diego López de Ayala, así de grado en grado los hijos y nietos y descendientes del dicho don Pedro de Ayala, prefiriendo siempre el mayor al menor para siempre jamás. Y en defeto de hijos y descendientes varones legítimos y de legítimo matrimonio del dicho don Pedro de Ayala, quiero que aya, tenga y suceda en los dichos bienes doña Beatriz de Ayala, muger del señor don Diego de Ayala, regidor d'esta cibdad de Toledo, y después d'ella, su hijo varón mayor y los descendientes d'ella por línea masculina. Y en defeto de hijo mayor varón, suceda la hija mayor de la dicha doña Beatriz, llamándose del nombre de Ayala. Y si no casare la hija tal con hombre del apellido de Ayala o no oviere sucesión de la dicha doña Beatriz, sucedan en los dichos bienes los los *[sic]* hijos y descendientes del señor Hernam Pérez de Luxán, que aya gloria, precediendo el mayor al menor y el varón a la hembra, pero quiero y es mi voluntad que todos los dichos bienes siempre anden y estén juntos, incorporados y vinculados e unidos y no se puedan dividir ni apartar los unos de los otros, y el poseedor d'ellos los tenga siempre en pie, hiniestos y reparados y aliñados, y no se puedan vender, donar ni cambiar ni enagenar por ninguna manera, causa o razón, aunque sea por cosa que parezca ser y sea más provechosa o nezesaria. Y si, por ventura, el poseedor de los dichos bienes intentare ha hazer lo contrario, por el mismo caso sin otra dilación alguna vengan, y quiero que aya y tenga los dichos bienes el sucessor y llamado a ellos como en caso que el poseedor fuese naturalmente muerto y pasado d'esta presente vida, y la tal enagenación sea en sí ninguna

Diego López [signed]

[fol. 704<sup>r</sup>] y de ningún valor ni efecto. Y si el tal sucessor llamado a estos bienes fuere negligente y pasaren dos meses después de ser venido a su noticia la tal enagenación que no pida los dichos bienes pudiéndolos pedir, así los enagenados como los demás d'este dicho vínculo e fideicomiso, por el mesmo caso sea inábil para los tener y poseer, y

venga y suceda en ellos el siguiente, en grado por la manera del llamamiento y horden ya dicha. Y quiero que si, lo que Dios no permita, el poseedor d'este dicho vínculo y bienes cometiere algún delicto por el qual pierda o merezca ser privado de sus bienes, en tal caso quiero y es mi voluntad que aya perdido los dichos bienes dos oras antes que aya pensado cometer el tal delicto y sea havido por muerto naturalmente para que suceda en ellos el llamado después de sus días y luego incontinenti que se declare haber cometido el tal delicto.

Otrosí, por quanto yo tengo comprados ciertos maravedís de tributo al quitar, de los quales voy pagando el alcance último que se hizo al Racionero Gutierre Hurtado, receptor que fue de la Obra d'esta dicha santa iglesia, en las quantas que le fueron tomadas de la dicha Obra, que montó onze quentos poco más o menos, mando que de los maravedís de tributo al quitar perpetuo o juro o de otra renta que yo dexare para el dicho effecto al tiempo de mi fallecimiento, ante todas cosas se cumpla y acabe de pagar el dicho alcance. Y cumplido y pagado, mando que de lo que restare se den docientos ducados al Monasterio del Carmen d'esta cibdad de Toledo; y al Monasterio de Santa Úrsula d'esta dicha cibdad se den ansí mesmo otros docientos ducados; y a doña Jerónima, hija del dicho Hernando de Ayala, mi sobrino, se le den mill ducados para ayuda a su casamiento; y lo restante que quedare de los dichos tributos, juros o otra renta que yo he comprado o comprare e dexare para la paga del dicho alcance, se reparta por partes iguales entre los dichos don Pedro de Ayala y Diego López de Ayala, su hermano, sucesor en mi calongía, para que los ayan y hereden por suyos y como suyos para siempre. Y esto con que, ante todas cosas, se obligen al saneamiento y paga del dicho alcance a que yo estoy obligado a pagar, digo, a la resta que d'él quedare por pagar al tiempo de mi fallecimiento, e con que por todos los días de su vida los aya y goze la señora doña Isabel Finolet, su madre, qu'está obligada ansí mesmo a la paga del dicho alcance.

Iten mando la heredad que yo tengo en el lugar de Burguillos, aldea y jurisdicción d'esta cibdad de Toledo, con la casa, bodega y vasijas que yo allí tengo, a Diego de Guzmán, mi sobrino, racionero en la dicha sancta iglesia, por sus días. Y después venga y la posea el que tubiere el mayorazgo o vínculo ya dicho.

E para cumplir este mi testamento, mandas y legatos píos en él contemnidos, nombro y dexo por mis albaçeos y executores d'él al *illustríssimo* señor Cardenal d'España don Joan Martínez Sillíceo, Arçob[ispo] de Toledo, y al señor Pedro Cebrián, canónigo en la dicha Sancta Iglesia de Toledo, y a la señora doña Isabel Finolet; y si alguna dubda hubiere en la declaración d'este mi testamento, remito la declaración d'ella al doctor Pero Vázquez, sin que aya lugar de apellación; a los quales, y a cada uno d'ellos, doy todo mi poder cumplido, que todos tres o los dos d'ellos cumplan y hagan cumplir este mi testamento, los quales se entreguen de mi hazienda y hasta haber cumplido y pagado todo lo en él contenido, no entreguen ni hereden cosa alguna de mis bienes; y pídoles por mí que lo cumplan y paguen con toda presteza.

Diego López [signed]

[fol. 704<sup>v</sup>] E Cumplido y pagado este mi testamento y las mandas y legatos en él contenidas [sic], dexo y nombro por mi universal heredero de todos mis muebles raíces y semobientes, comoquiera *que* yo los aya y me pertenezcan, al dicho don Pedro de Ayala, mi sobrino, hijo del dicho Hernando de Ayala, mi sobrino, y de la dicha doña Isabel Finolet, su muger, para que los aya y herede y tenga por suyos para agora y para siempre



jamás, con que la *señora* doña Isabel, su madre, sea usufructuaria de los dichos bienes hasta tanto qu'el dicho don *Pedro* de Ayala sea de edad de sesusor [*sic*] y, casándose, luego a la ora se los dé y entregue. Y encárgole mucho que le sea obediente y se case con su licencia y bendición. Y ansí mismo quiero y es mi voluntad que la muger con quien se casare el dicho don *Pedro* tenga el apellido e se llame de Ayala. E por la presente reboco y doy por ningunos e de ningún valor y effecto todos los otros qualesquier y quales testamento o testamentos que antes d' éste haya hecho y otorgado, en qualquier manera que sea, y quiero que no valgan ni sean cumplidos ni executados en cosa alguna, salvo este dicho mi testamento que agora hago y otorgo; y si no valiere por testamento, quiero que valga por cobdicillo o por epístola o como de derecho mexor aya lugar.

Diego López de Ayala [signed]

Diego López de Montenegro [signed]

Pedro Sótelo [signed]

[fol. 705<sup>r</sup>] En la muy noble e muy leal çibdad de Toledo, siete días [del] mes de febrero, año del nascimiento de nuestro salvador *Jesu Christo* de mill e quinientos e çinquenta e seis años e en presencia de mí, el notario público, e testigos de yuso escriptos, pareció presente el muy magnífico e muy rreverendo señor don Diego López de Ayala, vicario y canónigo de la Santa Iglesia de Toledo e obrero d'ella, e dixo qu'él tiene fecho e ordenado este su testamento e prostimera voluntad, que es esta escriptura cerrada e sellada, de que hazía e hizo presentación, que va escripta [*sic*] en çinco planas e acabado en otra plana y al pie de cada plana firmado de su nonbre e a fin d'él ansí mismo. Por ende, que esta presente escriptura otorgava e otorgó por tal su testamento e prostimera voluntad e por tal e como tal mandava e mandó que sea guardado, cumplido y executado; e nonbrava e nonbró por herederos e albaçeas a los en él contenidos; e rrebocó otros qualesquier testamentos que aya fecho e otorgado antes d'este e mandó que no valgan salvo éste, qu'es su testamento e prostimera voluntad e por tal lo otorgó e lo pidió por testimonio, testigos que fueron presentes: Alonso Sótelo e Joan de Horozco e Pedro Cabrera e Martín Calderón e Blas Ximénes, criados del Capellán Mayor de Granada, e Christóval de Aguilera e Joan de Figueroa, criados del dicho Capellán Mayor de Granada.<sup>29</sup>

Diego López de Ayala [signed]      Alonso Sótelo [signed]      Juan      de  
Horozco [signed]

Pedro Cabrera [signed]      Martín Calderon [signed]      Blas      Ximénez  
[signed]

Juan de Figueroa [signed]

E yo, Payo Rodríguez Sótelo, notario de sus Magestades e notario público de los del número de la dicha çibdad de Toledo, presente fui a lo que dicho está con los dichos testigos que de suso firmaron sus nonbres e lo fize escribir e fize aquí este mi signo de otorgamiento del dicho señor don Diego López de Ayala, que yo conosco e aquí firmó su nonbre, e fize aquí mi signo que está tal en testimonio de verdad.

Payo Rodríguez [signed], notario público

<sup>29</sup> The Capellán Mayor de Granada at the time was Alonso de Rojas, grandson of Iñigo López de Ayala y Dávalos and a family relation of Diego López de Ayala.

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